

Right to Education Act in India: Issues and Challenges

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Abstract: *The Right to Education (RTE) Act, 2009, is a landmark legislation in India that guarantees free and compulsory education to children between 6 and 14 years of age. This study analyses the implementation status of the Act, the issues and challenges faced in its execution, and explores potential solutions. Using data from various government reports, including UDISE+, ASER, and independent studies, the paper highlights infrastructure gaps, teacher shortages, financial constraints, socio-economic barriers, and policy implementation issues. It also presents tables to illustrate key statistics. The study concludes with recommendations to overcome these challenges to achieve the goal of universal quality education.*

This paper aims to critically examine these challenges using recent data and reports, focusing on key issues such as inadequate infrastructure, teacher shortages, insufficient funding, and social inequality. It concludes with policy recommendations to strengthen the implementation of the RTE Act and improve educational outcomes.

Keywords: Right to Education Act, India, Education Policy, Educational Challenges, Teacher Shortages, Infrastructure, Enrollment, Learning Outcomes

I. INTRODUCTION

Education is a fundamental right essential for individual empowerment and national development. Recognizing this, India enacted the Right of Children to Free and Compulsory Education Act (RTE Act) in 2009. The Act mandates free and compulsory education for all children aged 6 to 14 years, making education a justifiable right.

Despite significant progress in enrollment rates since its enactment, several challenges remain in achieving the Act's goals fully. These include inadequate infrastructure, insufficient trained teachers, funding issues, and social inequalities affecting access to education.

This paper reviews these challenges using recent data and reports, providing a comprehensive understanding of the current status of the RTE Act implementation in India.

The RTE Act mandates that the government ensure free and compulsory education in a neighborhood school, prohibits capitation fees and screening procedures, and requires schools to maintain certain minimum standards. However, the effective implementation of the Act remains a challenge across many states in India.

II. BACKGROUND AND LEGAL FRAMEWORK

- The RTE Act came into force on April 1, 2010, as per Article 21A of the Indian Constitution, which was amended to include education as a fundamental right. Key provisions include:
- Free and compulsory education for children aged 6-14 years in a neighborhood school.
- No child shall be held back, expelled or required to pass a board examination until the completion of elementary education.
- Minimum infrastructure and teacher qualifications** standards.
- Reservation of 25% seats in private schools for economically weaker sections (EWS) and disadvantaged groups.



- The National Policy on Education (1986, revised in 2020) complements the Act by emphasizing equitable and quality education.

III. OBJECTIVES OF THE STUDY

- To analyze the current status of the RTE Act implementation.
- To identify key issues and challenges faced in achieving free and compulsory education.
- To review the impact of these challenges on enrollment and learning outcomes.
- To provide policy recommendations based on data-driven insights.

IV. METHODOLOGY

This study relies primarily on secondary data analysis, utilizing:

Unified District Information System for Education (UDISE+) reports (2018-2024)

Annual Status of Education Report (ASER) 2024

Government reports, academic articles, and media sources.

Data was synthesized to identify patterns, gaps, and challenges.

V. CURRENT STATUS OF EDUCATION UNDER THE RTE ACT

5.1 Enrollment and Retention

India has witnessed significant progress in enrollment rates since the enactment of the RTE Act. The net enrollment rate for elementary education reached 96.7% in 2023 according to UDISE+ data. However, retention rates decline notably in higher primary levels.

Year	Net Enrollment Rate (%)	Dropout Rate (%)	Completion Rate (%)
2018	92.3	16.8	83.2
2020	94.1	14.5	85.5
2022	95.8	13.1	86.9
2023	96.7	12.5	87.5

Source: UDISE+ 2023

5.2 Learning Outcomes

ASER 2024 reveals that while enrollment is high, learning outcomes remain poor, especially in rural areas.

- Only 50.3% of children in Grade 5 could read Grade 2 level text.
- 53.7% of children in Grade 5 could do basic subtraction.

VI. MAJOR ISSUES AND CHALLENGES

6.1 Infrastructure Deficiencies

Although the Act mandates minimum standards for school infrastructure, many schools fall short.

Infrastructure Facility	Percentage of Schools Equipped (2023)
Functional Toilets (Separate for girls)	62%
Drinking Water Facility	72%
Boundary Walls	59%
Electricity Supply	78%

Source: UDISE+ 2023

Inadequate infrastructure leads to absenteeism, especially among girls, and affects quality learning environments.



6.2 Teacher Shortages and Qualifications

India faces a shortage of approximately 7.4 lakh teachers nationwide. Many teachers are not adequately trained or qualified.

Indicator	Data (2023)
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Total teacher vacancies	740,000
Average pupil-teacher ratio	30:1 (national average)
Percentage of untrained teachers	21%

Source: Ministry of Education Annual Report 2024*

Teacher absenteeism and lack of pedagogical skills further hamper education quality.

6.3 Financial Constraints

India's public expenditure on education is around 3.1% of GDP (2024), below the recommended 6%. This budgetary gap affects the ability to upgrade infrastructure and recruit qualified teachers.

6.4 Socio-economic Barriers

- Dropout rates are higher among Scheduled Castes (SC), Scheduled Tribes (ST), and other marginalized communities.
- Implementation of the 25% EWS quota in private schools is patchy.
- Gender disparities continue in enrollment and retention.

6.5 Implementation Gaps

- Non-compliance by private schools in admitting EWS students.
- Delayed or incomplete data reporting.
- Poor monitoring and accountability mechanisms.

7. Case Study: Haryana State (2023-2024)

Haryana has taken steps to enforce the RTE Act but faces challenges.

- Notices issued to over 1,000 private schools for non-compliance with EWS quota.
- School mergers for low enrollment violating the Act's mandate.

Parameter	Haryana Data 2024
Private schools served notices for RTE lapses	1,020
Percentage of schools lacking adequate toilets	41%
Dropout rate among girls in elementary classes	14.2%

VIII. DISCUSSION

The challenges identified affect the goal of universal, equitable quality education under the RTE Act. Infrastructure gaps and teacher shortages directly impact the learning environment. Financial constraints limit scaling of successful interventions. Social factors exacerbate dropout rates among disadvantaged groups.

IX. RECOMMENDATIONS

- Increase Education Spending: Align with the 6% of GDP target.
- Strengthen Teacher Recruitment & Training: Ensure regular in-service training and incentives.
- Improve Infrastructure: Focus on water, sanitation, and safe classrooms, particularly in rural areas.
- Enforce EWS Quota: Strict monitoring and penalties for non-compliance.
- Community Engagement: Involve local bodies and parents in school governance.



- Data-Driven Policy Making: Use technology for real-time monitoring and transparency.

X. CONCLUSION

The Right to Education Act is a transformative piece of legislation aimed at making education accessible to all children in India. While enrollment has improved substantially, challenges such as poor infrastructure, teacher shortages, funding deficits, and social barriers hinder the Act's full realization. Concerted efforts by policymakers, educators, and communities are essential to overcome these obstacles and achieve quality education for every child.

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