

The background of the journal cover features a top-down view of a desk. On the left, a pair of black leather brogue shoes is partially visible. In the center, an open notebook with lined pages and a silver pen lies on a light-colored wooden surface. To the right, a black leather bag with a zipper is partially shown, and a black leather watch with a silver dial is resting on the desk. A large, semi-transparent white rectangular box is centered over the image, containing the journal's title and ISSN information.

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ASSESSING THE LAST-MILE DELIVERY OF THE RIGHT TO EDUCATION IN RURAL INDIA

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1. Abstract:

The Right to Education (RTE) Act, enacted by India in 2009 to fulfil the constitutional mandate of Article 21A, marked a historic shift toward universalizing elementary education. Enforced on April 1, 2010, the Act guarantees free and compulsory education for children aged 6 to 14, prohibits discriminatory admission fees, and mandates a 25% seat reservation for economically weaker sections (EWS) in private schools. However, while the Act successfully catalysed a surge in school enrolment, its implementation—particularly in rural areas—faces severe systemic delays. This paper evaluates how deep-seated social imbalances and inadequate quality standards have hindered the RTE's core objectives. Ultimately, the study argues that successful implementation requires a multi-pronged approach: fostering inclusive environments, modernizing rural infrastructure, upgrading teacher quality, and dismantling socio-economic disparities.

Keywords: Right to Education, Discrimination Implementation, challenges, objectives.

2. Introduction:

From the date of enforcement of the Constitution of India, Article 45¹ a Directive principle of state policy, in its true nature promising free and compulsory education for all children until they complete the age of 14 years. This was created with a ten-year timeframe in mind. Nonetheless, the state is in charge of carrying out the constitutional pledge stated in Article 45.

¹ Article 45, Part IV, Constitution of India, 1950.

And for the next fifty years, states did not observe their implementation. On August 27, 2009, the Right of Children to Free and Compulsory Education Act was announced in the year that marked the 60th Republic Day. Directive principles of state policy are not directly enforceable, and no court can challenge their implementation.

Being the Directive principle, this article is not implemented properly. Due to which through the 86th Constitutional Amendment, Article-21A was inserted in the fundamental right section of fundamental rights under which, “The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine”².

The RTE is still not fully implemented in rural India due to a number of issues. Poor infrastructure, a shortage of trained and competent instructors, a lack of digital resources, gender discrimination, child labour, and poverty are the main causes of the current educational divide between urban and rural areas. Furthermore, socioeconomic disparities, language diversity, and social marginalization make it more difficult to access and provide high quality education in rural areas. “The Directive Principles of State Policy (DPSP) aim at establishing social and economic justice and reducing inequalities among the citizens of India, thereby helping in the achievement of a welfare state.” “So does this Act was enacted to attain such goals”³. The National commission for the protection of rights of the child (NCPCR) documented numerous institutions lacking essential facilities and such situations impede the RTE program for achieving quality education.

The educational framework throughout the world has been changed with initiation of the policies of privatization and globalization.

3. The Legislative Architecture:

In order to enforce Article 21A, the Right to Education (RTE) Act, 2009's legislative architecture creates a tripartite legal framework that divides duties among Central, State, and local authorities. In terms of structure, the Act replaces the welfare-based paradigm with a justiciable, rights-based entitlement.

² The Constitution of India, art. 21A.

³ *Every Student Succeeds Act (ESSA)*. (n.d.). U.S. Department of Education. <http://www.ed.gov/laws-and-policy/laws-preschool-grade-12-education/every-student-succeeds-act-essa>

The strict Schedule of Norms, which establishes minimum infrastructure and Pupil-Teacher Ratios (PTR), Section 28, which forbids private tuition by state teachers in order to maintain institutional integrity, and Section 12(1)(c), which democratizes private education by requiring a 25% quota for marginalized children, comprise its three main pillars. Lastly, it emphasizes child-friendly pedagogy by outlawing detention and corporal punishment.

3.1 Development of Legislation:

Rather than being a sudden legislative move, the definition of education as a basic right in India was a gradual process. Early Indian jurisprudence saw education as a Directive Principle of State Policy under Article 45, but the Supreme Court's seminal decision in “**Unnikrishnan v. State of Andhra Pradesh (1993)**”⁴ fundamentally changed this perspective by holding that the right to education is a prerequisite for the full realization of the right to life under Article 21. As a result, Article 21A was added by the 86th Constitutional Amendment Act, establishing free and obligatory primary education as a fundamental right for children between the ages of six and fourteen. The implementation of secondary and higher education will be contingent upon the state's development and economic capacity limitation. There are several provisions in part IV, relating to the right to education which pellucidly speak of it.

- **Article 41**⁵ states that “the state shall make effective provisions for implementing and securing the rights to education, right to work and to public assistance in unemployment cases within limits of its economic capacity and development”.
- **Article 45** state that within 10 years of the Indian constitution’s adoption, the state shall work to offer early childcare as well as free and mandatory education for children ages six to fourteen.
- **Article 46**⁶ promotes the states to make the educational, economical and welfare policies for people of weaker sections particularly Scheduled Tribes (ST) and Scheduled Castes (SC) to shield them from exploitation and social injustice.

The Right of Children to Free and Compulsory Education (RTE) Act was passed in 2009 and put into effect on April 1, 2010, in order to give life to Article 21A. The Act explains the responsibilities of central agencies, state governments, and municipal authorities in a methodical manner. Importantly, Section 12(1)(c) of the Act places a strong emphasis on

⁴ Unni Krishnan, J.P. And Ors. Etc. ... vs State Of Andhra Pradesh And Ors. ... on 4 February, 1993, AIR 2178, 1993 SCR (1) 59

⁵ Article 41, Part IV, Constitution of India, 1950.

⁶ Article 46, Part IV, Constitution of India, 1950.

fairness by requiring non-minority private unaided schools to set aside 25% of their entry-level seats for students from Economically Weaker Sections (EWS) and Disadvantaged Groups (DG).

3.2 Salient Features of the Right to Education (RTE) Act, 2009

“Free education” means that no kid will be required to pay any fees or costs that would prohibit them from pursuing a mandatory education, with the exception of children who have been accepted by their parents to a school that is not funded by the relevant government.

1. Free and Mandatory Education

All Indian children between the ages of six and fourteen are guaranteed the right to free and obligatory primary education (Classes 1 through 8). "Free" refers to the fact that no youngster is required to pay any fees or charges that would keep them from pursuing and finishing their education.

2. **Section 12(1)(c), the 25% Private School Quota** It requires all private, unaided, non-minority schools to set aside at least 25% of their entry-level seats for students from Disadvantaged Groups (DG) and Economically Weaker Sections (EWS), with the government paying the schools for these pupils.

3. Strict Pupil-Teacher Ratios (PTR)

The Act sets fixed Pupil-Teacher Ratios to guarantee high-quality interaction in the classroom. The required ratio is 30:1 for elementary schools (Classes 1–5) and 35:1 for upper primary schools (Classes 6–8).

4. Required Infrastructure Requirements

The Act's Schedule establishes stringent requirements for educational buildings. Every school must have a library, separate restrooms for boys and girls, a safe drinking water facility, an all-weather building, at least one classroom for each teacher, and barrier-free access for children with disabilities.

5. Prohibition of Capitation and Screening Fees

The Act forbids schools from collecting "Capitation Fees" (contribution fees) and imposes severe penalties on those that do. Additionally, it prohibits any screening methods or parent or child interviews that take place throughout the admissions process.

6. No-Detention Policy and Ongoing Assessment

The Act first established the "No-Detention Policy," which guaranteed that no child may be held back (failed) or expelled from school until they had finished their basic education, in an effort to lessen psychological strain on kids. (Note: States eventually

changed this to permit exams in grades 5 and 8, but the idea of continuous and comprehensive evaluation is still the major focus).

7. Prohibition of Harassment and Corporal Punishment

Physical punishment and mental harassment of children are expressly forbidden by the RTE Act. According to service regulations that apply to school employees, breaking this clause is a crime.

8. Strict Requirements for Qualifications as Teachers

It requires educators to meet the minimal professional standards established by the primary academic body. In an effort to standardize instruction across the nation, teachers must pass the Teacher Eligibility Test (TET) in order to be hired.

9. Teachers' Prohibition of Private Tuition

Private tuition classes and private teaching activities are absolutely prohibited by Section 28 of the Act for government and government-aided school teachers. This guarantees that educators concentrate their primary efforts on teaching in the classroom.

10. The creation of SMCs, or school management committees

The Act requires all governments and assisted schools to establish an SMC in order to encourage decentralized governance. Importantly, 50% of the committee members must be women and 75% must be parents or guardians, enabling the local community to keep an eye on how the school is operating and how funds are being used.

3.3 Key provisions of the Right to Education Act, 2009:

The legislation mainly aimed at encouraging the children aged between 6 to 14 for compulsory education by following the constitutional mandate set under 86th constitutional amendment. It also lays down the norms and standards related with, building infrastructural facilities including safe drinking water, separate toilets for girls and boys, playground with boundary wall or fencing, school-working days, teacher working hours, existing curriculum, evaluation, inclusive aspects, school management committees (SMCs) and role of community.

3.3.1 Fundamental Entitlements and Justiciable Rights

“Section 3, which establishes a justiciable right to free and compulsory primary education (Grades I through VIII) for all children in the **6–14 age** cohort, serves as the statute's cornerstone”⁷. By definition, the word "free" functions as a legal prohibition against any

⁷ Right of Children to Free and Compulsory Education Act, 2009, § 3, Act No. 35 of 2009

financial obligation that could otherwise prevent a kid from attending primary school, such as capitation fees, instructional levies, or administrative expenses.

Additionally, “**Section 5** specifically states that administrative delays in issuing a Transfer Certificate cannot be a legitimate reason to refuse or postpone admission, so immunizing the student's mobility by establishing an absolute right to institutional transfer”⁸

3.3.2 Equity, Non-Discrimination, and Socio-Economic Integration

“**Section 12(1)(c)** of the Act” is the most contentious legal and socially transforming device.⁹ By requiring private, unaided, non-minority institutions to set aside at least **25%** of their entry-level seats for students from Economically Weaker Sections (EWS) and Disadvantaged Groups (DG), this clause addresses systemic class segregation. In “**Society for Unaided Private Schools of Rajasthan v. Union of India (2012)**”¹⁰, the constitutionality of this public-private burden-sharing model was maintained, solidifying the state's duty to compensate private organizations based on public spending per kid.

To safeguard the admission process from institutional bias, “**Section 13** strictly prohibits the collection of capitation fees and the deployment of discriminatory screening protocols or parental interviews. Violations invoke severe statutory penalties, including fines up to ten times the illicit fee charged”¹¹. Additionally, “**Section 15** establishes an absolute non-denial framework, ensuring that a lack of demographic documentation, such as birth certificates, cannot be leveraged to block student enrolment”¹².

3.3.3 Child Protection, Assessment, and Pedagogical Safeguards

In order to change conventional, harsh educational settings, the Act offers essential rights-based protections. Corporal punishment and mental harassment are completely prohibited by “**Section 17**, and any breach is a disciplinary offense under the relevant civil service regulations”.

In order to reduce psychological trauma and high dropout rates,” **Section 16** of the evaluation framework established the "No-Detention Policy," which forbade the retention or expulsion of

⁸ The Right of Children to Free and Compulsory Education Act, 2009, § 5, No. 35, Acts of Parliament, 2009

⁹ The Right of Children to Free and Compulsory Education Act, 2009, § 12(1)(c), No. 35, Acts of Parliament, 2009 (India).

¹⁰ Society for Unaided Priv. Schs. of Rajasthan v. Union of India, (2012) 6 S.C.C.

¹¹ *The Right of Children to Free and Compulsory Education Act, 2009, § 13, No. 35, Acts of Parliament, 2009 (India).*

¹² *The Right of Children to Free and Compulsory Education Act, 2009, § 15, No. 35, Acts of Parliament, 2009 (India).*

any student before the completion of primary school”.

However, the legislature passed the **RTE (Amendment) Act, 2019** in response to factual evidence of a decreasing national learning curve. By redesigning Section 16 and giving individual states the authority to reinstate standardized tests in Grades V and VIII, this change shifted the legal paradigm back toward institutional responsibility and merit-based evaluation.

3.3.4 Governance, Institutional Standardization, and Decentralized Oversight

The Act establishes strict regulatory checks on human capital and governance to guarantee the methodical delivery of high-quality instruction:

“**Section 23** requires all teaching appointments to adhere strictly to the minimum professional qualifications set by the central academic authority”¹³. This is mainly accomplished by having to pass the **Teacher Eligibility Test (TET)**. This is supplemented by **Section 24**, which outlines the legislative obligations of educators, including maintaining rigorous punctuality, completing the curriculum within the allotted time, and holding frequent parent-teacher discussions.

“**Section 28** forbids state-employed instructors from engaging in private tuition practices in order to reduce conflicts of interest and maintain the educational integrity of the public education system.”¹⁴

3.4 The Mandate of Section-12(1)(c): Democratizing Private Spaces

The Right of Children to Free and Compulsory Education Act, 2009's Section 12(1)(c) is an important piece of legislation that aims to promote inclusivity in private schools by making it easier for kids from underprivileged and economically disadvantaged communities to enrol. In India, where access to high-quality education has historically been concentrated among financially wealthy people, the provision aims to remove the long-standing socioeconomic exclusivity associated with private schooling. The provision aims to increase educational opportunities for underprivileged children and advance substantive equality within the educational system by requiring the reservation of 25% of entry-level seats.

The provision's overarching goal is to democratize private learning environments. In the Indian educational system, private schools are often seen as establishments that provide better facilities, cutting-edge educational materials, skilled instructors, and increased exposure to

¹³ *The Right of Children to Free and Compulsory Education Act, 2009, § 23, No. 35, Acts of Parliament, 2009 (India)*. [1, 2]

¹⁴ *Conflicts of interest*. (n.d.). <https://infohub.nyced.org/nyc-doe-roles/human-resources/rules-and-regulations-for-administrative-employees/conflicts-of-interest>

higher education. Therefore, the accessibility of such organizations is frequently determined by socioeconomic inequality. By integrating students from disadvantaged homes into mainstream private educational settings, Section 12(1)(c) aims to lessen this imbalance and promote equitable distribution of educational opportunities.

By promoting interaction between students from various social and economic backgrounds, the provision also has a significant social component. In addition to promoting ideals of inclusivity, equality, and social harmony, such integration helps to lessen social segregation. “In this sense, the clause demonstrates the constitutional dedication to social justice and the development of an egalitarian society via education”¹⁵.

The provision's execution nevertheless faces a number of structural and practical obstacles despite its progressive foundation. Its efficacy has been negatively impacted by cases of discrimination against admitted students, complicated procedures, institutional resistance, and delayed reimbursements. Lack of awareness among recipients and the scarcity of private schools, especially in rural areas, further hinder the achievement of its stated goals. However, the clause continues to be a crucial legal tool for promoting inclusive education and combating structural injustices in private schools.

4. The Rural-Urban Divide (Implementation Gaps)

The challenges in implementation of this Act can be assessed by classifying the children under 3 categories namely:

- a) **Victims of trafficking:** Over 10% of these cases are reported to the police each year. trafficking of female for prostitution and begging, and trafficking of male for child labour and begging.
- b) **Not enrolled in Schools:** Several Students not enrolled in schools for several socio-economic reasons such as poverty, religion, social and gender discrimination.
- c) **Dropped out from Schools:** Though few students might have enrolled in schools they are unable to complete their education. After attaining certain level of learning the thinking of parents is shifting towards earning money through them by forcing them to labour.

¹⁵ *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1 (1973). (2026). Justia Law. <https://supreme.justia.com/cases/federal/us/411/1>

4.1 Pre-RTE Educational Landscape in Rural Areas

The rural educational ecology was marked by significant institutional neglect, structural inequality, and a glaring legislative vacuum prior to the RTE Act's statutory implementation in 2010. Despite the Supreme Court's 1993 ruling in *Unnikrishnan v. State of Andhra Pradesh* elevating education to a fundamental right, rural schooling was left reliant on fragmented, welfare-focused state initiatives like the Sarva Shiksha Abhiyan (SSA) due to the lack of a clear, enforceable federal statute.

This period was empirically characterized by a systemic supply-side crisis. Rural infrastructure was severely lacking; schools often lacked functional, segregated sanitary facilities, safe drinking water, and permanent, all-weather buildings. High dropout rates were the outcome of this material and spatial deprivation, which served as an active barrier to entry, especially for female pupils starting puberty.

Unstandardized teaching cadres also seriously damaged the instructional landscape. State administrations largely depended on contract workers or underqualified, non-professional para-teachers to save money, eschewing strict standards and institutionalizing subpar instruction. Local governance processes lacked accountability since education was viewed under Article 45 as a non-justiciable policy goal rather than an enforceable right. School Management Committees (SMCs) were either non-existent or appropriated by elites from the agricultural sector. As a result, rural children were stuck in a cycle of generational illiteracy and multi-grade classroom stagnation with no legal recourse due to structural exclusion of vulnerable castes, ethnic groups, and economically disadvantaged families.

4.2 Challenges faced by Marginalized Communities in Accessing Education:

Long before the enactment of the RTE Act, marginalized groups such as women, girls, and number of lower castes- faced several obstacles to education.

4.2.1 Gender Discrimination:

In India, there is still discrimination against girls and boys. Fewer females are enrolled in schools because many parents believe that education is not important for girls. They drop out of school for a variety of reasons, even if they start before the 14-year mark. To encourage females' education, the government offers a number of incentives. Similar to boys, girls may not receive the same level of familial support for their education, particularly in rural areas.

4.2.2 Caste Based Discrimination:

In rural schools, caste prejudice typically takes the form of a "hidden curriculum"—informal, discriminatory classroom practices upheld by peers and teachers from the ruling caste.

Segregated Seating: Empirical field studies conducted in areas such as Madhya Pradesh, Bihar, and Uttar Pradesh reveal situations in which Dalit pupils are made to sit apart from their upper-caste classmates at the back of the classroom, on the floor, or close to the doorway.

Discriminatory Labor Allocation: Children from Scheduled Castes are routinely and disproportionately assigned to maintain school grounds, buildings, and restrooms in numerous rural public institutions, institutionalizing untouchability under the pretense of "school maintenance."

The Crisis of Mid-Day Meals: One of the main causes of caste conflict is the Mid-Day Meal Scheme, which is integrated with the RTE to improve nutrition and retention. During meals, Dalit children are often made to sit in different rows. Additionally, dominant-caste parents frequently boycott meals prepared by Dalit women employed by schools, which directly undermines social integration.

4.2.3 Poverty:

In rural areas, education is not prioritized. In this agricultural society, most families are farmers and their children serve as manpower. "A family that needs to feed itself with the meagre profits from their harvest cannot afford to free their child to go to school"¹⁶.

Poverty remains a major obstacle to the implementation of the RTE Act, 2009, turning a free, statutory right into an unaffordable luxury for millions of households. While the Act removes direct financial barriers by banning tuition fees, it does not account for the steep indirect costs of education—including books, uniforms, transport, and stationery—which place a heavy burden on families living below the poverty line.

Additionally, the opportunity cost of keeping a child in school is extremely high in rural regions that are experiencing economic hardship. Parents who live in extreme poverty are forced to depend on their kids for household duties, agricultural work, or income creation, which directly conflicts with school hours. As a result, even with high initial enrollment rates, persistent financial volatility sets off a chain reaction of inconsistent attendance and seasonal dropouts. This systemic failure shows that without specific economic safety nets, legal mandates cannot

¹⁶ Chakma, V. a. P. B. D. (2022, January 15). *Right to Education Act: Features and Challenges of Right to Education Act, 2009*. ONLINE NOTE BANK. <https://onlinenotebank.wordpress.com/2022/01/15/right-to-education-act-features-and-challenges-of-right-to-education-act-2010>

ensure education on their own.

4.3 Confronting the Triumvirate of Social exclusion in the RTE Ecosystem:

The Right to Education (RTE) Act of 2009's operationalization shows that progressive laws cannot achieve structural justice in a socially polarized environment. Although the Act was successful in changing the national conversation from welfare-based access to a justiciable right under Article 21A, three interrelated structural forces—poverty, caste-based discrimination, and the urban-rural divide—seriously impede its actual implementation. A universal statutory right becomes a selective privilege when these forces come together to create a barrier.

The **urban-rural divide** creates a systemic gap in resource allocation, leaving rural institutions isolated by deteriorating infrastructure, high vacancy rates, and multi-grade teaching. This material deprivation is further worsened by household **poverty**. Even though the Act removes direct tuition fees, the high indirect and opportunity costs of schooling force economically distressed families to choose immediate financial survival over long-term education. This structural economic pressure turns schools into a luxury that marginalized families cannot afford, triggering high dropout rates.

Lastly, the Act's equity provisions are undermined by caste-based discrimination, which functions as an unofficial regulatory framework. Dalit and Adivasi children in rural classrooms are subjected to a "hidden curriculum" of institutionalized humiliation that transforms spaces intended for empowerment into psychologically traumatizing situations. This includes segregated sitting during midday meals and targeted manual work.

The RTE Act's inability to accomplish its objectives in India's rural peripheries ultimately results from a fundamental policy blind spot: it views education as a discrete administrative task rather than a profoundly social process. Future policy changes must go beyond merely collecting enrolment figures if Article 21A's commitments are to be fully fulfilled. By combining legislative rights with strong economic assistance, localized teacher responsibility, and a zero-tolerance policy for institutional discrimination, India must actively eliminate these interlocking social injustices.

5. Synthesis and Future Road Map

The "input-heavy" strategy is the main flaw in the current implementation. In the past, the number of buildings built and children registered has been used by the government to gauge

progress. However, a focus on social inclusion and learning outcomes is necessary for meaningful implementation. A child in a classroom is not "educated" if the teacher is not present, the environment is biased, or the curriculum is unavailable because of a language or technology barrier.

5.1 Effective Plan of Action or Steps to Adopt for effective implementation:

5.1.1 Direct and transparent Financial Incentives:

To solve the resistance of private schools towards the 25% EWS quota, the reimbursement process must be digitized and automated. By creating dedicated funds that pay schools directly and on time, the government can remove the financial friction that leads schools to discriminate against or turn away marginalized students

5.1.2 Strengthening Grassroots Accountability:

The community must regain control over legislative authority. Although School Management Committees (SMCs) are supposed to exist, local elites frequently control them. The action plan calls for independent, mandated "Social Audits" in which parents and representatives of civil society, not just government officials, examine schools. These audits must explicitly look for "hidden" discrimination, like bias in midday meals or segregated seating.

5.1.3 Infrastructure as a Non-Negotiable Standard:

For rural infrastructure, the government must implement a "saturation" paradigm. This entails making certain that every school satisfies the fundamental legal criteria, particularly those pertaining to clean drinking water and functional restrooms for girls, before money are transferred to additional ancillary projects. The first stages in keeping a child in school are ensuring their physical safety and dignity.

6. Literature Review:

6.1 Journey of Right to Education: A Historical perspective

In "*Journey of RTE: A Historical Perspective*," S.K. Joshi traces the long evolution of primary education in India, shifting the paradigm from an age-long social practice to a justiciable fundamental right. The study emphasizes that while the concept of universal education was deeply rooted in the Preamble's vision of social justice, it remained an unfulfilled myth under Article 45's non-enforceable Directive Principles.

The Author analyzes how the structural transition to the 2009 statutory framework finally established a zero-tolerance policy against institutional discrimination and screening-based exclusion. Ultimately, the literature demonstrates that while the Act successfully eliminated historical financial barriers and triggered a tremendous surge in national enrolment, its long-term success still depends on enforcing standardized teacher qualifications and uniform physical infrastructure norms across both Central and State levels.

6.2 THE PROGRESSIVE MOVEMENT AND CHALLENGES IN IMPLEMENTATION OF RTE ACT, 2009

The authors' study emphasizes the crucial conflict between the progressive structure of the RTE Act and its implementation at the local level. The report highlights how serious infrastructure deficiencies and a shortage of trained teachers can conceal high enrollment levels in remote areas. The authors contend that the Act's inability to address social injustices and ineffective quality requirements directly undermines the constitutional objective of substantive educational equity from a socio-legal standpoint.

6.3 Navigating Obstacles: Challenges in the Implementation of the Right to Education Act of 2009

Challenges in the Implementation of the Right to Education Act of 2009" (IJFMR, 2026), which examines the conflict between structural execution and statutory design. The authors look at how prevalent non-compliance with basic inputs was observed by the National Commission for the Protection of the Rights of the Child (NCPCR).

The study comes to the conclusion that a deeper structural crisis caused by inadequate classroom facilities, poor sanitation, and varying standards of educational quality is concealed by surface-level enrollment data. According to your research, this literature offers crucial, up-to-date proof that a paradigm change toward independent financial tracking and localized accountability is necessary to fulfill the promises of Article 21A.

7. Recommendations:

To ensure the Right to Education (RTE) Act transitions from a law that merely guarantees school *access* to one that secures real *learning and equality*, five targeted, actionable recommendations are needed:

7.1.1 Enforce a Zero-Tolerance policy for institutional Discrimination:

State education authorities must set up a separate, anonymous grievance redressal system that is independent of school administration in order to eliminate the "hidden curriculum" of gender and caste bias.

Any institution discovered employing segregated seating, discriminatory cleaning tasks, or bias during mid-day meals must face immediate administrative sanctions. The headmaster should be suspended, and private institutions should have their state-issued Recognition Certificate immediately revoked.

7.1.2 Establish Panchayat-led "Assisted Enrolment Desks":

The digitization of admission portals and strict documentation requirements (caste certificates, formal income slips, and Aadhaar linkages) have inadvertently created a digital barrier for illiterate, semi-literate, and migratory families in rural blocks.

Local Gram Panchayats must be funded to run seasonal help desks during admission cycles. These desks will provide free administrative support, help parents gather necessary paperwork, and fill out digital applications on their behalf.

7.1.3 Eradicate Para-Teacher Cadres and Mandate rural Incentives:

The Act's teacher qualification criteria are violated and classroom quality is directly compromised by the use of underpaid, underqualified contract teachers in rural areas.

The employment of ad hoc para-teachers must be phased out by the state. Governments should impose a mandatory "Hardship Allowance" and expedited promoting pathways for fully qualified, TET-certified teachers working in isolated or underdeveloped rural blocks in order to balance the Pupil-Teacher Ratio (PTR).

8. Conclusion:

The RTE Act's implementation in rural India demonstrates a glaring discrepancy between the deeply ingrained ground realities and the progressive statutory objective. Despite the Act's successful universalization of school enrolment under Article 21A, systemic poverty, caste-based discrimination, and the urban-rural divide continue to significantly impede its real-world effects. Going ahead, policy changes must prioritize equitable and qualitative empowerment above just quantitative measures. Regularizing the teacher cadre, implementing automated financial reimbursements, carrying out independent social audits to eradicate institutional

discrimination, and guaranteeing saturation-level infrastructure—particularly functional female sanitation—are the four crucial areas of focus that will determine future success.

9. Bibliography:

a) **Journey of Right to Education: A Historical perspective**

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