

**FREE AND COMPULSORY EDUCATION ACT 2009: CHALLENGES
CONFRONTING IN ITS IMPLEMENTATION IN THE CONTEXT OF
MANIPUR**

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ABSTRACT

The Right to Education legislation has a long history, having been subjected to numerous rounds of heated debate and philosophical and semantic alterations. The 86th Constitutional Amendment declared Education a fundamental right of all children in the age-group of 6 to 14 years which was ensured in the form of Right to Education Act 2009. But the consequences for implementing the mission of free and compulsory elementary education in the country has remained far-reaching.

Though, there has been a significant spatial and numerical expansion of elementary schools in the country and in the state of Manipur in particular. The goal of universal elementary education continues to be eluded. The number of children, particularly those children from the disadvantaged groups and weaker sections who drop out of the schools before completing elementary education and also children who do not admit themselves in the elementary schools remains at very large. It is because of the prevailing harsh socio-cultural and economic ground realities. Therefore, the implementation of the RTE Act has posed daunting challenges in its execution and implementation.

This paper explores the challenges posed by the stakeholders in the implementation of the 'Right to Free Compulsory Education Act 2009 in the context of Manipur. Primary data were collected from Government and Private Schools of 9 districts of Manipur. It was found that the demand for documents, distribution of central and state funds, collection of school fee, infrastructures of schools remain major issues in implementing the RTE Act.

Keywords: Right to Education, Compulsory Education, Challenges, Implementation.

1.0 INTRODUCTION

Since time immemorial, education in India has been an exclusive right of higher caste people or the elite class of the society. It was limited only to a small section of society. Though there were compulsory education laws during the British rule, not much of the progress was made. The British Government did not implement strictly. After independence, Article 45 of the newly framed Constitution stated that "the State shall endeavour to provide within a period of 10 years from the commencement of the Constitution, free and compulsory education to all

children until they complete the age of 14 years." Even then, there was not much of progress that was expected to happen. In 1968, National Policy on Education was framed which spoke about the Indian government's commitment towards elementary education. National policy on education in 1986 and in 1990 recommended RTE has to be a fundamental right in the Indian Constitution. Based on this, the National policy on Education 1992 was formulated. The passing of the RTE Act in 2009 enabled Children to get Free and Compulsory Education. For the first time in India's history, children were guaranteed their right to get quality elementary education by the state with the help of families and communities. Arvind Kumar (2014) in his study briefed the importance of RTE Act in 2009. In addition to his study Chaudhary, Pranita. (2014) and Dalal, R. (2013) emphasizes on to accept the right to education as a fundamental right in our Constitution.

After almost 60 years of Independence and countless committees, policymakers realized what it required to make universal elementary education a reality. It required not just allocation of resources and Centre-State coordination, but also a clear cut mandate. India had failed in what most other countries had managed to achieve because there was no compulsion of any on the state machinery to actually effectuate something like elementary education. Though Centre-State coordination was taking place for years together, India's masses remained illiterate because no agency could be hauled up for the miserable state of education. International Declarations had always stressed on the 'compulsory' aspect of education because they knew that unless people were forced to act nothing would result out of policy papers.

2.0 REVIEW OF LITERATURE:

Ritimoni Bordoloi (2011) emphasizes on the points of challenges for the fulfilment of the goal of Universal Elementary Education (UEE) which is covered in Millennium Development Goals (MDGs) by 2015 and India Vision by 2020. For living in a society with dignity and for moulding the habits, tests and characters of individuals we need education. With this basic purpose, the provision of the right to education is accepted in our Constitution as a fundamental right. The special law that is Right to Education Act is also passed for the same purpose. The study also covers various National Policies and plans of the Government of India for UEE along with the challenges by reviewing the literature statistically and finally it sums up with suggestions (**Desai, 1993**).

Sarkar (2011) highlights on what we mean by human rights which includes the rights relating to life, liberty, equality, dignity and so on. For the application of all these human rights, education is the best tool. For this basic reason, the UN has also accepted this right to education. In India, too with lots of efforts and changes the same are accepted. This study provides for the problems in Indian education and solutions for the same. Education plays a crucial role in the overall development of the nation as well as each and every individual. Therefore, it emphasizes on the right to education as the human right. Lastly, the study arrives at the conclusion that the right to education means learning for life for which quality education is a must.

Kaushal (2012) emphasizes on issues and concerns in the implementation of Right to Education. The Government of India through the 86th Amendment of the Constitution of

India provides for free and compulsory education to the children from the age group of 6 to 14 years. Along with the historical background, the basic features of the RTE Act are also emphasized. The main challenges stressed in the study are psychological insecurity because of the provision of 25% reservation to the children from an underprivileged background, despite of the restriction for capitation fee some private schools are increasing it, the teacher students ratio is not maintained as well proper training are not available to teachers. In this way quality and quantity are not maintained. Besides this, variations in the country are also a major part, faulty evaluation system, pressure on the Government and so on are also given due consideration.

Dalal (2013) basic concerns are the plans of Government, State and Central for the purpose of increasing awareness and proper implementation of RTE Act 2009. First of all, it emphasized on the historical background of the Act because as per the 2013 Human Development Report, India ranked 136th country of the world on the Human Development Index (HDI) scale. This HDI scale classifies the world into four-part as very high, high, medium and low human development index and India is now in the third category. Education is the priority for the economic, social, cultural or any other kind of development of a nation. Therefore in this study along with salient features of the Act, some recommendation and suggestions are provided for uplifting India to the first category of HDI scale.

According to **Saraswati (2013)**, private schools in comparison with public schools have failed to forge an alliance in support of the provisions of the RTE Act. According to her, undeniably today parents seek private education for their children but due to unaffordability of the education at esteemed private institutions for their children, they end up sending them to schools with low fees and lesser facilities.

Seema (2013) found that the public schools are up to the mark only in terms of enrollment and basic structure but maintenance was not taken care of and the quality of teaching was very minimal in the context of the Children with Disability.

Shruti Kant Pandey (2013) has conducted a study on "An Exploratory Study on the Apprehensions and Implementation of Right to Education Act 2009" to bring to the surface the underlying features of the Right of Children to Free and Compulsory Education Act 2009 popularly known as the RTE Act 2009. In the light of above facts and discussion thereon it is evident that RTE 2009 is a unique document as far provisions and norms are concerned. It can bring drastic changes in the field of elementary education in our country. But poor implementations, slackness on the part of several governments and their departments, as well as the discontent of few segments of our society are hampering proper progress on the implementation of the RTE Act, 2009. If these hindrances are wiped out immediately, the RTE Act 2009 can bring magnificent results and even become a magnificent instrument to make India a knowledge superpower by 2020.

Mohamed Imranullah (2013) found that 'The Right of Children to Free and Compulsory Education (RTE) Act 2009' stipulates that private schools reserve 25 per cent of seats at the entry level for children belonging to 'disadvantaged groups' and 'weaker sections'. This article talks about whether this Act is working out in practice and whether it is benefiting the intended group of people. It also looks at the awareness level among people and their

representatives. The pros and cons of the RTE Act are discussed using the interview technique. **Durga, Devi & Raman, Sharma (2016)** in their empirical study identify that Right to Education is a gift to the marginalized and under privileged society to get better education. This is also supported by **Kant (2013)** and **Kaushal (2012)** in their studies.

2.0 LITERATURE GAP

Several studies are done to know about the challenges of the Right to Education Act. But no study is conducted to ascertain the Challenge of the Right to Free and Compulsory Education in relation with the schools of Manipur. **Malik, Sarika, Serohi, Seema, and Ajay Tayal. (2013)** in their study emphasis on creating awareness and addressing the changes faced by Right to Act to reach the beneficiary. Therefore, this research is done to ascertain the challenges in the implementation of the Rights to Education Act in relation to the schools in Manipur.

2.1 Need/Importance of the Study

The main objective of this study is to understand the challenges that the Right to Education Act 2009 poses in the schools of Manipur in respect of achieving its objects for which it was enacted. Moreover, the quality of learning is not satisfactory as it compared with other states. This paper believes that the Right to Education Act has lots of challenges while implementing the Act.

2.2 Statement of the Problem

Over the years, there has been significant spatial and numerical expansion of elementary schools in the country and in the state of Manipur in particular (Dena, Lal, 2016). Yet the goal of universal elementary education continues to elude us. The number of children, particularly those children from the disadvantaged groups and weaker sections who drop out of the schools before completing elementary education and also children who do not admit themselves in the elementary schools remains very large. Moreover, the quality of learning achievement is not always entirely satisfactory even in the case of children who complete the elementary education.

2.3 Objective of the Study

Given the objectives, survey of literature and scope, the following objective established for the purpose of the study is:

1.To review the challenges posed by the implementation of the 'Right to Free Compulsory Education Act 2009 in the context of Manipur

Hypotheses

Given the objectives, survey of literature and scope, the following hypothesis established for the purpose of the study is

H0: The ‘Right to Free Compulsory Education Act 2009’ does not pose any Challenges in implementation in the context of Manipur

2.4 Research Methodology:

A survey was conducted in 15 schools of both Government and Private schools of Manipur. The data were collected through questionnaires. 7 samples of government schools and 8 samples for the private schools (detailed in Table No:1).

**Table 1
Sample Selected for the Study**

Sl. No.	District	No. of Government Schools	No. of Private Schools	Total
1.	Bishnupur	7	8	15
2.	Chandel	7	8	15
3.	Churachandpur	7	8	15
4.	Imphal East	7	8	15
5.	Imphal West	7	8	15
6.	Senapati	7	8	15
7.	Tamenglong	7	8	15
8.	Thoubal	7	8	15
9.	Ukhrul	7	8	15
Total				135

Source: Board of Secondary Education, Manipur

Latent Variable Considered For the Study

[a] Challenges in implementing Right to Free and Compulsory Education

This variable has been considered to measure the intensity of the challenges in the implementation of the Right to Education Act in the schools of Manipur. The variable considered for the study has been reported in the Table:2

3.0 RESULTS & DISCUSSION

[a] Challenges in implementing Right to Free and Compulsory Education

Table No: 2 Overall data of Challenges in Implementing in ‘Right to Education Act’			
	N	Mean	Sum
Central Government provide funds for RTE Act implementations (X1)	135	.35	47
Central Government develop and enforce standards for training of teachers (X2)	135	.57	77

Central and State Government provide technical support and resources for promoting innovations, researches, planning and capacity building (X3)	135	.41	55
No children are expelled from the school (X4)	135	.72	97
No students pay fees from class 1 to class 8 (X5)	135	.45	61
Special training are given to weak students (X6)	135	.76	102
Children, fourteen years and above, with minimum formal education are give chance to study (X7)	135	.62	84
Right to Admit without age proof (X8)	135	.32	43
School has separate class room every class (X9)	135	.50	68
School has adequate and safe drinking water facilities (X10)	135	.37	50
School has teaching learning equipments (X11)	135	.56	75

Source: Compiled from Survey data

It is observed that 35% of the schools get central and state funds for implantation of RTE Act. This figure differs between Government Schools and Private Schools in district wise. In case of paying school fee only 45% of the children are benefited still 55% of the children pay fee which is against the objective of RTE Act. It is one of the challenges of RTE, which has to be addressed by the people involved in implementation. Another challenge faced by RTE was payment of fee. According to the Act, no age proof is required for admission up to the elementary stage. But the in-ground reality, 68% of the schools demand age proof for admission which is totally against the purpose of the act. Besides these, the infrastructure found in these schools is not matching as mentioned by the Act which needs attention and have to be improved as the 50% of the data support for the improvement. The district-wise data presented below bring more information on the challenges of the Right to Education Act.

3.1 District wise Data

Table No: 4.11
School Wise data of Challenges in Implementing in 'Right to Education Act'

Districts			(X1)	(X2)	(X3)	(X4)	(X5)	(X6)	(X7)	(X8)	(X9)	(X10)	(X11)
Bishnupur	Government	N	7	7	7	7	7	7	7	7	7	7	7
		Mean	.57	.71	.71	1.00	.43	.71	.29	.86	.71	.71	.71
		Sum	4	5	5	7	3	5	2	6	5	5	5
	Private	N	8	8	8	8	8	8	8	8	8	8	8
		Mean	.38	.25	0.00	.50	.63	.88	.75	.63	.75	.75	.75
		Sum	3	2	0	4	5	7	6	5	6	6	6
Chandel	Government	N	7	7	7	7	7	7	7	7	7	7	7
		Mean	.29	.57	.29	.71	.57	.86	.86	.14	.57	.71	.86
		Sum	2	4	2	5	4	6	6	1	4	5	6
	Private	N	8	8	8	8	8	8	8	8	8	8	8
	Mean	.25	.25	.25	.75	.75	.25	.25	.25	0.00	0.00	.25	

Churachanpur	Government	Sum	2	2	2	6	6	2	2	2	0	0	2	
		N	7	7	7	7	7	7	7	7	7	7	7	7
		Mean	.71	1.00	.29	1.00	.14	1.00	1.00	.14	.86	0.00	.14	
	Private	Sum	5	7	2	7	1	7	7	1	6	0	1	
		N	8	8	8	8	8	8	8	8	8	8	8	8
		Mean	.50	1.00	.88	.88	.13	.75	1.00	.50	.25	0.00	.25	
Imphal East	Government	Sum	4	8	7	7	1	6	8	4	2	0	2	
		N	7	7	7	7	7	7	7	7	7	7	7	
		Mean	0.00	.86	.71	.86	.14	1.00	.71	.57	.29	.29	.86	
	Private	Sum	0	6	5	6	1	7	5	4	2	2	6	
		N	8	8	8	8	8	8	8	8	8	8	8	
		Mean	0.00	.63	.25	.25	.75	.63	.63	0.00	.63	.63	.63	
Imphal West	Government	Sum	0	5	2	2	6	5	5	0	5	5	5	
		N	7	7	7	7	7	7	7	7	7	7	7	
		Mean	.71	0.00	0.00	.71	.29	.71	.71	0.00	.71	0.00	0.00	
	Private	Sum	5	0	0	5	2	5	5	0	5	0	0	
		N	8	8	8	8	8	8	8	8	8	8	8	
		Mean	.75	.63	.63	.50	0.00	1.00	.88	.50	.38	0.00	.63	
Senapati	Government	Sum	6	5	5	4	0	8	7	4	3	0	5	
		N	7	7	7	7	7	7	7	7	7	7	7	
		Mean	.71	.86	.86	.43	.29	.86	.86	.86	1.00	.86	1.00	
	Private	Sum	2	8	7	8	0	8	7	1	6	7	8	
		N	8	8	8	8	8	8	8	8	8	8	8	
		Mean	.25	1.00	.88	1.00	0.00	1.00	.88	.13	.75	.88	1.00	
Tamenglong	Government	Sum	5	4	3	5	2	4	5	3	5	4	4	
		N	7	7	7	7	7	7	7	7	7	7	7	
		Mean	.71	.57	.43	.71	.29	.57	.71	.43	.71	.57	.57	
	Private	Sum	1	2	1	4	7	8	4	3	3	4	4	
		N	8	8	8	8	8	8	8	8	8	8	8	
		Mean	.13	.25	.13	.50	.88	1.00	.50	.38	.38	.50	.50	
Thoubal	Government	Sum	2	2	3	6	4	4	2	1	1	1	4	
		N	7	7	7	7	7	7	7	7	7	7	7	
		Mean	.29	.29	.43	.86	.57	.57	.29	.14	.14	.14	.57	
	Private	Sum	1	8	5	6	2	8	3	1	3	2	7	
		N	8	8	8	8	8	8	8	8	8	8	8	
		Mean	.13	1.00	.63	.75	.25	1.00	.38	.13	.38	.25	.88	
Ukhrul	Government	Sum	0	2	0	5	7	2	3	1	4	2	2	
		N	7	7	7	7	7	7	7	7	7	7	7	
		Mean	0.00	.29	0.00	.71	1.00	.29	.43	.14	.57	.29	.29	
	Private	N	8	8	8	8	8	8	8	8	8	8	8	

	Mean	0.00	.13	0.00	.88	1.00	.50	.13	0.00	.13	.13	.13
	Sum	0	1	0	7	8	4	1	0	1	1	1

Source: Compiled from Survey data

The main challenges faced by the Act at the district level towards using Central and the State Government funds reflect that they face inadequate availability of funds for the proper implementation of the RTE Act. The districts such as Ukhrul and Imphal East practically receive minimum funds from the Central Government and State Government for implementing the RTE Act which needs to be addressed by the people involved in the implementing of the Act.

The Act at ground level in implementation, vital role was played by the teachers. But the Central and the State Government do not provide training and enrichment facilities and technical support to develop and enforce standards to improve the quality of education. The data presented shows the variation in respect of training of teachers and capacity building in the districts of Manipur.

The next major challenge of implementation of the Act is the collection of the fee. Schools irrespective of nature, types and area, commonly collect a fee, which is reflected in the above-mentioned table. Here, only 13% of students in Churachandpur, Imphal West and Senapati districts do not collect fee at the elementary education stage. It is too low. This is the main challenges of RTE implementation.

Besides the above-mentioned challenges, another main challenge of implementation of the RTE Act is demanding of age proof for Admission. Here, only 7% of Ukhrul, 13% of Thoubal, 20% of Chandel and 27% of Imphal East and Imphal West districts, admissions are given to the students without age proof. It is very low compare with the national level.

The next challenge to be addressed by the concern people involved in the implementation is infrastructure. The basic infrastructure of the schools such as separate classrooms for every class, adequate and safe drinking water facilities and teaching-learning equipment is lacking. Here, 27% of the schools in Chandel and Thoubal districts do not have separate classrooms for each class. Churachandpur and Imphal west districts lack adequate drinking water facilities. And only 20% of schools in Churachandpur and Ukhrul districts have the teaching-learning equipment in their schools. The rest has to be provided.

3.2 School Wise Data

Districts		(X1)	(X2)	(X3)	(X4)	(X5)	(X6)	(X7)	(X8)	(X9)	(X10)	(X11)
Bishnupur	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	.47	.47	.33	.73	.53	.80	.53	.73	.73	.73	.73
	Sum	7	7	5	11	8	12	8	11	11	11	11
Chandel	N	15	15	15	15	15	15	15	15	15	15	15

	Mean	.27	.40	.27	.73	.67	.53	.53	.20	.27	.33	.53
	Sum	4	6	4	11	10	8	8	3	4	5	8
Churachanpur	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	.60	1.00	.60	.93	.13	.87	1.00	.33	.53	0.00	.20
	Sum	9	15	9	14	2	13	15	5	8	0	3
Imphal East	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	0.00	.73	.47	.53	.47	.80	.67	.27	.47	.47	.73
	Sum	0	11	7	8	7	12	10	4	7	7	11
Imphal West	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	.73	.33	.33	.60	.13	.87	.80	.27	.53	0.00	.33
	Sum	11	5	5	9	2	13	12	4	8	0	5
Senapati	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	.47	.93	.87	.73	.13	.93	.87	.47	.87	.87	1.00
	Sum	7	14	13	11	2	14	13	7	13	13	15
Tamenglong	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	.40	.40	.27	.60	.60	.80	.60	.40	.53	.53	.53
	Sum	6	6	4	9	9	12	9	6	8	8	8
Thoubal	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	.20	.67	.53	.80	.40	.80	.33	.13	.27	.20	.73
	Sum	3	10	8	12	6	12	5	2	4	3	11
Ukhrul	N	15	15	15	15	15	15	15	15	15	15	15
	Mean	0.00	.20	0.00	.80	1.00	.40	.27	.07	.33	.20	.20
	Sum	0	3	0	12	15	6	4	1	5	3	3

Source: Compiled from Survey data

Comparing the challenges between the government and private schools of Manipur, the implementation level is much higher in Government schools as compared with the private schools. Only in Imphal East and Ukhrul districts, the Government schools receive fewer funds whereas private schools practically receive very fewer funds than Government school. In respect of training of teachers except in Imphal West district, all other districts of Manipur the Central Government and the State Government develops and enforces standards for training of teachers whereas in the private schools only 13% schools in Ukhrul district, 25% in Bishnupur, Chandel and Tamenglong districts avail the opportunities. In Ukhrul district neither the Government schools nor the Private schools get technical and resources support. In Imphal West district the Government schools to are receiving minimum technical support and resources for promoting innovations. In Bishnupur district the private schools are also not provided technical support and resources. The next issue of school fees, even in the Government schools collects fees at the elementary level. Here, Only 43% in Bishnupur, 14% in Churachandpur and Imphal East, 29% in Senapati and Tamenglong districts of Government schools do not collect fees whereas all private schools in this area collect fees. This questions effective implementation of the Act. In case of infrastructure, Chandel and Churachandpur districts of private schools and Imphal West and Ukhrul Districts of Government Schools have to improve infrastructure as compared with other private and Government schools of Manipur as per the give data.

4.0 RECOMMENDATIONS/SUGGESTIONS

1. Assignment of State responsibility could be taken more seriously The RTE Act clearly makes the state responsible for ensuring that every child in the age group of 6-14 receives schooling for eight years instead of merely shifting the responsibility to the parents, majority of whom are illiterate and mired in poverty. The Act reiterates the role of the State along with private and aided schools to satisfy certain basic norms in terms of infrastructure, learning facilities and the academic calendar.
2. The investigation could be taken up as to whether the Government is really neglecting in providing the required funds for RTE Act implementation or the fund which is provided by the government is being misused by some other organizations.
3. A case study could be taken up to find out what is the reason behind asking for age proof in granting admission to the students.

5.0 LIMITATIONS

Manipur has at present 16 districts which were bifurcated from 9 districts in the year 2016. But the present study is considering the districts of Manipur as 9 districts since the jurisdiction of the newly created districts is not clearly marked out.

6.0 CONCLUSION

The main challenges in the implementation of Right to Education Act 2009 are (a) the availability of funds from state and central Governments, (b) training of teachers with technical support, (c) collection of fee, (d) requirement age proof for admission and (e) Lack of infrastructure are main areas of concern. The stakeholders involved in implementation need to adopt the best practices to implement the Act in the best way or else the benefit that will come out of the Act will be at stake.

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