

# Passing the Baton: Understanding the PPP Model of Pre-Primary Education in Mumbai

October 2021



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## About the Authors

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# Introduction

There has been increasing interest in resorting to public-private partnerships (“**PPPs**”) for the delivery of social services, including education. Globally and in India, governments, public institutions, and multilateral agencies have popularised the idea that PPPs have the potential to improve the quality of education delivered, and can compensate for the low investment capabilities and lack of capacity of the State to deliver education.<sup>1</sup> Proponents claim that PPPs like private schools can deliver high quality education <sup>2</sup>while being more cost-effective and efficient in utilization of resources in comparison to public schools.<sup>3</sup> PPPs are thus heralded as a means to support the State’s delivery of universal quality education.

On the other hand, several others including academics, educationists and legal policy researchers disregard PPPs especially where more complex partnerships shift the responsibility of delivering education from the State to private partners. Such opposition is on grounds that the State has an obligation to provide education under international and national law. A second concern raised is regarding the potential for PPPs to adversely impact equitable access to schooling through increased commercialization and privatization of education provisioning. As stated in an Oxfam report,<sup>4</sup> *“Across many countries and contexts, education PPPs... have produced well-documented and profoundly troubling impacts on educational inequality and social segregation; a negative impact on the human right to education, and on the state’s role in fulfilling its obligation as the primary provider and guarantor of this right; and a potentially lasting erosion of the public purpose of education.”*

Evidence on the impact of PPPs on various desirable indicators of learning outcomes and equity are mixed. While some studies have found positive impacts of PPP models on learning outcomes, others have found evidence that positive effects on learning are a function of sorting of students on the basis of advantage and capability.<sup>5</sup> On equity considerations, there is a deluge of evidence that certain types of PPPs such as voucher programs can exacerbate inequalities in access to schooling for students from socioeconomically vulnerable backgrounds.<sup>6</sup>

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1 Katie Malouf Bous, ‘False Promises’ (Oxfam International, April 2019) <<https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620720/bp-world-bank-education-ppps-090419-en.pdf?sequence=1&isAllowed=yor>> accessed 27 August 2021.

2 Karthik Muralidharan and Michael Kremer, ‘Public and Private Schools in Rural India’ (Education Policy and Governance Conference: Mobilizing the Private Sector for Public Education, Kennedy School of Government, 2005) <[https://scholar.harvard.edu/files/kremer/files/public\\_and\\_private\\_schools\\_in\\_rural\\_india\\_final\\_pre-publication.pdf](https://scholar.harvard.edu/files/kremer/files/public_and_private_schools_in_rural_india_final_pre-publication.pdf)> accessed 27 August 2021.

3 Caroline Minter Hoxby, ‘School Choice and School Productivity. Could School Choice Be a Tide that Lifts All Boats?’ in Caroline M. Hoxby (ed), *The Economics of School Choice* (University of Chicago Press, 2003).

4 Katie Malouf Bous, ‘False Promises’ (Oxfam International, April 2019) <<https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620720/bp-world-bank-education-ppps-090419-en.pdf?sequence=1&isAllowed=yor>> accessed 27 August 2021.

5 Donald R. Baum, ‘The Effectiveness and Equity of Public-Private Partnerships in Education: A Quasi-Experimental Evaluation of 17 Countries’ (2018) 26 (105) *Education Policy Analysis Archives* <<https://pdfs.semanticscholar.org/5c01/c9a8354b345478163a9455c38132da2640b5.pdf>> accessed 27 August 2020.

6 *ibid.*

The possibility of improving the delivery of education through PPPs requires State regulation to control standards and quality.<sup>7</sup> Especially in the absence of a lack of definitive evidence on the impact of PPPs as well as in the interest of safeguarding the right to education for all children, the State must approach new partnerships in education with caution. It must further ensure that existing partnerships for education are appropriately regulated.

In this report, we take up the case study of a PPP model being run by the Education Department of the Municipal Corporation of Greater Mumbai (“MCGM”), for the delivery of Early Childhood Education (“ECE”). In this partnership, the MCGM provides infrastructure and facilities in existing schools and honorariums for staff to ‘social organisations’<sup>8</sup> tasked with running ‘balwadis’, or ECE centres. The MCGM’s PPP balwadi model has been running for over 10 years, catering to at least 16,000 children in Mumbai. Despite its long run, and similar to many other examples of PPPs in education we see in India, there is no clear legislative or policy framework guiding the implementation<sup>9</sup> of this model. This is further complicated by the fact that it is not the Education Department of the MCGM but MCGM’s Woman and Child Welfare Committee that has the mandate to ensure the availability of ECE to children within their jurisdiction.<sup>10</sup> While the MCGM does have a PPP policy for education, this policy makes no mention of balwadi centres, nor does it clearly state whether it is wholly applicable to ECE centres run through PPPs by the MCGM. It is thus unclear at the first instance, whether this policy applies to the balwadi model at all.

This report investigates the balwadi model through the lens of multiple stakeholders - teachers, parents, and the organisations tasked with its operation - and through analysis of policies and legal contracts governing its implementation. Using a framework for implementation (described in Section 3) of PPPs in education, we identify various design and implementation-level gaps in the model, with a possible bearing on the equity and quality of education delivered, and accountability of the State. This highlights the broader need to ensure that where a PPP in education is already being resorted to, a robust policy framework regulates the partnership’s design and implementation.

Across India, there is no legislative framework centrally or within states to guide PPPs in education. Policy frameworks for PPPs exist in some contexts, such as in the case of the MCGM. In this case, however, the MCGM’s PPP policy is itself guided by existing legislation: The Right of Children to Free and Compulsory Education Act (2009), and is thus limited by the Act’s own limitations. Most provisions of the Act are only applicable to elementary education of children between 6-14 years of age. This leaves to interpretation whether the MCGM’s policy applies to the balwadi model. There is thus a need for a policy framework to guide the governance and implementation of PPPs in education, especially in stages of education where delivery itself is unclear, such as in ECE.

In Section 1, we describe the implementation status of ECE, the policy landscape, and the landscape of ECE providers in India and the state of Maharashtra. The former is crucial to understand the positioning of the MCGM as a provider of ECE in the state, while the latter identifies PPPs as the fourth provider of ECE.

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<sup>7</sup> Chris Sakellariou and Harry Anthony Patrinos, ‘The Equity Impact of Public Finance of Private Education Provision in Côte d’Ivoire’ (2009) 29(4) *International Journal of Educational Development* 350.

<sup>8</sup> Term as used in the MCGM MoU to refer to organisations that run balwadis under this partnership model.

<sup>9</sup> ‘Particulars of Organisation, Functions and Duties of the Department’ (Chapter 2, Manual 1) (MCGM) <[https://portal.mcg.gov.in/irj/go/km/docs/documents/MCGM%20Department%20List/Education%20Officer/RTI%20Manuals/Education\\_Officer\\_RTI\\_E02.pdf](https://portal.mcg.gov.in/irj/go/km/docs/documents/MCGM%20Department%20List/Education%20Officer/RTI%20Manuals/Education_Officer_RTI_E02.pdf)> accessed 27 August 2021.

<sup>10</sup> ‘Special Committees’ Procedure Rules’ (MCGM) <[https://portal.mcg.gov.in/irj/portal/anonymous/qlspecialcom?guest\\_user=english](https://portal.mcg.gov.in/irj/portal/anonymous/qlspecialcom?guest_user=english)> accessed 27 August 2021.

Section 2 describes the MCGM's PPP balwadi model in detail and the existing policy framework for its regulation. Section 3 describes the methodology of data collection and analysis. Section 4 presents the analysis, identifying policy and implementation gaps in the MCGM's model, followed by Section 5 that concludes with key recommendations for implementation of this model, and a call for instituting a policy framework for PPPs in education across the country.

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# Landscape of ECE in India and Maharashtra

## Status of ECE delivery in urban India and Maharashtra

Compared to the 11.76 crore population of children in the 0-6 age group in rural India, only an estimated 4.12 crore live in urban areas.<sup>11</sup> ECE delivery in urban India however is distinct from that of rural India, where the dynamism of cities due to urban displacement, migration and other factors, challenge the State capacity to cater to the education needs of all children. This has also posed a challenge to studying the status of ECE delivery in urban India.

As one of the most urbanized states in India, Maharashtra has 1.3 crore children in the age group of 0-6 years, with approximately 42% residing in urban areas<sup>12</sup> and including a large population of inter-and intra-state migrants. However, low access to public ECE and Early Childhood Care and Education (“ECCE”) centres is a persistent issue for urban Maharashtra with only 16% of the 97,475 Anganwadi Centres present in the state being located in its urban areas.<sup>13</sup> Of these only 5,130 Anganwadi Centres are located in Mumbai<sup>14</sup> to cater to a population of 3.08 crore people,<sup>15</sup> far below the population norms of 1 Anganwadi Centre to a population of 1000 in urban areas.<sup>16</sup>

Demand for ECE in the absence of adequate availability, has resulted in increased private provisioning in urban India. 50.4% of children in the age group of 0-6 years attend private preschools, followed by 22.2% of children enrolled in Anganwadi Centres and 24.5% who are not enrolled in any preschool. This is inverted in rural areas where only 22% attend private preschools and 46% of children attend Anganwadi Centres.<sup>17</sup>

The low penetration of ECCE, especially in urban areas might be a function of the limited policy focus given to ECE as a part of previous education schemes in India. Over the years various schemes have been implemented to address these concerns of equitable access. The District Primary Education Program (1994) under the Sarva Siksha Abhiyaan (now subsumed under Samagra Siksha) attempted to make access to Anganwadi Centres universal by relocating them within the premises of primary schools. The Ministry of Women and Child Development (“WCD”), in 1982 also briefly launched a scheme called the Early Childhood Education Scheme that provided grant-in-aid to voluntary organisations to run preschool centres in backward areas not covered by Integrated Child Development Scheme (1975). These schemes were discontinued or called off later in order to universalize the Integrated Child Development Scheme.

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<sup>11</sup> ‘Census of India 2011: Provisional Population Totals’ (Paper 2, Volume 1 of 2011, Registrar General & Census Commissioner, India 2011).

<sup>12</sup> ‘Maharashtra Profile’ (Census of India 2011, Registrar General & Census Commissioner, India 2011) <[https://censusindia.gov.in/2011census/censusingdashboards/stock/profiles/en/ind027\\_maharashtra.pdf](https://censusindia.gov.in/2011census/censusingdashboards/stock/profiles/en/ind027_maharashtra.pdf)> accessed 27 August 2021.

<sup>13</sup> ‘553 project Sanction AWC & Mini AWC’ (Integrated Child Development Services Scheme Maharashtra State, 23 June 2021) <[https://icds.gov.in/Forms/View\\_News.aspx](https://icds.gov.in/Forms/View_News.aspx)> accessed 27 August 2021.

<sup>14</sup> ‘Report on State of Health of Children in Anganwadis and Municipal Schools in Mumbai’ (PRAJA, November 2019) <[https://www.praja.org/praja\\_docs/praja\\_downloads/State%20of%20Health%20of%20Children%20in%20Anganwadis%20and%20Municipal%20Schools%20in%20Mumbai.pdf](https://www.praja.org/praja_docs/praja_downloads/State%20of%20Health%20of%20Children%20in%20Anganwadis%20and%20Municipal%20Schools%20in%20Mumbai.pdf)> accessed 27 August 2021.

<sup>15</sup> ‘Mumbai District Profile’ (Census of India 2011) <<https://censusindia.gov.in/pca/SearchDetails.aspx?Id=623672>> accessed 27 August 2021.

<sup>16</sup> ‘Affidavit on behalf of Respondent in People’s Union for Civil Liberties Petitioner v. Union of India and others (2001)’ (WCD) <<https://icds-wcd.nic.in/affidivtcds.htm>> accessed 27 August 2021.

<sup>17</sup> ‘Rapid Survey on Children 2013-14’ (WCD) <<https://wcd.nic.in/sites/default/files/RSOC%20National%20Report%202013-14%20Final.pdf>> accessed 27 August 2021.

## Policy Framework for ECCE

India has historically taken an integrated approach to early childhood interventions, treating education as an important sub-component under the broader nomenclature of Early Childhood Care and Education. A synergy between health, nutrition, education, psycho-social and emotional development for mothers and their children has been adopted as the strategy for ECCE. The Integrated Child Development Scheme (1975) (“ICDS”) was the first formalized scheme addressing the needs of lactating and pregnant mothers, adolescent girls, and children. The creation of Anganwadi Centres (“**AWCs**”) as a one-stop centre catering to their needs is the modus operandi under the scheme. In later years, policies like the National Education Policy (1986) introduced an exclusive focus on ECCE and defined the term for the first time in the context of education delivery. Subsequently, ECCE found its mention, albeit fragmented, in policies/plans like The National Charter for Children (2003), National Plan for Action for Children (2005), the National Curriculum Framework (2005).

It is important to iterate that the nomenclature of ECCE encompasses components of Early Childhood Development (“**ECD**”) as well as ECE in both policy and practice. This report focuses solely on ECE, colloquially referred to as preschools or pre-primary education - accounting for only the educational needs of children in the age group of 3-6 years, enrolled in pre-nursery, nursery, kindergarten, preparatory or pre-primary schools. The ECE landscape by definition need not include components of health and nutrition and functions through freestanding independent schools or ‘balwadis’, or pre-primary centres attached to a primary school. As such, the policies detailed in subsequent sections are limited to those pertaining to the question of ECE delivery, or to sections within broader policies that do the same.

### Legislative approach for ECE

Article 45 under the Directive Principles of State Policy under the Constitution of India provides that the State should aim to provide ECCE for all children until they complete the age of six years, however this is not provided as a right under the Constitution. While the Report of the Committee for Evolution of the New Education Policy (NEP) (2016) stated that ECE should be made a right in India and a committee constituted in 2011 by the Central Advisory Board of Education proposed extending The Right of Children to Free and Compulsory Education Act (2009) (“**RTE Act**”) to cover ECE, ECE is still not recognised as a right within any legislation in India.

It only finds a mention in Section 11 of the RTE Act, in an enabling provision which provides that the appropriate government ‘may make necessary arrangement’ for providing free preschool education to all children above the age of three years but does not extend the right of ‘free and compulsory education’ to them. Additionally, Section 12 (1) of the RTE Act ensures the rights of children while seeking admission in those preschools which are attached to a primary school. It provides that admission to the preschool is free for all in the case of State schools. The section also extends the 25% reservation for weaker and disadvantaged sections to preschools attached to aided and unaided primary schools and specified categories of schools such as Kendra Vidyalayas. The RTE Act itself, such as its norms and other State duties, however, are not extended to these preschools. It is the responsibility of the respective governments and local authorities to lay down policies and rules for ECE.<sup>18 19</sup>

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<sup>18</sup> Social Jurist and Ors. v Govt of NCT of Delhi NCR and Ors., W.P.(C) NO.8533/2010, 12 to 25.

<sup>19</sup> ‘Status Report - CABE Committee on “Extension of the Right of Children to Free and Compulsory Education Act 2009 to Pre-school Education and Secondary Education’ (Ministry of Education) <[https://www.education.gov.in/sites/upload\\_files/mhrd/files/document-reports/RCFCE.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/document-reports/RCFCE.pdf)> accessed 27 August 2021.

### **National Early Childhood Care and Education (ECCE) Policy (2013)**

The WCD launched the National Early Childhood Care and Education Policy in 2013 (“**National ECCE Policy**”). With respect to education, the policy states that intervention begins at the age of 3 years, through the introduction of “*developmentally appropriate play-based preschool education with a structured and planned readiness component for 5-6 years of age*”.<sup>20</sup> This is according to the commitment made in Section 11 of the RTE Act.

The policy recognizes that the quality and coverage of non-formal preschool or ECE through multiple service providers is uneven due to inadequate expertise and institutional capacity. Therefore, it commits to defining quality standards for improving the overall quality of ECE. Secondly, it commits to ensuring higher levels of professionalism and quality by building the capacities of preschools and their teachers. Further, it speaks to streamlining linkages between ECE and primary schooling systems through school readiness programs to address the transition to primary education.<sup>21</sup> Finally, it emphasizes the importance of equitable access to ECCE programs for all children, through a decentralised approach.

### **The Early Childhood Care & Education (ECCE) Policy, Government of Maharashtra (2018)**

Several states subsequently adopted the National ECCE Policy, including Maharashtra, that formulated The Early Childhood Care & Education (ECCE) Policy, Government of Maharashtra (2018) (“**Maharashtra Policy**”).<sup>22</sup> All preschools in the state including those co-located in schools, day-care centres, and AWCs, were brought under the purview of this policy. The Maharashtra Policy conforms to the National ECCE Policy but we highlight some distinct features of the Maharashtra Policy that are also relevant to this study.

The first is that the Maharashtra Policy identifies various categories of children in urban settings apart from those living in urban slums/settlements, such as children on roadsides and railway platforms, migrant children, beggars, children on construction sites, etc.

Second, in establishing a continuum between pre-primary and primary schooling, the Maharashtra Policy proposes the development of an online MIS (Management Information System) portal to register Aadhaar numbers of all children enrolled in ECCE centres and integrate the portal with other school education portals in the state such as the ‘SARAL portal’.

Third, it proposes a targeted and decentralised strategy, wherein local government bodies like Gram Panchayats, Zilla Parishad, and Municipal Councils play a more proactive role in overseeing the quality, accreditation and needs of the ECCE centres in their specified geographies. This is to be done through the formulation of an ‘ECCE Committee’ under the Women and Child Welfare Committee and would include local officials from the state’s Departments of Education & Sports and the state WCD department.

### **National Education Policy 2020 and ECE**

The National Education Policy 2020 (“**NEP 2020**”) is the first National Education Policy that formally includes ECE in school education through a reconfigured curriculum and pedagogical framework of 5+3+3+4. The first 5 years or the ‘preparatory stage’ consists of 3 years of pre-primary schooling plus first

<sup>20</sup> ‘National Early Childhood Care and Education Policy’ (Ministry of Women and Child Development, 2013) para 3.2(iii) <<https://wcd.nic.in/sites/default/files/National%20Early%20Childhood%20Care%20and%20Education-Resolution.pdf>> accessed 27 August 2021.

<sup>21</sup> *ibid* para 5.1.13.

<sup>22</sup> ‘Early Childhood Care and Education Policy, Government of Maharashtra’ (Draft version 8.0, 2019) <<https://womenchild.maharashtra.gov.in/upload/5d08ee535eb1eECCEPolicy201903021605534930.pdf>> accessed 27 August 2021.

and second grade for 3 to 8-year-olds. As per the NEP 2020, all students must attain Foundational Literacy and Numeracy before completing this preparatory stage. The formal inclusion of ECE highlights its significance for meeting this goal, and the policy acknowledges that the lack of developmentally appropriate pre-primary education is partly responsible for the learning crisis in later years.

The policy does take a holistic approach to ECCE in speaking to the health and nutrition needs of children. Children below the age of 5 years are to be in preparatory classes or balwadis with equal emphasis on high-quality play-based education, and the provision of health and nutrition such as the mid-day meals (“MDMs”) and regular health check-ups, with a goal of attaining universal access to ECCE by 2030.

NEP 2020 calls for the Ministry of Education (“MoE”) to undertake the responsibility of ECE, in coordination with the WCD, Ministry of Health and Family Welfare and Ministry of Tribal Affairs. A joint task force is to be constituted by the MoE to develop and monitor the implementation of ECCE. It further emphasises the importance of delivering quality ECE through a National Curricular and Pedagogical Framework for ECCE and a focus on inducting a freshly trained cadre of teachers for ECE.

### Status of NEP 2020 Maharashtra

Maharashtra is yet to implement NEP 2020. The state government had constituted a committee in September 2020 to study the implementation of NEP 2020 in Maharashtra and release a report by 15 October 2020.<sup>23</sup> However, no such report has been publicly released yet. On 8 March 2021, circulars were issued by the Education and Sports Department of Maharashtra which mentioned the linking of AWCs with primary classes of municipal corporation schools, as per the NEP 2020.<sup>24</sup>

## Landscape of Providers

A clear understanding of these three modes of delivery is important to understand in the context of ECE. The following table describes the nature of services and coverage by each provider.

### Government service providers of ECE

Public providers of ECE are governed through the convergence of three ministries - the MoE, WCD, and Ministry of Social Justice and Empowerment (“MSJE”).

**Anganwadi Centres:** The largest provider of ECE/ ECCE is the WCD, which offers non-formal preschool education, health, and nutrition services through the ICDS scheme. However, the ECE component of services is found to be underperforming, possibly as it is just one of six components under the purview of AWC Workers (“AWWs”), which means it can and has been de-prioritized in the past.<sup>25</sup> Further, AWCs are often ill-equipped in infrastructure and learning aids<sup>26</sup> and are not always adequately trained to provide age-appropriate ECE.

<sup>23</sup> 'Study Groups appointed to study the New National Education Policy' (School Education and Sports Department, Government of Maharashtra) <<https://www.maharashtra.gov.in/Site/Upload/Government%20Resolutions/English/202009081740074921.pdf>> accessed 27 August 2021.

<sup>24</sup> Letter from the Maharashtra Government, Department of School Education and Sports (No. NEP-2021 / Q.No.11 / SD-6).

<sup>25</sup> Research Studies on Early Childhood Care and Education' (Report I, Status Report on Implementation and Gaps of ECCE in India with special focus on Delhi, Odisha and Telangana, Centre for Budget and Policy Studies, Bangalore) <[http://cbps.in/wp-content/uploads/Report-1\\_Status-Report-ECCE-1.pdf](http://cbps.in/wp-content/uploads/Report-1_Status-Report-ECCE-1.pdf)> accessed 27 August 2021.

<sup>26</sup> 'Transforming the Anganwadi Ecosystem' (KPMG, March 2019) <<https://assets.kpmg/content/dam/kpmg/in/pdf/2019/03/early-childhood-development-anganwadis-icds-ecosystem.PDF>> accessed 27 August 2021.

**Government primary schools:** The second mode of government delivery of ECE is through pre-primary sections embedded into government primary schools, governed by the relevant education department in the state. The penetration of pre-primary schools in existing government schools in India is still low.<sup>27</sup>

### Private Service Providers of ECE

The past two decades have seen increasing private provisioning of ECE, especially in urban India, possibly in response to parental demand and rapid urbanization, amongst other factors. However, the unregulated commercialisation of private preschools leads to inequity in access to education, with many adopting competitive admission processes, exorbitant fee structures, and flexible curriculum and assessment practices; antithetical to ideas of inclusive and accessible education. Evidence also points to a crisis of quality in low-fee preschools, contrary to the prevailing assumption of higher quality education in private versus public schools. '*India Early Childhood Education Impact Study*' found high incidence of rote learning methods and shortage of well-capacitated teachers in private preschools,<sup>28</sup> while studies of low-fee private elementary schools have found large variations in their quality.<sup>29</sup>

### NGO service providers of ECE

The inception of ECE in India was largely a voluntary-driven exercise.<sup>30</sup> Even today, NGOs continue to act as important providers of ECE in India. The strong willingness and intent to include NGOs as partners is exhibited through national and state policies. As compared to government and private-run services, only a small fraction of children access preschools run by NGOs or other organisations.<sup>31</sup> Similar to private schools, regulation is not well-defined.

<sup>27</sup> Ashish Dhawan and Krishnan S, 'Pre-primary Schooling: An Urgent Priority for India' in Annual Status of Education Report (Rural) 2019 (ASER Centre 2020) <<https://img.asercentre.org/docs/ASER%202019/ASER2019%20report%20/ashishdhawanandkrishnans-pre-primarieschooling-anurgentpriorityforindia.pdf>> accessed 27 August 2021.

<sup>28</sup> Venita Kaul and others, 'The India Early Childhood Education Impact Study' (UNICEF, 2017) <<http://img.asercentre.org/docs/Research%20and%20Assessments/Current/Education/Research%20Projects/IECEIStudyReport2017.pdf>> accessed 27 August 2021.

<sup>29</sup> Amita Chudgar, 'Variation in Private School Performance' (2012) 47(11) Economic & Political Weekly.

<sup>30</sup> Venita Kaul and Deepa Sankar, 'Early Childhood Care and Education in India' (National University of Educational Planning and Administration, 2009) <<https://www.educationforallinindia.com/early-childhood-care-and-education-in-india.pdf>> accessed 27 August 2021.

<sup>31</sup> Venita Kaul and others, 'The India Early Childhood Education Impact Study' (UNICEF, 2017) <<http://img.asercentre.org/docs/Research%20and%20Assessments/Current/Education/Research%20Projects/IECEIStudyReport2017.pdf>> accessed 27 August 2021.

Table 1:

Providers	Governance	Modes of Provision	Coverage
Government service providers of ECE	Inter-departmental coordination between WCD, MoE, and MSJE.	1. AWCs under the ICDS scheme offer non-formal preschool education services in addition to health and nutrition services. 2. Pre-primary sections embedded in government elementary schools.	<b>AWCs:</b> An estimated 3.7 crore children are enrolled in ~13 lakh AWCs, making them the largest provider of ECE in India. <b>ECE in Government schools:</b> Data indicates ~15.5% of government schools in India cater to 3.02 lakh students through an attached pre-primary section in these schools. <sup>32</sup> The 26th Joint Review Mission report by MoE indicated only 19.43% of government schools have a pre-primary section attached. <sup>33</sup>
Private Service providers of ECE	Private for-profit providers.	Two kinds of private service providers - elite, franchised private schools operating through nation-wide networks, and 'budget' or 'low-fee' private schools operating as independent small-scale affordable preschools.	An estimated 87% of urban families send their children to private preschools in India, <sup>34</sup> with a 2019 report by ASER pointing to increasing enrolments of students in private preschools over public preschools. <sup>35</sup> The share of private preschools is higher in urban areas, while those of AWCs are higher in rural areas.
NGO service providers of ECE	Includes trusts, societies, religious groups, multilateral agencies	These implementers run private schools and often work in partnership with the State. <sup>36</sup> The primary differentiator between an NGO and a private provider is the not-for-profit motivation of the former.	As of 2009, an estimated 2 crore children in India are part of voluntary-run ECCE programmes. <sup>37</sup>

<sup>32</sup> 'Research Studies on Early Childhood Care and Education' (Report I, Status Report on Implementation and Gaps of ECCE in India with special focus on Delhi, Odisha and Telangana, Centre for Budget and Policy Studies, Bangalore) <[http://cbps.in/wp-content/uploads/Report-1\\_Status-Report-ECCE-1.pdf](http://cbps.in/wp-content/uploads/Report-1_Status-Report-ECCE-1.pdf)> accessed 27 August 2021.

<sup>33</sup> 'Research Studies on Early Childhood Care and Education' (Report I, Status Report on Implementation and Gaps of ECCE in India with special focus on Delhi, Odisha and Telangana, Centre for Budget and Policy Studies, Bangalore) <[http://cbps.in/wp-content/uploads/Report-1\\_Status-Report-ECCE-1.pdf](http://cbps.in/wp-content/uploads/Report-1_Status-Report-ECCE-1.pdf)> accessed 27 August 2021.

<sup>34</sup> 'Early Childhood Education' (Central Square Foundation) <<https://www.centralsquarefoundation.org/foundational-learning/early-childhood-education/>> accessed 27 August 2021.

<sup>35</sup> Prashant K. Nanda, 'Education system is failing kids in 4-8 age group: ASER' Mint (15 January 2020) <<https://www.livemint.com/news/india/startling-learning-deficit-gender-gap-among-early-school-children-finds-study-11578999902575.html>> accessed 27 August 2021.

<sup>36</sup> Parvathy Ramanathan and others 'ECCE CSR Landscape in India and Potential for Impact' (DHFL Changing Lives Foundation and Sattva Consulting, November 2019) <[https://www.sattva.co.in/wp-content/uploads/2019/11/DHFL\\_Sattva\\_ECCE\\_CSR\\_Landscape\\_Research.pdf](https://www.sattva.co.in/wp-content/uploads/2019/11/DHFL_Sattva_ECCE_CSR_Landscape_Research.pdf)> accessed 27 August 2021.

<sup>37</sup> 'Research Studies on Early Childhood Care and Education' (Report I, Status Report on Implementation and Gaps of ECCE in India with special focus on Delhi, Odisha and Telangana, Centre for Budget and Policy Studies, Bangalore) <[http://cbps.in/wp-content/uploads/Report-1\\_Status-Report-ECCE-1.pdf](http://cbps.in/wp-content/uploads/Report-1_Status-Report-ECCE-1.pdf)> accessed 27 August 2021.

### PPPs for Education - the fourth provider

The fourth type of service provider are schools run in partnership between public and private actors. There is increasing practice of this fourth kind, with the National ECCE Policy specifying that the State is willing to support not-for-profit and for-profit service providers of ECE by 'supplementing' and 'complementing' their services. PPPs in common parlance refers to a contract of the government with a private service provider to acquire a specified service of a defined quantity and quality at an agreed price for a specified period.<sup>38</sup> In social welfare provisioning like education, PPPs are classified into different models based on the division of responsibilities between the State and private partners. There is no standardization on the classification of PPP models, with different sources using varied nomenclature to define similar partnerships. We refer here to the categorisation offered by the World Bank's ("WB") foundational report, 'The Role and Impact of Public Private Partnerships in Education'.<sup>39</sup>

**Table 2:**

Sr. No.	Types of contracts/ partnerships	What governments buy
1.	Management and Professional Services	<ul style="list-style-type: none"> <li>• School management (such as financial and human resource management)</li> <li>• Stand-alone support services (such as meals and transport)</li> <li>• Professional services (such as teacher training, or curriculum design)</li> </ul>
2.	Operational Services	Complete operation of schools - education students, financial and human resource management, professional services, and building maintenance.
3.	Education Services	Students are placed in private schools, with per-student cost borne or subsidized by the State
4.	Facility Availability	Infrastructural and building maintenance

Source: Adapted from the 2009 WB report, 'The Role and Impact of Public Private Partnerships in Education'<sup>40</sup>

The nature of partnerships governments entered into are defined in terms of whether the State is relying on private partners for inputs, process or outputs. In partnerships for Management Services and Facility Availability, the government is purchasing inputs in the form of services and infrastructure, respectively. Operational Service partnerships are where the State relies on private partners for the entire process of delivering education and all allied aspects of running schools. Finally, Educational Service partnerships are where the State places specific students in private schools for example through a voucher scheme or the 25% reservation quota in private unaided schools under the RTE Act. A fifth type of partnership could be a combination of services and facilities.

<sup>38</sup> Ashish Dhawan and Krishnan S, 'Pre-primary Schooling: An Urgent Priority for India' in Annual Status of Education Report (Rural) 2019 (ASER Centre 2020) <<https://img.asercentre.org/docs/ASER%202019/ASER2019%20report%20/ashishdhawanandkrishnans-pre-primarieschooling-anurgentpriorityforindia.pdf>> accessed 27 August 2021.

<sup>39</sup> Venita Kaul and others, 'The India Early Childhood Education Impact Study' (UNICEF, 2017) <<http://img.asercentre.org/docs/Research%20and%20Assessments/Current/Education/Research%20Projects/IECEIStudyReport2017.pdf>> accessed 27 August 2021.

<sup>40</sup> Amita Chudgar, 'Variation in Private School Performance' (2012) 47(11) Economic & Political Weekly.

## PPP in Education in India and Maharashtra

Despite a push for PPPs in education from the centre, states, national bodies like Niti Aayog, and international multilateral agencies such as the World Bank, little advances have been made to formalize a policy framework for their governance.

States like Punjab<sup>41</sup> and Gujarat<sup>42</sup> have PPPs for education which also include ECE. Additionally, there have also been partnership efforts in cities like Pune for balwadis<sup>43</sup> and Chennai for Montessori schools run within Chennai Municipal Corporation schools.<sup>44 45</sup> Moreover, PPP partnerships for AWCs are prevalent across India through CSR activities or other organisations.<sup>46 47</sup>

Maharashtra boasts a thriving PPP landscape in education, particularly in ECE, and the Maharashtra Policy doesn't shy away from emphasizing the promise of fostering such partnerships. There exist many examples of PPPs in both ECCE as well as ECE in Maharashtra. For instance, Maharashtra's Aurangabad district came to fame by becoming one of the very few districts in India with 'ISO certified and high tech' AWCs.<sup>48</sup> This was made possible because of the state's unique initiative of partnering with NGOs, corporates, and many independent bodies; falling within the purview of a PPP model. Similar private partners are running flagship projects on ECE with an emphasis on capacity building, infrastructure development, and the adoption of schools.

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<sup>41</sup> Guidelines / Instructions for the establishment of Adarsh Schools in the State of Punjab under the Public Private Partnership mode, Punjab Education Development Board, 2012 <[http://www.theeducationalliance.org/wp-content/uploads/2014/09/Punjab-GuideLine-for-Adarsh-Schools\\_PEDB.pdf](http://www.theeducationalliance.org/wp-content/uploads/2014/09/Punjab-GuideLine-for-Adarsh-Schools_PEDB.pdf)> accessed 27 August 2021.

<sup>42</sup> 'Rajkot school board to open English medium school on PPP mode' The Indian Express (Rajkot, 2 June 2015) <<https://indianexpress.com/article/india/india-others/rajkot-school-board-to-open-english-medium-school-on-ppp-mode/>> accessed 27 August 2021.

<sup>43</sup> 'PPP to upgrade city 'balwadis' The Times of India (Pune, 24 August 2010) <<https://timesofindia.indiatimes.com/city/pune/ppp-to-upgrade-city-balwadis/articleshow/6423367.cms>> accessed 27 August 2021.

<sup>44</sup> Ram Sundaram 'KG classes launched in govt school' The Times of India (Chennai, 31 August 2018) <<https://timesofindia.indiatimes.com/city/chennai/kg-classes-launched-in-govt-school/articleshow/65616922.cms>> accessed 27 August 2021.

<sup>45</sup> Sushmitha Ramakrishnan, 'Montessori model in this Chennai corporation school helps in doubling student strength' The New Indian Express (Chennai, 02 August 2019) <<https://www.newindianexpress.com/cities/chennai/2019/aug/02/montessori-model-in-this-chennai-corporation-school-helps-in-doubling-student-strength-2013179.html>> accessed 27 August 2021.

<sup>46</sup> 'First PPP based anganwadi centre 'NandGhar' comes up in Haryana' Business Standard (Sonipat, 24 June 2015) <[https://www.business-standard.com/article/pti-stories/first-ppp-based-anganwadi-centre-nandghar-comes-up-in-haryana-115062400989\\_1.html](https://www.business-standard.com/article/pti-stories/first-ppp-based-anganwadi-centre-nandghar-comes-up-in-haryana-115062400989_1.html)> accessed 27 August 2021.

<sup>47</sup> Pragya Jain '25 Anganwadis doing well, courtesy govt's PPP model' The Times of India (Nashik, 8 Jan 2020) <<https://timesofindia.indiatimes.com/city/nashik/25-anganwadis-doing-well-courtesy-govts-ppp-model/articleshow/73145644.cms>> accessed 27 August 2021.

<sup>48</sup> 'ISO certification for child care units' The Times of India (Mumbai) <[https://timesofindia.indiatimes.com/india/ISO-certification-for-child-care-units/articleshow\\_new/39632013.cms?from=mdr](https://timesofindia.indiatimes.com/india/ISO-certification-for-child-care-units/articleshow_new/39632013.cms?from=mdr)> accessed 27 August 2021.

# Description of the MCGM Model

## MCGM as a provider of ECE

MCGM is India's richest municipal corporation with a budget exceeding that of some states. As per the 2011 Census, it has an entirely urban population with 2.7 lakh children in the age group of 0-6 (which accounts for nearly 10% of Mumbai's population).<sup>49</sup>

As per the Maharashtra Policy and the National ECCE Policy, ECE governance should be decentralised to local government bodies to take responsibility for local needs of ECE.<sup>50</sup> The National ECCE Policy also mentions the need for an urban strategy for "*specific unmet needs of children in urban slums and to expand access to all urban slums*".<sup>51</sup> To that end, the MCGM had already empowered the Women and Child Welfare Committee to supervise and ensure ECE provisioning, in part, through the smooth functioning of the ICDS scheme. The Education Department of MCGM, on the other hand, does not have the mandate to implement ECE, however, it contributes to the same through its balwadi model. Apart from this, the MCGM also appears to be running other types of PPPs for ECE provisioning, including a Specialized Service or Capacity Building partnership for teacher training and a digital intervention for ECE during the COVID-19 pandemic.

## Description of the model

The Education Department of the MCGM runs the PPP balwadi model - wherein social organisations (NGOs, Trusts, or companies contributing through CSR funds), hereafter organisations, run balwadis within MCGM school buildings. Since its inception in 2007, multiple balwadis have opened, operated by different organisations, and the financial contribution of the MCGM towards their functioning has grown. 2018 was the latest year in which the MCGM has released a tender inviting applications from organisations to run balwadis. This also marks the most recent form of MCGM's partnership with 25 organisations currently running balwadis within MCGM schools.

The balwadi model can be categorised as an Operational Services partnership, as per the WB categorisation provided above. General categorisations of Operational Service models see private partners, in this case, the organisations, tasked with managing publicly-owned and funded schools, including financial and human resource management, professional services, building management, and most crucially, the education of students. The purpose of entering into such a model is usually to supplement a lack of State capacity or expertise to deliver education, reflected in consistently low-performing schools, and a demand for improved quality from parents.

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<sup>49</sup> Mumbai District Profile' (Census of India 2011) <<https://censusindia.gov.in/pca/SearchDetails.aspx?Id=623672>> accessed 27 August 2021.

<sup>50</sup> Ministry of Women and Child Development, National Early Childhood Care and Education Policy (2013) 22 <<https://wcd.nic.in/sites/default/files/National%20Early%20Childhood%20Care%20and%20Education-Resolution.pdf>> accessed 27 August 2021.

<sup>51</sup> *ibid* at 12.

## MCGM's responsibilities under the model

### Provision of infrastructure and facilities to organisations

- Rent-free classroom Infrastructure in existing MCGM schools,
- Facilities including access to electricity, water, and toilets present within MCGM schools,
- Classroom spaces are to be well-decorated and painted to make them child-friendly, and should include seating mats for each child, and
- Educational games and toys per the syllabus requirements.

### Balwadi staff honorarium

The MCGM reimburses the salary for school staff (balwadi teachers and helpers), referred to as honorariums.

- Payments are transferred by the MCGM to organisations, who are then contractually obligated to pay teachers and helpers in a timely manner.
- The administrative officer of the Education Department collects monthly attendance sheets of teachers, helpers, and students, signed by the Headmistress/Headmaster ("HM") for honorariums to be processed, after which the sum is deposited into organisations' accounts.
- Teachers are paid INR 5,000 per month and helpers are paid INR 3,000 per month for ten months per year (for the period from June to March).
- Organisations are allowed to increase the salary of their balwadi staff above the honorarium covered by the MCGM. Many organisations provide an increased salary based on their financial capacity, with additional amounts paid to staff ranging from INR 1,000 to INR 10,000.

### Maintenance fee

Finally, the MCGM pays a maintenance fee of INR 200 per balwadi per month, to cover expenses such as the purchase of chalks, dusters, cleaning equipment, etc.

## Obligations of organisations running balwadis

Organisations, in turn, are tasked with managing the operations of the balwadis, including the delivery of education. Organisations are responsible for:

### Human Resource management:

- Recruitment of balwadi teachers and helpers, as per qualification criteria specified by MCGM,
- Timely payment of balwadi staff honorariums, and
- Management of grievances or issues of balwadi staff that might arise.

### Delivery of education and curriculum:

- There are few specifications on how education will be delivered, apart from defining minimum standards for inputs and educational qualifications of teachers and helpers.
- There is no mandated curriculum for use in the balwadis, however the MCGM makes a curriculum for ECE available to organisations. Some organisations use the MCGM curriculum alone, while others develop their own or use curricula developed and circulated by other organisations.

### Miscellaneous responsibilities:

- Maintaining school infrastructure,
- Administrative work in line with the MCGM's monitoring mechanisms, including maintaining attendance reports of staff and students, and

- Ensuring enrolment of a minimum of 20 students to secure allotment of an MCGM classroom through a needs assessment survey. Organisations are to conduct this survey at the start of each academic year for the MCGM to gauge whether there is a demand from households in the catchment area for a balwadi. If they are able to enrol at least 20 students, MCGM allocates a classroom to the organisation. Organisations identify and enrol children eligible to attend balwadis usually from within the catchment area of the MCGM school. This is defined as the area neighbouring the MCGM school at a radius of 2 to 5 kilometers by one organisation, or housing 200 to 300 households by another. The MCGM also provides pamphlets to balwadi staff to inform households about the balwadi, with children usually enrolling in the balwadi of the teacher who visits them during this survey.

## Balwadis during COVID-19

### MCGM turns to new partnerships, re-emphasizing the need for a proper regulation of the model

The PPP balwadi system underwent several changes during the pandemic due to pandemic related school closures. The shift to digital modes of instruction coupled with a lack of access to phones and the internet prevented many students from attending classes. Organisations reported that the situation was especially dire for the first few months of the pandemic in 2020, which led the MCGM to temporarily relax the minimum students' enrolments requirement to 7-10 students per balwadi. The needs assessment survey was also not conducted on-field in both 2020 and 2021. Recently, for the 2021-22 academic year, the MCGM circulated a Google Form within the organisations.<sup>52</sup> This form asked for details like name, age and address of the child and details of the balwadi that they are being admitted in. Balwadi staff were expected to enrol students into balwadis and fill in this form accordingly.

Organisations are conducting classes online during school closures. MCGM entered into new partnerships with some organisations to conduct online training for balwadi staff and to provide digital content and learning materials for students. While the MCGM usually allocates INR 200 per month to each balwadi for general maintenance expenses, the amount is currently not being disbursed as classes have become virtual. Recently, the MCGM decided to provide free data recharges for the phones of all parents whose children are studying in balwadis under the PPP model.<sup>53</sup> Other adaptations made for running the model included recording student and staff attendance using Google Sheets, against which MCGM provided honorariums for balwadi staff. MCGM also conducted an audit to ensure that organisations were running classes properly.

## MCGM PPP POLICY

The Education Department of the MCGM runs 819 balwadis in existing MCGM elementary schools under this model. Even outside these partnerships for ECE, the MCGM has shown a commitment towards involving private partners in education provisioning. This is exhibited through the presence of a dedicated PPP policy for facilitating PPPs in education. MCGM's Public Private Partnership Programmes Document (2018)<sup>54</sup> ("PPP Policy" or "MCGM PPP Policy") defines four types of partnerships:

<sup>52</sup> 'Balwadi Admission Application 2021-22' (MCGM) <<https://docs.google.com/forms/d/e/1FAIpQLSf3eOqtgBH1Cpizr40neJDtzFLIVKrEJFJL4dEu2nXVUi5ig/formResponse>> accessed 27 August 2021.

<sup>53</sup> Letter from the MCGM Education Department: No. PPC / OD / 7 / 28.06.2021.

<sup>54</sup> 'Public Private Partnership Programmes Document' (Education Department, MCGM) <<https://portal.mcg.gov.in/irj/go/km/docs/documents/MCGM%20Department%20List/Education%20Officer/Docs/MCGM%20PPP%20Policy/MCGM%20PPP%20Policy%20English%20page%20no.19%20to%2034.pdf>> accessed 27 August 2021.

- Category i - Full School Management with Private Partner Teachers: Under this partnership, private partners are tasked with managing an existing or new MCGM school and providing free and high quality education with its own staff of teachers and school administration, who would not be treated as municipal employees.
- Category ii - Full School Support: Under this partnership, private partners 'facilitate' an existing MCGM school, along with MCGM's own teachers and school administration, by providing professional services such as teaching-learning materials and methodologies, or teacher training, for the purpose of improving quality of education.
- Category iii - Specific Services Partnerships: under this partnership, private partners provide specific services relevant for improving the quality of both curricular and co-curricular education in MCGM schools such as student assessments or teacher training.
- Category iv - Single or Short-term Provision of Resources: these are short-term or one-time partnerships such as donations of materials or services to the school by private partners.

### **Positioning MCGM's model in policy**

This PPP Policy, which is the only available policy that discusses governance and implementation of PPPs in education under the MCGM, should ideally be applicable for any partnerships undertaken by the MCGM for delivery of education across schooling levels. However, ECE only finds explicit mention as a sub-point under a detailing of Category iii partnerships, which lists it as one of the 'specific services' that might be received through private agencies.

MoUs between the MCGM and organisations running balwadis (analysed for this study) do not categorise their partnership in line with the MCGM PPP Policy. The MoUs do not refer to the PPP Policy at all. In interviews with both organisations and a member of the Education Department of the MCGM, when asked about what policy governs the implementation of the balwadi model, none referred to the PPP Policy. Organisations also lacked certainty regarding central or state guidelines that might be applicable to them. For example, organisations did not recall receiving any intimation from the government regarding the Maharashtra Policy that should ideally guide delivery of ECE in the state.

The lack of clarity of a policy framework, leaves room for interpretation to the researchers on several elements for analysis. We can interpret this PPP Policy as applicable to all PPPs run by the MCGM for the delivery of education, including ECE. Under this assumption, the balwadi model can be categorised as either a Category i partnership - Full School Management with Private Partner Teachers - or a Category iii partnership - Specific Services Partnership. Category i can fit this model as it is closest to an operational services model, while Category iii partnerships are the only one that refers to ECE. Identifying the category is important as provisions of the PPP Policy are not uniformly applicable to all categories of partnerships.

An alternate interpretation is that the lack of mention of ECE in the PPP Policy, coupled with the fact that the policy itself finds no mention in the MoU, suggests that while this policy applies to other PPPs run by MCGM, it does not apply to this balwadi model. In this case, there is no policy framework guiding the implementation of this model.

In the following analysis, we assume that the PPP Policy applies to our model in the first instance, and delineate between categorisations of the model under this policy, where necessary.

# Method and Analysis

## Data Collection

### Secondary data collection

We first conducted a comprehensive review of policy documents of the MCGM that might pertain to governance of this model. We then filed RTIs with the MCGM to fill gaps in the information, where it was unclear or unavailable. In total, we filed 15 RTIs between 17 March and 23 April 2021 on various questions about the departments responsible for the regulation of ECE delivery in the state and the progress of committees tasked with regulatory functions in state policies. Of which 6 did not receive a response.

### Primary data collection

Due to lack of clarity about any policy applying to this model, we collected data from key stakeholders involved in the implementation of the model. At the core of this were 15 private organisations running balwadis under the MCGM's PPP balwadi model, and one government official involved in the administration of the model from the MCGM. In our conversations, we discussed the entry and exit principles for organisations, division of responsibilities between the MCGM and the organisations, methods used for the enrolment of students, and inquired about grievance redressal mechanisms under the bawaldi model. The organisations we spoke to run anywhere between 2 to 96 balwadis each, covering 732 of the 819 balwadis currently functioning under this model.

Finally, we spoke to organisations involved in other PPPs with the MCGM, which include (but are not limited to) ECE delivery. The stakeholders to this model who we could not reach out to were the balwadi helpers (employed alongside balwadi teachers) and state functionaries responsible for the design of the model. Additionally, as part of an ongoing study at Vidhi to understand the urban ECE landscape, we conducted semi-structured interviews with 43 teachers employed in MCGM balwadis. Data from these stakeholders allowed further verification of the model and perceptions of stakeholders towards it.

## Framework for Analysis

We supplement primary data collected with a detailed analysis of the MCGM PPP Policy (2018) and Memorandums of Understanding (“**MoU**”) between organisations and the MCGM for this model. We also analyse other key policies pertaining to ECE delivery - the Maharashtra Policy, MCGM's 2008 Standing Committee Order<sup>55</sup> that started the balwadi model, the RTE Act and the Maharashtra Right of Children to Free and Compulsory Education Rules (2011). Through a comparative analysis of primary and secondary data, we assess both design and implementation level gaps of the balwadi model.

We use the WB's foundational report, *'The Role and Impact of Public-Private Partnerships in Education'*, as a source for the framework of analysis.<sup>56</sup> The report provides principles that outline considerations for the State to follow before the implementation of PPP for education, and actively promotes State adoption of the

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<sup>55</sup> The MCGM Standing Committee Order can be found here:  
[https://drive.google.com/file/d/1UfRZJWfJgox9uFcQeb1NGKX8Rdw4A\\_w8/view?usp=sharing](https://drive.google.com/file/d/1UfRZJWfJgox9uFcQeb1NGKX8Rdw4A_w8/view?usp=sharing)

<sup>56</sup> Harry Anthony Patrinos and others, 'The Role and Impact of Public-Private Partnerships in Education' (International Bank for Reconstruction and Development / The World Bank, 2009) <<https://documents1.worldbank.org/curated/en/453461468314086643/pdf/479490PUB0Role101OFFICIAL0USE0ONLY1.pdf>> accessed 27 August 2021.

same. This study, however, takes a more neutral stance, focusing on only those aspects of the framework that place the role of the State and the rights of children to education, at the centre. Accordingly, we categorise relevant principles under three broad buckets: Rationale or Goals of the program, Equity Principles, and Accountability Principles.

**Table 3:**

Sr. No.	Aspects	Principle
1.	RATIONALE /GOALS	<p>PRINCIPLE 1: The nature and extent of PPPs should be based on the State's assessment of its role in education and the relative costs and benefits of private involvement, whether this involves education delivery, financing, or regulation.</p> <p>Our interpretation extends this to identifying a need of the State to bolster its delivery of education that can only be fulfilled through the expertise or capacity of an external organisation and cannot be fulfilled by any public provider.</p>
2.	EQUITY PRINCIPLE	<p>PRINCIPLE 2: The equity impact of PPPs should be a key consideration in determining the nature and extent of public and private involvement in education.</p> <p>In our interpretation, the impact of a potential partnership on equity must be placed at the centre of assessing whether such partnership is justified. We consider the following as a preliminary assessment:</p> <p>1) The same minimum standards, benefits, and entitlements afforded to students under education policy/ law that guide the State, must inform the operations of a private entity working 'for' the State. 2) Minimal barriers to entry for students, and the process of entry should not discriminate against any groups of students based on the social or economic backgrounds of households.</p>
3.	ACCOUNTABILITY PRINCIPLE	<p>PRINCIPLE 3: PPP processes should be free of corruption and subject to appropriate levels of accountability.</p>
3.1	MONITORING MECHANISM	<p>PRINCIPLE 4: Governments should ensure that the public agencies or government departments responsible for forming and overseeing PPPs have the resources, information, and skills required to design, develop, and manage complex contracting processes. In other words, the State must have the capacity to manage PPPs and regulate the organisations partnered with.</p> <p>PRINCIPLE 5: Education authorities should have the capacity to identify fraud, track payments, and ensure that subsidies and payment claims are legitimate and accurate. They should also ensure that their private sector partners are paid in a timely fashion. Additionally, we suggest that evaluations of the performance of partners should be as per stated goals of the partnership, and to objective indicators of equity and inclusion.</p>
3.2	ENTRY & EXIT	<p>PRINCIPLE 6: The process for awarding PPP contracts should be competitive and should guarantee procedural fairness, no discrimination, and transparency.</p> <p>PRINCIPLE 7: Education authorities and private organisations should agree on the output- or performance-based specifications to be included in the contract as well as sanctions for non-performance.</p>
3.3	VOICE OF STAKEHOLDERS	<p>PRINCIPLE 8: Public authorities should take effective measures to ensure the integrity and accountability of all partners and should establish procedures to deter, detect, and sanction corruption.</p>

# Analysis of MCGM's PPP Model for Early Childhood Education

## 1. Rationale and Goals of Partners

All parties in a PPP must align on the objectives of the partnership. The primary objective of a PPP for education is to assist the State in fulfilling its role in delivering universally accessible quality education. As such, it is key to identify a failure of the State in the delivery of education a priori, and determine reasons for why such failure should be addressed through external intervention of organisations.

### 1.1 As per PPP Policy

The stated objective of entering into any PPP in education (and not just the balwadi model), as per the MCGM PPP Policy, is to provide high-quality education to children belonging to economically underprivileged communities.

The MoU between the MCGM and the organisations of the balwadi model states that the objective is "... to reduce the dropout rate in MCGM schools and to ensure academic progress of kids before taking admissions in the first standard". Finally, while not explicitly stated in the PPP Policy or MoU, both allude to a motivation to target 'underserved communities'. This rationale is reflected in the mandate for all organisations to conduct a 'needs assessment' in communities around existing MCGM schools to gauge demand for a balwadi.

Neither the PPP Policy nor the MoU elaborate on any shortcomings or gaps in the delivery of ECE in MCGM schools that need to be specifically addressed through PPPs. However, the stated objective of catering to underserved communities might reflect a perception that the State has failed to provide ECE as it has been unable to provide an adequate number of ECCE centres to cater to the population. The policy merely states that inputs gathered through studies conducted by the WB and Department for International Development (DFID), which focused on the role of partnership practices in improving public school systems worldwide, form the base for the design of the program.

### 1.2 As per Stakeholders

MCGM introduced the PPP balwadi model in 2007. While the MCGM was not providing balwadis in MCGM schools prior to the initiation of this model, some organisations had already established private balwadis in Mumbai at the time. For example, one organisation we spoke to had been running private balwadis within Mumbai since 1993. Some of these organisations had even requested MCGM to allow their balwadis to run within the MCGM school system.

Since then, the MCGM changed the balwadi model a few times and formalised it in 2018. Some organisations running balwadis prior to this mentioned administrative hurdles and difficulties in starting new balwadis as one of the reasons for an increased formalisation of the process. Most of the organisations currently involved in the balwadi model only entered into a partnership with MCGM in 2018, after the MCGM had issued a tender inviting applications from organisations to run balwadis per a newly defined and structured model.

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### 1.2.1 Mismatch in rationale between organisations and the State

Organisations had varied responses about the rationale for the need for the balwadi model and the specific gap they were filling, where some were different from objectives stated by the MCGM. However, those organisations working in the space before 2018 stated both the rationale and gap that was consistent with MCGM's statement in the MoU. These included ensuring proper use of MCGM classrooms; improving the quality of education; increasing enrolment of students in Grade 1 of MCGM schools; catering to 'under-served areas and communities', and compensating for MCGM's insufficient capacity to deliver ECE.

### 1.2.2 Varied objectives of organisations

#### Underserved communities with low-quality alternatives

The most commonly stated objective of the program from organisations was to cater to 'under-served areas and communities', described as those where access to ECE centres is low - as a ratio of ECE centres to the population of an area, or in terms of quality. Implicit in the motivation to provide high quality ECE through PPP balwadis is the perception that the quality of education provided by alternative public providers of ECE such as AWCs is poor or inadequate.

However, such perception sometimes appears to be rooted in incomplete knowledge about AWCs. For example, one said, "*The main difference between an AWC and balwadi is that AWCs are run in the home of the teachers and balwadis are run in brick and mortar schools.*" While this can be true due to the paucity of space in cities like Mumbai, it is not the norm. Others claimed AWCs only cater to children below 3 years. Only one private provider clearly stated that PPP balwadis were required when available AWCs were unable to provide high quality ECE.

#### Lacking government capacity

The lack of government capacity is a commonly cited reason by proponents of PPPs in education globally - the idea that governments might have appropriate funding or infrastructure but lack the capacity and expertise to deliver education. However, to justify the implementation of a PPP, it is necessary that the State at least possesses the capacity to monitor it, especially in management or operational services partnerships such as this model, which are more complex and where organisations take on a larger share of the responsibility of delivering education.

One of the organisations mentioned that the MCGM lacks the capacity to deliver ECE as, "*the government does not have the bandwidth to manage the administration of all of this... they just reimburse us, they don't have the bandwidth to manage the HR part*". While this reflects a lack of State capacity to run the balwadi, it might also point to a lack of State capacity to manage the administration of PPPs and the crucial function of regulating organisations. Other organisations (familiar with the space but not running balwadis under this model) further corroborated this by saying that the MCGM has been struggling to receive standardised data on students and households from the organisations.

#### The altruism of organisations

Some respondents also suggested they view their role in the delivery of ECE through this model as an opportunity to "*work for society*" or "*make a difference for these [disadvantaged] children through education*". As such, they have adopted an altruistic disposition to their role, rather than one that fulfils the right to education for students.

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### Introduction of a PPP without a specific State failure

On one hand, because a majority of respondents considered ECE delivery in AWCs to be inadequate and cited this as a justification for the PPP, we could interpret this as State failure more broadly, without specific reference to the MCGM.

On the other hand, even when the objectives of the organisations and the State were consistent, neither could point to any failure of the State necessitating the entry of organisations in the delivery of ECE directly. For example, neither the objective to increase enrolment in Grade 1, nor to cater to underserved communities suggest why these objectives cannot be met through State effort alone. Further, since formalisation of the model followed the practice of organisations, there is no observed failure of the State either.

### 1.3 Implications of varied rationale

The mismatch in rationale among partners does not, in itself, point to a design or implementation gap in the model. However, stated objectives of the model should necessarily determine its governance, forming the basis of monitoring and accountability mechanisms to track the 'success' of the program.

The varied rationale provided by stakeholders raises other concerns for the efficacy of this model. The first is the reported inability of the MCGM to collect data on enrolled students, without which they cannot track retention in their balwadis or transitions to Grade 1, as per their stated objective. This can also have a bearing on equity, where without data on socioeconomic backgrounds of enrolled students, they would be unable to assess incidences of inequitable access.

Secondly, stakeholders' perceptions of the model are likely to be influenced by organisations that take an altruistic or charity-based approach to education delivery. This is especially true when combined with incomplete knowledge of stakeholders and organisations about alternatives for students. For example, given evidence of adversarial perceptions of government schools and education in AWCs, if parents view PPP balwadis as 'free private schooling', this might discourage them from holding the State accountable to improve the quality of existing ECE centres.

Finally, while it is not in the mandate of the Education Department of the MCGM to provide ECE, the MCGM itself does play a role in ensuring the provisioning of ECE through making AWCs available to students. This raises the question of whether, in the absence of this model, the MCGM could provide this space to AWCs instead and invest in building their capacity to deliver high-quality ECE rather than turning to private intervention.

## 2. Equity Principle

Increased private provisioning of education in India through the burgeoning of 'low-fee' or 'budget' schools, has meant that social and economic backgrounds of households increasingly determine the schools students attend. Literature on school choice finds that due to unaffordability and inaccessibility of private schools, only the most disadvantaged households - on the basis of class, caste, gender and disability - attend public schools in India. Even where schooling is purported as being 'free', other direct and indirect costs such as out-of-pocket expenditure on uniforms, books, and transportation act as barriers to access. In the case of private schools including low-fee private schools, discriminatory practices such as assessments or screening of students and parents prior to enrolment can act as an additional barrier to access.

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Policies can mandate the adoption of favourable measures to arrest segregation in schooling on the basis of social and economic disadvantage. For example, prohibiting assessments of students or parents prior to enrolment into schools ensures that children of less educated parents are not disadvantaged in access to schools. Similarly, the provisioning of entitlements such as MDMs can incentivize enrolment in schools and address differential investments in health and nutrition between children, within and outside the household. Finally, to ensure a minimum standard of education is meted out, the State might define norms and standards on key inputs to the education system, such as with respect to infrastructure, water and toilet facilities, teaching-learning materials, etc.

In this study, in line with the role of the State to ensure universal access to education, we gauge whether the PPP balwadi model poses challenges to equitable access to ECE by considering two aspects of the model with direct consequences for equity – criteria for student enrolment and norms and standards defined for inputs and other entitlements offered to students. For the latter, we use norms and standards mandated under the RTE Act as a point of reference, and in the case of entitlements we further compare provisions available in balwadis to those in alternative ECE centres such as AWCs.

It is important to note that while the RTE Act and its norms and standards are being used as a point of reference to understand the MCGM PPP Policy and the balwadi model, it does not govern preschool education. The RTE Act, except for ensuring free admission in preschools located within State schools, does not apply to preschool education.

## 2.1 School Choice

From the interpretation of Section 12(1) of the RTE Act, children must be admitted into preschools located within State schools free of cost and without any discrimination. This is, however, merely a general provision for admission in such preschools and the respective authorities such as the MCGM are responsible for ensuring this through their policies.

The MCGM PPP Policy requires organisations to follow the RTE Act broadly but does not mention anything about non-discrimination in enrolments explicitly.

The criteria for school enrolment stipulated in the MoU are that the balwadi must be free, that students must be in the age range of 3-6 years, and that organisations cannot discriminate on the basis of caste, creed, colour, religion and sex.

### 2.1.1. As per Stakeholders

All respondents reported that organisations cannot charge fees and must enrol students aged 3-6 years, but also agreed on the following criteria: there is no cap on class size; children can be enrolled throughout the year; no criteria for selection of parents, and that students living within the 'catchment area' of MCGM schools would be enrolled. While this final point is not an explicit criterion, organisations suggested that it was almost always the case that students enrolled lived close to MCGM schools.

#### 2.1.1.1. Medium, proximity and, access to information determine the choice of schools

According to respondents, households choose balwadis depending on the medium of instruction and proximity of balwadis to their residence. As one respondent said, "*Parents choose based on what is convenient for them. They are not selecting based on the quality of education or anything like that.*"

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While organisations aim to target households within the catchment area through needs assessment surveys, enrolments within the catchment area are not imposed on households by the MCGM. Through the survey, organisations are required to identify demand for the balwadi by at least 20 students in an area, with reference to a desired medium of instruction. Based on this, balwadis are assigned a medium of instruction. This is often associated with the dominant mother tongue spoken in the area. One respondent, for example, spoke about being allotted a Telugu-medium balwadi in a locality housing migrant households from Andhra Pradesh.

Through an RTI filed with MCGM we were able to find the distribution of balwadis by medium of instruction. Medium of instruction is Marathi in 34% of balwadis, Urdu in 21.6%, Hindi in 20.9%, and English or semi-English in 19.5%. The remaining 3.9% included Gujarati, Kannada, Tamil and Telugu medium balwadis.

**Table 5:**

Medium of Instruction	Percentage of balwadis
Marathi	34.1%
Urdu	21.6%
Hindi	20.9%
English and semi-English	19.5%
Others	3.9%
<i>Total</i>	819

Respondents also reported instances of parents exercising choice between balwadis, for example, where more than one balwadi with different media of instruction was located in the same MCGM school, or where parents chose to enrol in a balwadi outside the catchment area. Many organisations reported English, Hindi and Marathi being the most popular media of instruction among households.

A final determinant of choice is access to information. One respondent described a 'pamphlet method', where teachers distribute pamphlets prepared by MCGM on the balwadi being open for admissions during needs assessment surveys. Furthermore, some respondents said their teachers reside within the same communities as students, increasing households' likelihood of knowing about PPP balwadis.

### **2.1.1.2. Disadvantaged groups find no remedy**

Two narratives from respondents pointed to possible incidences of exclusion of students. We asked a few of the organisations about enrolment of students with disabilities in balwadis. They said that while teachers might try to help and speak to parents if it appears that the child has a disability, they are not trained or provided any specific facilities.

Similarly, while there is some uncertainty about migrant workers' children completing the academic year, respondents stated that as per the RTE Act balwadis have integrated them into the classes without any discrimination. If the students leave for smaller periods of time, their seat is held for that class. The problem arises when the migrant workers' children wish to enrol many months after the start of the academic year. In this case, there is no instruction available for managing the children. One respondent suggested that they do not hold their teachers accountable for the progress of these students, and in some cases, do not even formally register them. Non-registration of students is particularly problematic as it can deprive the students of their entitlements under this model, and skew enrolment and retention numbers that must be tracked by the MCGM.

### **2.1.2. What are the implications of this?**

The model appears to be consistent with the RTE Act in prohibiting discrimination in student enrolments based on their social or economic backgrounds. However, unlike in the RTE Act, no provisions in the PPP Policy or MoU prevent private players from adopting exclusionary practices such as that of assessments of students and parents prior to enrolment in the future.

The most glaring gap is the treatment of students with disabilities for which the policy makes no provision for their inclusion. Teachers are not trained to identify or teach students with disabilities.

## **2.2. Minimum standards for inputs in education**

### **2.2.1. As per PPP Policy: Minimum standards are set and pegged to the RTE Act**

The PPP Policy pegs itself to the RTE Act in reference to minimum standards for infrastructure and inputs, called 'boundary constraints', for running its PPPs across schooling levels. Since most provisions of the RTE Act are applicable for public school-going children in the age group of 6-14 years and not for pre-primary education, it is unclear whether these boundary constraints in the policy extend to the balwadi model.

Independent of the above, the MoU dictates minimum educational qualifications for eligibility of teachers and helpers, classroom-student ratio, and a range of 'support services' to be provided by the MCGM to enrolled students. These include uniforms, stationery boxes, water bottles, tiffin boxes, umbrellas, raincoats, etc. The MoU also states that teaching-learning materials will be provided by both the organisations and MCGM, but there is no clear demarcation on what teaching learning materials must be provided or who will provide it between the organisation and MCGM.

Neither the PPP Policy nor the MoU mentions that MDMs will be provided. Finally, the MoU also sets standards for the obligations of organisations and the MCGM under the partnership (as described in Section 2 of this report).

### **2.2.2. As per NGO stakeholders**

The consensus amongst organisations was that their obligations under this model are not burdensome. They further suggested that while they largely meet their obligations as per the MoU, on some parameters the MCGM often fails to do so.

### 2.2.2.1. On MCGM's responsibilities: Minimum standards are not always consistent with RTE Act, neither is implementation

All NGO respondents said the MCGM provides infrastructure and facilities in MCGM classrooms; a monthly maintenance allowance per balwadi; an honorarium for teachers and helpers; and some teaching-learning materials. On other entitlements described below, they varied.

#### Honorariums

While respondents reported receiving the honorarium for teachers and helpers from the MCGM, they complained that it was a meagre sum. In many cases, they reported paying their teachers an amount additional to that received from the MCGM. Before 2018, honorariums were increased from INR 1,000 to INR 2,000 and then again to the current sum of INR 5,000. They further felt that teachers should be paid for all 12 months of the year, rather than the current 10 months, with some organisations bridging the gap from their funds for the remaining two months. While the justification for a 10 month honorarium is that no classes are held in April and May, the MoU states that needs assessment surveys are to be conducted during these months. Secondly, teachers interviewed complained that they often did not receive their honorarium in a timely manner and many even said the amount received should be increased by MCGM. The MoU puts the onus of timely payments of honorariums on the organisation, however NGOs pointed to delays in reimbursements from the MCGM.

#### Pupil-Teacher Ratio ("PTR")

PTRs are observed to ensure that teachers are not overburdened by large class sizes and can accordingly provide all students adequate attention for teaching and learning. The PPP Policy states that a PTR of 30:1 is to be observed for schools under Category i partnerships in keeping with the RTE Act. The MoU however, provides a 'classroom - student ratio' of 1 classroom for every 20 students.

According to the respondents and as per MCGM practice, this is being interpreted only as the minimum class strength required for organisations to be assigned a classroom by the MCGM. The organisations stated that before the pandemic they did not find it difficult to enrol students and most organisations mentioned that they always had more than the required number for enrolments. A respondent even said, *"We don't have the minimum students problem. The demand is always more."*

Some organisations reported trying to accommodate as many students as possible to prevent any children from losing an opportunity to learn, with average balwadi class sizes ranging from 20 to 30 students. While others reported self-imposing a cap on enrolments, they mentioned trying to restrict class size to 35 - 40 students, far beyond the dictated ratio. Only two organisations reported that to manage large class sizes with over 40 students, and especially if the classroom was too small to accommodate them, they would request the MCGM to provide an additional classroom, if available. Alternatively, they would run the balwadis in two shifts, as two balwadis.

#### Classroom space

The statement above also points to variations in classrooms allocated to organisations. A few organisations mentioned instances of school auditoriums doubling-up as temporary classrooms or having to negotiate with other organisations for space to run balwadis in the same school. Teachers also complained that they need 'fixed classroom spaces' for their students.

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### Entitlements of students are not delivered

Respondents' answers varied on what entitlements balwadi students receive. One organisation said that the MCGM tries to provide amenities such as uniforms and MDMs when feasible or when they have the budget for it. For example, if the HM of a school happens to include balwadi students in a list for MDMs along with the rest of the MCGM students. This was however not the norm. Others said they offer uniforms, books, and MDMs, from the organisation's budget. Importantly, on being asked about the kinds of complaints organisations get from parents, one respondent said, *"If parents do complain [which is rare], it is... give my children more food, more uniforms"*, reflecting that parents attending balwadis do demand these entitlements. Teachers also mentioned that students should be provided meals or snacks.

### Teaching-Learning Materials ("TLMs")

According to the MoU, both the MCGM and organisations are responsible for providing TLMs but there are no clear demarcation between their responsibilities in that aspect. Organisations reported that even though some TLMs are provided by the MCGM, their delivery is often delayed. Teachers interviewed also stated that they or parents have to sometimes buy teaching materials on their own and suggested that they be given adequate teaching aids, textbooks, worksheets and toys for their students. With respect to pandemic related school closures, some also suggested they should be provided with internet facilities and devices.

### Curriculum

Organisations are free to choose what curriculum to employ in their balwadis. Some respondents mentioned that there have been discussions in the past about MCGM imposing a uniform curriculum for all balwadis, however, at the time of our conversations, there was no further information on this.

#### 2.2.3. What are the implications of this?

Both design and implementation gaps emerge depending on the interpretation of the applicability of the PPP Policy to this model. If boundary constraints detailed in the policy are applicable, the implementation is failing. If not applicable, the PPP Policy must be urgently updated to protect the rights of students in ECE.

With respect to provisions of the MoU, there are clear implementation gaps, especially prominent in the case of entitlements to students. Not only does non-compliance by the State violate students' right to certain entitlements, but it can also influence school choice. We might find that only the parents who can afford out-of-pocket expenditures attend PPP balwadis, leading to a cream-skimming phenomenon among the targeted population, with further disadvantages for girl-children and children with disabilities within households. State-sponsored entitlements shift the burden of out-of-pocket expenditure from the household to the State, minimizing opportunities for differential investments in education between children. One respondent in our study best reflected the importance of offering entitlements in this statement, *"If we take money [from households], there will be no admissions."*

A few important questions arise from the analysis so far, with significant considerations on equity. Where organisations have shown a lack of knowledge about the role of AWCs or suggested they are of inferior quality, might they actively discourage parents from enrolling their children in AWCs? And secondly, where organisations present themselves as altruistic players providing 'free private education' of higher quality than other available alternatives, are parents likely to choose PPP schools, even though they would be foregoing many entitlements?

### 3. Accountability Principle

Holding all partners in the delivery of education accountable is crucial to the success of any program. In the case of a PPP, the primary stakeholders – households and students – must be able to hold the State accountable for the delivery of equitable, quality education irrespective of who the provider is. Further, the delivery of education rests in the hands of teachers, and they must also be able to hold the State and organisations accountable to enabling them to perform their role. Finally, both partners in the delivery of education must be able to hold each other accountable in meeting their respective obligations. Principles in the framework that allow for this are monitoring mechanisms, entry and exit criteria, and spaces that enable the voice of stakeholders – households, and teachers – such as through a grievance redressal mechanism.

#### 3.1 Monitoring Mechanism

For a PPP in education to be accountable and transparent, it should be free of corruption and administrative hassles at all levels. The process of implementation and functioning of the model should exhibit integrity, efficiency, and proper checks and balances at regular intervals. Accountability also warrants a pre-determined agreement between both parties on the output as well monitoring mechanisms, with well-defined mechanisms for non-performance or subpar quality of outputs. Finally, the accountability mechanisms should be equally applicable to both parties.

##### 3.1.1. As per PPP Policy: Performance is pegged to stated objectives of the partnership

The PPP Policy defines a range of measures to assess private player's 'performance'. The first is that the MCGM will conduct **regular third-party assessments of student learning and teacher performance**. There is, however, little clarity on who this third party can be. Such an assessment is to be undertaken for all classes in schools where partner agencies are operating (applicable to Category i and ii partnerships). For Category iii schools, evaluation criteria are to be developed in line with the nature of services provided by the MCGM. Additionally, for transparency; the scoring and reasons for scores allotted to organisations are to be disclosed to them.

For Categories i and ii, annual evaluations are to be conducted, including **holistic school observations by a third party and feedback from School Management Committees ("SMCs")/ Parent Teacher Associations ("PTAs")**. The policy goes so far as to state that renewals/ extensions on contracts and payment of funding to organisations will be conditional on scores obtained through third-party assessments. Only those who receive a score of 75% and above would receive the complete funding due, which can also lead to invitations by the MCGM to expand to additional schools, while low-performing organisations stand to have their contracts terminated.

The MoU does not specify how or even whether the MCGM or some other agency will evaluate the performance of partners. Monitoring checks are limited to the submission of 'effective monthly reports' for the disbursement of funds, which the MoU does not further define. Partners are also asked for a security deposit, which is a requirement for entry into the partnership and acts as a safeguard against any breach in observance of the terms of the contract. Finally, MoUs are to be renewed annually, *"as per the discretion of MCGM, considering the performance of the Trust"*.

##### 3.1.2. As per stakeholders

The MCGM monitors balwadis through three methods. **The first is spot-checks or inspections of balwadis.**

**The first is spot-checks or inspections of balwadis.** While the MoU makes no mention of such spot-checks being mandated, these might be the “*third party assessments of teacher performance*” that find mention in the PPP Policy, as they can be conducted by both the HM of the MCGM school, and MCGM ward administrative officers. Respondents suggested these checks were to ensure the organisation was complying with provisions of the MoU, such as if students and teachers are attending classes regularly and on time, and to check attendance records overall. These were described as mere administrative checks conducted because the balwadi is in the same building as the school such that the HM can check on balwadis along with other classrooms. Administrative officers were also reported as having visited balwadis to check if activities in the classes were being ‘conducted properly’, and if teachers and helpers received their honorariums. Supervision by administrative officers in terms of frequency or regularity varied across organisations and wards.

Teachers largely said they enjoy autonomy over the teaching process, which is found to be positive for schooling outcomes. However, few organisations suggested that there was a need for spot-checks to be conducted routinely to ensure that the syllabus was being completed. This suggests a need for autonomy and supervision to go hand-in-hand.

**The second method for monitoring is the effective monthly report. NGOs reported that these reports only track the attendance of teachers and students,** and are required to be duly certified by the administrative officer and submitted to the MCGM Education Department.

**The third are annual renewals of the MoU.** According to NGOs, if they adhere to submitting monthly reports in a timely manner, and if the MCGM has no complaints of gross violations of terms of the contract, the MoUs are usually renewed without issue. NGOs did however complain that despite being granted an extension verbally and also receiving payments, there were recurrent delays in receiving requisite documents from the MCGM (such as true copies of yearly agreements). One organisation mentioned not receiving payments even after renewal was completed, but that they had continued to run the balwadis irrespective.

There also appears to be a lack of clarity among partners on the exact process and parameters assessed during the renewal of the MoU, which is not clearly defined in the contract either. At minimum, this points to a lack of transparency in the process.

Teachers interviewed had mixed responses on whether spot-checks occur, with some reporting that no such checks are done in their balwadis. They further said that their supervisors from the organisations mainly provide training, and play a limited role in their day-to-day operations.

Unlike what the PPP Policy states, there are no assessments of learning outcomes of students, or teaching practices. One organisation suggested that the MCGM should conduct learning assessments to track the progress of students. Many respondents reported implementing their own monitoring and evaluation practices to check on the quality and effectiveness of education delivery in their balwadis.

#### Partner perceptions of monitoring mechanisms

Overall, respondents seemed to find the process of renewal of the MoU fairly easy, however, some felt that it was easier to run a private balwadi as there were no administrative processes or registration required. They largely agreed that the only benefit of running a balwadi through the PPP compared to a private one was the funding and infrastructure from the State. The only complaint that arose, apart from delays in renewals, was that despite the meagre salaries paid to teachers and helpers, the MCGM wanted to implement stricter monitoring mechanisms for teacher’s time and performance.

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### 3.1.3. What are the implications of this?

If we go by the PPP Policy, there is an implementation gap in this model in that learning assessments of students are not conducted or tracked, and consequently that the performance of organisations is not pegged to the stated objectives of the State. This was further corroborated by a third-party interviewee who said, "... MCGM needs more checks and balances on this [learning progress of students]. Maybe it's because MCGM has so many more priorities than just education. They have to oversee the duties of the entire municipal corporation. This is just one small part of it. So they leave it to NGOs." With respect to provisions of the MoU, while it lacks transparency in describing the process and parameters of performance and renewal, it seems to be implemented in some form.

## 3.2. Entry and Exit Criteria

For any PPP in education, a competitive, transparent, and fair entry process will enable those with the expertise to fulfill the goals of the program, to partner with the State. States must, for the same reason, reserve the right to suspend contracts with partners on grounds of non-compliance or poor performance, with little cost to the State.

### 3.2.1. As per PPP Policy: there are clear criteria for entry and exit of high-quality organisations

The PPP Policy states that only 'high-quality agencies' will be engaged in partnerships with the MCGM. **The policy describes a selection process in which organisations are scored on a list of criteria**, including - experience in education; experience of measuring learning outcomes and examples of impact; proposed approach including pedagogy, TLMs, teacher training, etc.; strength of the team to manage schools; and ability to cover additional expenses. **Scoring and ensuing selection of organisations, is to be conducted by a 'Selection Committee'**. The scores received by organisations also have a bearing on the allocation of schools, where the Selection Committee is to follow two principles. First, to allocate at least some schools to every qualifying organisation to engage a diverse set of organisations. Second, to allocate organisations who score in the top quartile, with the number of schools they applied for. This is to ensure that the 'best performing' organisations engage with as many schools as they can. Once selected, scores obtained by every organisation and the list of selected organisations are to be displayed on the MCGM website.

Selected organisations are to be evaluated in the process explained above. The PPP Policy provides for a review process for low-performing organisations, and for terminating contracts with organisations if their performance does not improve post review and over three consecutive years. We also know from the previous section that no such evaluation appears to be taking place in the case of this model.

The MoU provides no clear entry or eligibility criteria for organisations. It only states that organisations will be required to submit an application in response to the tender released, presumably after which the policy should guide selection. The MoU does however describe the following incidents of non-compliance by organisations that could result in its termination. The first is delays in or non-payment of balwadi staff on grounds that if, "... teachers and assistants are not paid in time they may not be able to perform their duties as expected, and it will affect the functioning of the balwadi classes." The second simply states that the contract can be terminated if the organisation commits any breach and fails to remedy the same within 30 days of being given notice. Finally, the annual MoU renewal process provides a built-in mechanism for easy exit of partners under the model where performance is less than satisfactory.

### 3.2.2. As per Stakeholders

Respondents reported that the MCGM released a tender for the academic year 2018-2019, inviting organisations to submit applications for running balwadis in MCGM schools. They reported the following criteria as part of the application: financial capability, and credibility and capacity of the organisation to run balwadis for a significant period. It is possible that in authenticating credibility and capacity of the organisations, the MCGM is able to verify the stated criteria in the policy document such as experience in education. A provision from the PPP Policy that is seemingly being adhered to are principles for the allocation of balwadis. One respondent described that while they would have liked to run all the MCGM PPP balwadis, the PPP Policy's clause to diversify private providers prohibited it. Once organisations signed an MoU with the MCGM, they were required to pay a security deposit for each balwadi assigned to them. None of the respondents mentioned any scoring mechanism akin to what the policy describes. While it is possible they are not privy to this process of the Selection Committee, we were also unable to find scores or a list of selected organisations on the MCGM website.

On terms that might lead to the termination of contracts, NGOs did not say much. From the last section, it is clear that compliance is monitored in an ad-hoc fashion through spot-inspections and monthly reports. The only other situation described by organisations that might lead to the non-renewal of MoUs was if they were unable to enrol the minimum number of 20 students.

### 3.2.3. What are the implications of this?

There is a need for greater transparency in defining both entry and exit criteria in the MoU, or else implementing the same in line with the policy. In the absence of transparency, questions about other provisions of entry and exit of organisations arise.

For example, it stands to reason that the number of balwadis an organisation would apply for would be determined by their financial capability. Thus, while the principle of allocating balwadis to top-performing organisations is sound, we can question whether the State should instead invest in and enable private or other State partners with greater expertise, to undertake larger stakes in the programme. Similarly, the MoU currently defines exit criteria by linking it to payment of staff for example but not to outcomes of learning. In the current interpretation of the MoU, if an organisation can meet the basic criteria of managing schools and payment of staff, they might be seen as performing well, irrespective of whether they are delivering quality education. Once again, performance could result from financial capability rather than expertise.

## 3.3. Voice of Stakeholders - households and teachers

For any provider of education to truly be held accountable, there is a need for the proper inclusion of parents and teachers in the process of education delivery. Spaces that provide parents and teachers voice in the system include PTAs, SMCs and Teacher Unions, or the presence of well-designed grievance redressal mechanisms.

### 3.3.1. As per PPP Policy

The PPP Policy cites the importance of parents' and teachers' involvement by suggesting that the feedback of SMCs and PTAs should contribute to performance evaluations of organisations. However, the policy says nothing about the formation of the same. It can be assumed here that it relies on rules specified under Section 21 of the RTE Act.

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The MoU makes no mention of SMCs or PTAs suggesting perhaps that this provision of the PPP Policy does not apply to the model, however it does refer to a grievance redressal mechanism. Here too, the MoU puts the onus of addressing grievances of parents, balwadi teachers and balwadi helpers on the organisation, stating they must, “... resolve problems or issues arising... on a logical basis at the [organisation] level”. A second provision, designed to protect the rights of teachers, states that delays or non-payment of teacher and helper honorariums in a timely manner, will warrant penal action against the organisation.

### 3.3.2. As per Stakeholders

From organisations it is clear that there is no established committee or formal procedure by the MCGM to address grievances related to balwadis. There does seem to exist a certain chain of command to address grievances, however, although these are inconsistent across respondents. Some said the HM of the MCGM school in which the balwadi is run usually receives and resolves complaints from parents and teachers. Several others said that if teachers do have grievances they talk to the organisation directly, and the matter is only escalated to the MCGM if necessary. Teachers also do have the option of registering with a teacher union, however as they are strictly contractual employees and not MCGM teachers, they do not have access to the MCGM Union. Finally, some organisations had designed internal mechanisms to address complaints of balwadi staff.

### 3.3.3. What are the implications of this?

As per the PPP Policy and MoU, the process of grievance redressal is ill-defined and the MoU relies in its entirety upon internal processes provided by the organisations to resolve disputes amongst teachers, students, and the organisation. The respondents, however, did not mention that they were required to play such a definite role in the grievance redressal process with some organisations providing internal mechanisms and some mentioning the role of the HM of the MCGM school. SMCs and PTAs that might encourage the active engagement of parents and teachers with the delivery are also not defined under this model. It is also clear from the analysis that parents and teachers do have complaints about the running of the model in terms of entitlements they are provided and recurrent delays in honorarium payments, respectively.

While it is standard in PPP contracts and policies to place lesser liability on government departments, the policy and MoU state consequences of non-compliance for organisations but do not provide any clauses to hold the MCGM accountable for failing to meet their responsibilities under the agreement. This can be further evinced by the absence of a clause stipulating MCGM's liability upon breach of contract in the MoU. Given the dynamic within partnerships such as for the balwadi model, wherein the same agencies of the MCGM play roles of the purchaser of services and provider of resources in fulfillment of obligations to the partnership, organisations have little power to negotiate against incidences of non-compliance by the State. Under these circumstances, it becomes all the more important to create spaces that give voice to stakeholders to hold providers accountable.

# Conclusion and Suggestions

The objectives of the MCGM's Education Department in creating the balwadi model has the potential to increase access to high quality ECE for urban-poor in Mumbai and increase enrolments and readiness of students for elementary education in MCGM schools. While organisations involved in the model view it positively overall, a critical assessment of the PPP balwadi model offers some definitive inferences on where it falls short.

In the absence of standardised and appropriate monitoring of partner organisations, accountability of the State and transparency of the governance process, experiences of students and the success of the balwadi model are likely to vary based on organisations running the balwadi. Secondly, inconsistencies between the provisions of the MCGM PPP Policy, the MoUs between organisations and MCGM for running balwadis, and stakeholders' report of the operation of the model, point to the lack of a policy framework for its governance. While we only studied the PPP balwadi model of the MCGM in this report, we also found that the MCGM runs several other PPPs for the delivery of ECE, and has entered into multiple new partnerships for training teachers and delivering digital education during the COVID-19 pandemic. Finally, while the MCGM PPP Policy pegs itself to the RTE Act, the standards set thereunder may not cater to children in early childhood.

The findings of this report and evidence from studies on the success of PPPs globally highlight the imperative for the State to adopt a robust policy framework to guide the implementation of PPPs for education.<sup>57</sup>

The primary recommendation proposed by this document is for the State, when it must resort to engaging in PPPs for education, to have a robust policy framework in place *a priori*. While addressing MCGM at the first instance, the recommendations for a policy framework to regulate PPPs for education, and especially ECE, are applicable to any government body involved in similar PPPs.

## 1. Robust Policy Framework for Governance of PPP in Education

PPP policies must place the interests and rights of students at the centre of the design and implementation of partnerships for education. Once again, we refer to principles presented in the framework for analysis used in this report as per the WB report '*The Role and Impact of Public Private Partnerships in Education*',<sup>58</sup> to guide key suggestions for drafting a PPP policy. The recommendations provided hereunder are not comprehensive to the drafting of a robust policy framework, but specifically discuss the key limitations of the existing policy framework governing the balwadi model as per findings of this study.

In drafting a PPP policy, the State must refer to the appropriate legislation or policy framework for the relevant stage of education. In the context of this model, the MCGM must ensure they are guided by a policy for implementation of ECE itself, such as the Maharashtra Policy.

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<sup>57</sup> C. Sakellariou and H. A. Patrinos, "The Equity Impact of Public Finance of Private Education Provision in Cote d'Ivoire" (2009) 29(4) International Journal of Educational Development 350-356  
<<https://openknowledge.worldbank.org/handle/10986/5332>> accessed 27 August 2021.

<sup>58</sup> Harry Anthony Patrinos and others, 'The Role and Impact of Public-Private Partnerships in Education' (International Bank for Reconstruction and Development / The World Bank, 2009)  
<<https://documents1.worldbank.org/curated/en/453461468314086643/pdf/479490PUBORole101OFFICIALOUSE0ONLY1.pdf>> accessed 27 August 2021.

The MCGM PPP Policy must formally recognise partnerships for ECE or MCGM must draft a new policy specifically for PPPs for ECE, using the Maharashtra Policy as a guide for its implementation. The Maharashtra Policy provides directives of running of all ECCE centres in the state, which includes AWCs and balwadis run by the governments including local bodies, or private players including NGOs and corporates. As such, provisions of the Maharashtra Policy must also apply to ECCE or ECE centres run through PPPs in the state. The following recommendations are thus pegged to the Maharashtra Policy or National ECCE Policy.

### A. The rationale for PPPs

The objective of any partnership must be clearly stated in the policy, and should similarly be stated in MoUs for partners. This would ensure that all partners to the PPP are in consensus about the goals of the program, which should also guide operations of partners and how their performance is monitored. Such objectives should be derived from those of universal and inclusive provisioning as stated under the National ECCE Policy.

### B. Removing barriers to access of education

Both the PPP Policy and the MoU do not address all barriers that affect equitable access to ECE. There is no mention of the unique requirements of children with disabilities and how their inclusion might be ensured in balwadis.

The National ECCE Policy directs states to provide quality education to children between the ages of 3 - 6 years, including non-discrimination in admissions based on religion, caste, sex and disability. This finds mention in MoUs for the balwadi model. However, several other provisions of the policy ensuring equitable access are missing.

The policy must state that students cannot be tested or interviewed for admission to ECCE centres.

Inclusion of students with disabilities must be ensured. Taking due cognisance of the importance of early interventions for students with disabilities, Section 5.1.9 of the National ECCE Policy states, "... measures will be undertaken for early detection and interventions with appropriate adaptations and referrals where necessary, for children at risk of developmental delays and disabilities." It further states that participation of children with special needs in ECCE programmes will be facilitated through "appropriate linkages with concerned programmes/ sectors". Both the Maharashtra Policy,<sup>59</sup> as well as the RTE Act, stipulate that education must cater to the unique needs of children with disabilities. Therefore, this should be reflected in the MoU and the relevant PPP policy for ECE.

Given the large population of migrants in the state, special provisions for their meaningful inclusion should be provided. The MCGM can act as a frontrunner in the creation of such standards and can leverage the expertise and experience of the organisations it has partnered with in this regard.

### C. Uniform Norms and Standards

Maharashtra had attempted to regulate ECE providers in 1996 through The Maharashtra Preschool (Regulation of Admission) Act (1996). Since its repeal however, there are no standards or uniform rules for regulating ECE in Maharashtra. Subsequently, the Maharashtra Policy also required registration and accreditation of ECE centres but the policy has not been implemented yet.

<sup>59</sup> Government of Maharashtra, Early Childhood Care and Education Policy (Draft version 8.0, 2019) strategy 1, pg. 7 <<https://womenchild.maharashtra.gov.in/upload/5d08ee535eb1eECCEPolicy201903021605534930.pdf>> accessed 27 August 2021.

Additionally, despite direction in the National ECCE Policy and the Maharashtra Policy,<sup>60</sup> the state government is yet to lay down norms and quality standards for ECCE services. The MCGM can, in the interim, devise uniform standards by taking a cue from the Maharashtra Policy and incorporate them into a new PPP policy for ECE.

Set standards for delivery of ECE must be made unambiguous across all policies and MoUs for ensuring better accountability of both, the MCGM Education Department and organisations fulfilling their obligations under PPPs.

Section 5.2 of the National ECCE Policy provides non-negotiable base standards for quality which should be incorporated. These include

1. The duration of ECCE programmes at 3-4 hours;
2. Specifications on the size of classrooms;
3. Developmentally appropriate toys and TLM;
4. A safe building within easy approach, which is clean and should have a surrounding green area;
5. Adequate and safe drinking water facilities;
6. Separate child-friendly toilets and hand-wash facilities for girls and boys;
7. Space allocated for cooking nutritionally balanced meals and nap time for children;
8. Available First Aid/ Medical Kits at the centre; and
9. A caregiver to child ratio of 1:20 for 3-6 year olds.

The Maharashtra Policy refers to above and provides for its own non-negotiable standards<sup>61</sup> such as:

1. Non Discrimination in admissions based on religion, caste, sex and disability;
2. Requirement of adequately trained/ certified staff for handling ECE centres through the Training & Certification Module of the Online ECCE Portal, and
3. Age & developmentally appropriate approach in the mother tongue/ local vernacular/ Hindi/ English.

Additionally, both primary and secondary data echo the need for a uniform curriculum that is not frequently changed. As such, the policy and MoU should clearly refer to an ECCE curriculum framework mandated by the centre or state, while continuing to provide flexibility in pedagogical approaches and opportunities for improvements in the base curriculum.

#### D. Uniform Norms and Standards

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Performance of organisations should be linked to students' learning outcomes, teaching practices, and transition of students from pre-primary to primary grades of MCGM schools, in keeping with the stated objective of the balwadi model to ensure school readiness and enrolment in Grade 1. Overall performance of balwadis should also be assessed based on compliance of organisations as well as the MCGM to their obligations under the partnership. This should be done through routine third-party assessments, including but not necessarily limited to parents and teachers.

<sup>60</sup> ibid at 10.

<sup>61</sup> ib.

Third-parties responsible for assessments and frequency of such assessments should be clearly defined in both the policy and MoU. MCGM's current PPP Policy mentions that observations and feedback of SMCs/ PTAs will make up third-party assessments. The formation of these associations or committees must be clearly laid out in the policy itself to ensure its institution. Further, such associations' role and responsibility in conducting such assessments should be clearly defined, and they should be providing training to enable them to conduct assessments where necessary.

The parameters for assessments and its results should be made available to organisations, and publicly if possible. To this end, a centralised ECCE portal that lists all registered ECCE centres, as proposed under the Maharashtra Policy could be used as a public resource in which performance of balwadis is made available publicly. This might stand to influence performance of organisations, State compliance and school choice by households.

Needs assessment surveys conducted by organisations should include collection of socio-economic details of households to identify whether enrolments and retention are correlated with backgrounds of students.

### **E. Entry and exit criteria**

The entry and exit criteria for the organisations pays greater emphasis on financial and administrative capabilities of the organisations and on records maintained by the organisations for payment of honorariums and attendance of students and balwadi teachers. However, the entry and exit criteria in the MoU and the PPP Policy are not dependent on the quality of performance by the balwadis. Therefore, an organisation may be considered to be worthy of renewal if it abides by its administrative obligations even without an accurate assessment of its performance.

Entry and exit criteria in the MoU and the relevant ECE policy should be linked to assessment of the quality of performance of organisations, and their compliance as described in the monitoring mechanism above. Renewal of the yearly MoU should be dependent on such assessment.

### **Transparency in implementation of the balwadi model**

Primary data collection for the report showed that many documents, such as the tender process and its results or even the documents for the 2008 MCGM balwadi model were not available online.

Processes under the balwadi model should be made transparent. This can be done by ensuring public availability of requisite information (such as scores from the tender process, details of the allotment process should be specified to the organisations, relevant annexures, tender documents and orders should be made available) on the MCGM's website.

### **F. Entry and exit criteria**

The MoU provides multiple recourses to the MCGM in the event that the organisations breach their obligations. However, there are no such clauses to ensure accountability on part of the MCGM. In the absence of this, the MCGM has at times delayed payments of honorariums and provided entitlements to balwadis infrequently, thereby not abiding by its obligations under the contract.

The MoU and the MCGM PPP Policy or new ECE policy must be amended to balance the rights and the remedies accorded to each party in the balwadi model. The MoU should also stipulate clauses that ensure accountability on the part of the MCGM in the event of its failure to adhere to its obligations.

Additionally, as recommended for the design of the monitoring mechanism, parents and teachers should be given voice to hold the State and private partners accountable for non-compliance. The policy and MoU should clearly define and detail constitutions of SMCs/PTAs, with defined responsibilities for monitoring the model. Such committees should be provided an orientation or training for ensuring they are aware of their responsibility, authority, and of the process of evaluation including parameters for measuring performance, in line with the MoU and the PPP policy.

An appropriate grievance redressal mechanism should be defined, to include the method of filing grievances, persons of responsibility to whom grievances will be addressed, and a method for closing grievances in a time-bound manner, only once they have been mutually resolved by both parties. This should also be available to teachers as they do not come under the ambit of MCGM employees and their unions. Ideally, the State must assume responsibility of grievance redressal for both parents and teachers, or at minimum should include the functioning of the grievance redressal mechanisms run by organisations as a parameter under the monitoring mechanism.

### **G. Awareness of all parties to a partnership**

The MoU for partners to the balwadi model is not in consonance with provisions of the MCGM PPP Policy. The former differs from the latter on enrolment criteria of students, mandated entitlements and minimum standards of inputs, and does not include any detail of monitoring mechanisms, grievance redressal mechanism, and entry and exit criteria for organisations. As the MCGM PPP Policy does not apply to the balwadi model, it is left ungoverned on the various aspects excluded from the MoU.

The MoUs between MCGM and organisations should clearly state all obligations of organisations and the MCGM. It should further include or make clear reference to the relevant PPP policy that governs its implementation.

The MoU might also include mention of the national or state policy framework that governs delivery of education more broadly, in this case the Maharashtra Policy or National ECCE Policy. This would also ensure that all organisations are aware of relevant policies, and of their and the State's obligations under the partnership.

## **2. Empower MCGM Education Department to deliver ECE**

Currently, the MCGM's Education Department is not empowered to govern ECE. This may reduce the burden on the Education Department to strictly comply with terms of the MoU and MCGM PPP Policy. In its nascent stages, the Women and Child Welfare Committee of the MCGM was also involved with the Education Department in governing the balwadis. However, the functioning was shifted to the Education Department for ease of administration.

The MCGM should empower the Education Department and make it accountable for providing ECE within MCGM schools.

As per the Maharashtra Policy coordination between the Women and Child Welfare Committee and Education Department of the MCGM should be enabled through the establishment of ECCE committees to help the MCGM implement uniform standards for ECE delivery.



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