

Study on the “Right to Education Act”:Examining Elementary Schools of Tuensang District, Nagaland, Northeast India

Abstract

Early childhood education directly impacts a child's cognitive development and lays the foundation for lifelong learning. It provides children with the necessary skills and knowledge that serve as building blocks for future learning. A well-rounded early education is instrumental in preparing children for the challenges of formal schooling and beyond. However, despite the compelling evidence supporting the benefits of early childhood education, there are challenges in prioritizing it in education policy and investment. This may be due to various factors, including competing priorities, limited resources, and a need for more awareness. Given the array of importance in ensuring early childhood education, this paper aims to study the "Right to Education Act", an "Education Policy" for children under Article 21A of the Indian Constitution.

A survey was conducted employing a purposive sampling technique, covering (n=15) Government and (n=10) Private elementary schools in Tuensang District, Nagaland, Northeast India. The primary emphasis is to study on school infrastructure, a key provision under the “Right to Education Act”. The study employed a close-ended questionnaire on key school informants. The key findings suggest a significant lag in the school infrastructure under the “Right to Education Act” guidelines. The findings equally underscores several areas of concern particularly on schools in ensuring a child-friendly space for learning outcomes. Based on the findings, suggestive measures and implications for intervention approaches are discussed to navigate the long-term challenges. Furthermore, the study emphasizes the need for increased attention, prioritization, and inclusivity in early childhood education to maximize its positive impact on children's development and future outcomes.

Keywords: *Right to Education Act, RTE Act, Childhood Education, Elementary Education, Education Policy, Educational Challenges*

INTRODUCTION

A child's brains develop remarkably during early childhood, making this stage a critical window for schooling. Early childhood education can improve a child's chances of reaching adulthood's full developmental potential. A holistic approach to education, incorporating both academic and extracurricular aspects, contributes to well-rounded development¹. A child who is exposed to a range of school activities is more likely to develop a diverse skill set and a broad perspective on life. In the modern context, education is not simply to impart knowledge or wisdom but also to develop desirable habits, interests, awareness and skills to help an individual lead a satisfying and meaningful life. Cabezudo² believes education to be a transformative learning process essential in generating and promoting common understanding across social, political and geographical divides.

In India, education is delivered in both public and private segments, controlled and supported at the central and state levels. Under Article 21A of the Indian Constitution, elementary education is considered a fundamental right; *every child from 6 to 14 years has the "Right to free and compulsory Education"*. This fundamental right is principally known as the "Right to Education Act" or the "RTE Act"³. The "Right to Education" educational policy is an integrated effort by the Government of India to ensure that a child, regardless of gender, caste or identity, has the fundamental right to "free elementary schooling" in Government schools; given the array of issues on illiteracy and poverty on marginalised sections of people in India. One of the main objectives of RTE policy implementation is to uplift the nation's literacy and eradicate child issues such as street children, child labour, bonded children, etc. Apart from the no-fee education clause for low-income families in Government schools, the RTE Act's provision equally mandates 25% reservation seats for Economically Weaker Sections (EWS) (whose annual income does not exceed ₹40000/-in Private schools. The dogma of no-fee education is a simple belief system aiming to uplift the nation's education system and, most

importantly, attract parents' interest in enrolling their children to school. However, over a decade after the Act's announcement, a big question remains concerning the RTE Act's attainment in India, particularly in outlying locations such as the Northeast regions. Overall, the RTE Act, which looked promising on paper, continues encounter practical challenges in its implementations⁴, marking from inadequate school infrastructures, financial challenges, quality learning for all, credible School Management Committees (SMCs), lack of accountable and trained teachers and a high ratio of dropouts^{5,6}. While education is a "basic right" under the Right to Education Act, most children in India have not benefited from the advantages of free elementary schooling⁷, particularly for marginal populations where going to school is seen as a luxury rather than a fundamental right⁸.

Key Provisions and Guidelines under the "Right to Education" Act

On April 1, 2010, the Government of India commenced the "Right to Education Act", or the "RTE Act," which enforced *free and compulsory education for children aged 6 to 14 years as a fundamental right*. The Act comes under the 86th Amendment of the Indian Constitution³. The Right to Education Act's primary vision is to ensure free and compulsory education for children belonging to underprivileged social groups. Furthermore, the RTE Act mandates duties and implementation guidelines, including school infrastructures, quality schooling for children and credible School Management Committees (SMCs) for smooth functioning to ensure quality education for children.

Understanding the Right to Free and Compulsory Education Policy

1. Every child from 6 to 14 years old has the right to free and compulsory elementary education.
2. No child or parent of the child is liable to pay any fee or charges.
3. A child is to be admitted to a class appropriate to his or her age if he or she cannot complete elementary in any school.

What are the fundamental duties of Government and Stakeholders?

1. The central and state governments are responsible for providing funds to carry out the provisions of the Act.
2. The Govt. of India shall have a framework of the National Curriculum with educational authorities.
3. The government and stakeholders shall establish schools in areas within the limits of the population within three years from the commencement of the Act.

What are the responsibilities of Schools in admitting a child under the RTE Act?

1. Elementary/primary schools should be equipped with basic infrastructure such as desk, table, chairs, blackboard etc, school boundary walls/ fencing, hygienic toilets (separate for boys and girls), safe drinking water (Water Purifier), Library for children books, playground for recreational activities, Mid-day meals (Kitchen to prepare meals), School Management Committee (SMC).
2. No child should be deprived of admission for the lack of identity proof.
3. No child should be subjected to any physical punishment or emotional and mental harassment.
4. No child should be expelled till he or she completes elementary education.
5. There should be a School Management Committee (SMC) for assessing and monitoring.
6. Teachers appointed should have a punctuality and regularity report.
8. No teacher should be engaged in private teaching activities.
9. The private school must reserve 25% of seats for children belonging to the Economically Weaker Section;
 - a. A child belonging to a weaker section means a family income whose annual income does not exceed ₹40000/- (USD 480).
 - b. A child belonging to a disadvantaged group means a child who is HIV affected/ orphan.

Situating Tuensang district, Nagaland, Northeast India

Nagaland is the 16th State in the Indian Union, which became a full-fledged state due to a 16-point agreement signed by the Naga Peoples' Convention and the Government of India on 1st December 1963⁹. Nagaland is among the eight states from the Northeast region of India. Nagaland predominantly derives from the "Schedule Tribe" population, home to 17 recognised tribes and 16 administrative. One of the first administrative districts in Nagaland, located at 26.28°N 94.83°E, is Tuensang, bounded by an international border of Myanmar in the East. The district of Tuensang is divided into 16 subdivisions; with a total area of over 2,530 sq. km of which 19.5 sq. km is urban and over 2,500 sq. km is predominantly rural¹⁰.

Under the provisions of "Right to Education" Act, Nagaland, under its gazette, abided by the

guidelines and provisions in January 2012¹¹. The State Government mandates that every child between the ages of 6 and 14 have the "Right to Free and Compulsory Education". Considering the concerns and duties of the State Government and Stakeholders, the RTE Act was put into effect on the date of publication (i.e. January 2012) in the official gazette and extended to the entire State of Nagaland¹².

LITERATURE REVIEW

Right to Education” Act, Implementation and Challenges in India’s Northeast Region

A study found worrying challenges regarding the RTE Act in Golaghat district, Assam¹³. The study underscores the prevalent issue of substandard infrastructure in most elementary schools, including school boundary walls, staff rooms for teachers, assembly space and insufficient children's books. Similarly, a newspaper column pointed out Government schools in Kohima, Nagaland, even four years after the RTE Act's announcement, lack basic amenities, such as separate toilets for a girl child. The article underscored that most state government schools needed to catch up in fulfilling the “Right to Education” Act provisions, with classrooms needing basic infrastructures such as doors and windowpanes¹⁴. Equally a blog narrates that the disorders in Government schools in Nagaland were strikingly evident in the form of lack or complete absences of basic infrastructure, inadequately trained teachers, limited or no access to quality education, overcrowded classrooms and teachers covering multiple subjects¹⁵. A statement in an e-paper by the Parliamentary Secretary for School Education, Yitachu, equally addressed that the “Right to Education” (RTE) Act has been misused in Nagaland, notably in outlying areas of Nagaland¹⁶. Furthermore, a research article additionally refer to similar worries and challenges in Arunachal Pradesh¹⁷. According to his research, one of the primary challenges to the RTE Act's successful implementation was a need for more awareness among parents and teachers. The study underlines the negligence of SMCs due to ignorance or illiteracy.

The reviews advocate that attaining the RTE Act in the Northeast region of India remains a concern. Infrastructure deficits, teacher training, awareness, and misuse of the Act are prevalent challenges that need attention for successful implementation. The findings equally underscore the need for concerted efforts to address the infrastructure shortcomings and implementation challenges in the elementary education sector. Improving awareness, providing necessary infrastructure, and ensuring proper utilization of resources are crucial for successfully implementing the “Right to Education” Act in the Northeast region.

It is from this outlook, the study aims at examining the current status quo of elementary schools regarding to the RTE Act implementation in one of the remote district of Nagaland, Tuensang. It should be highlighted that the study does not cover all of the RTE Act's provisions and guidelines. The primary emphasis of the study is on school infrastructure and 25% private school quota under the RTE educational policy. This research aims to investigate the current state of elementary schools, analyse and discuss the issues surrounding the RTE Act's implementation by providing additional perspective through suggestive themes.

METHODS

The study was undertaken in Tuensang District, Nagaland, Northeast India. Elementary schools were purposively selected from townships and villages.

Questionnaire

A questionnaire containing close-ended questions were scheduled with key school informants; principal and headmaster. The questionnaire aimed to gather data on fundamental infrastructural provisions and guidelines under the Indian “Right to Education” Act.

Data Collection and Analysis

Questionnaire was distributed to government and private elementary schools based on availability.

- i. Government elementary schools (n=15) were selected to examine the infrastructural guidelines under the RTE Act.
- ii. Private elementary schools (n=10) were selected to examine the 25% reservation quota for EWS or underprivileged children.

The collected data underwent quantitative analysis utilising tables and percentiles

RESULTS

Distribution of samples across types of schools under Tuensang District

A total (n=25) schools were selected for this study, (n=15), Public/Government schools and (n=10), were Private schools.

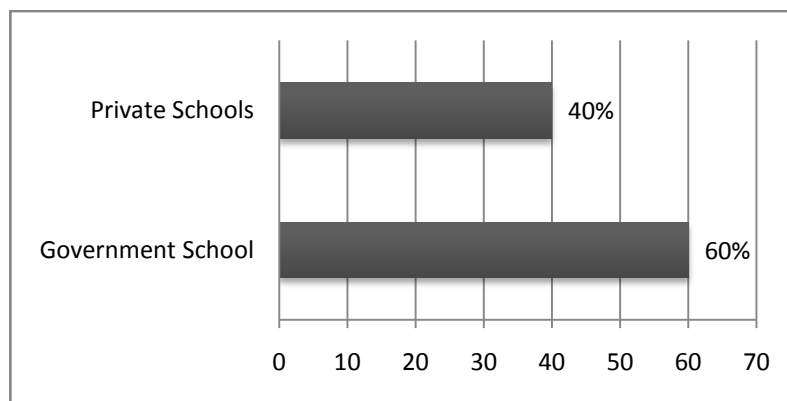


Fig 1. Distribution of samples across types of schools

Table 1
Infrastructure of Elementary Government Schools as per the RTE Act provision

Infrastructure guidelines under the RTE Act	Infrastructure availability out of (n=15) Government schools
Classroom equipped with desk, table, chairs etc.	6 schools out of the 15 were equipped with classroom furnishings
School boundary walls/fencing for child security.	Only 4 schools constructed boundary walls within the school premises
Toilets facilities (Separate for boys and girls).	9 schools out of the 15 established separate toilet for a girl child
School access to safe drinking water (Water Purifier).	Installation of water purifiers were found in 5 school out of the 15
School library for children books such as story books.	4 schools were equipped with children books such as story and curriculum books

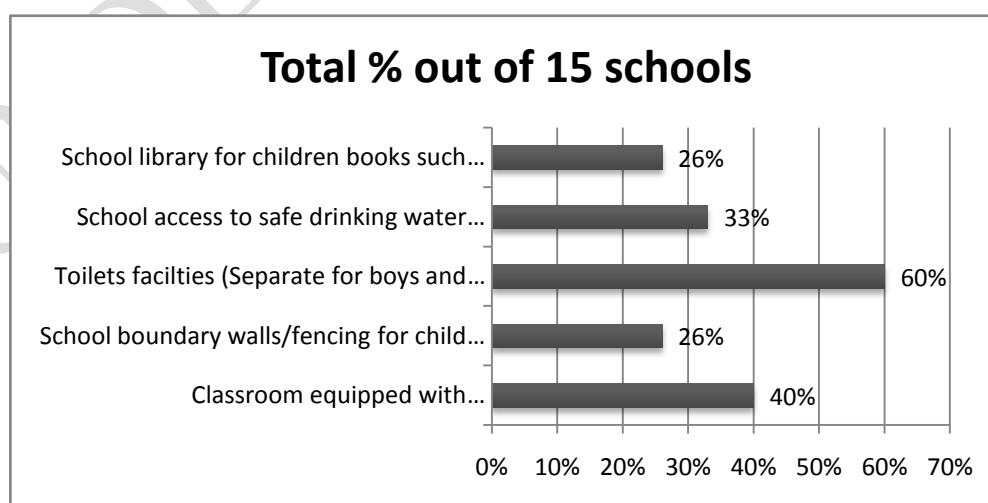


Fig 2. Infrastructure of 15 Elementary Government Schools

Note. The table and findings is regarding with reference only to Government schools.

Out of the (n=15) Government elementary schools, table 1 indicates that the majority, 60%, needed more classroom furnishings such as desks and benches. While 60% of the schools provided separate toilets for boys and girls, the researcher’s observation found the conditions to be unhygienic and deplorable. Only (n=5) schools out of the (n=15) Government schools had installed and had access to safe drinking water (Water purifier) filters. A minimal 26% of Government schools had access to storybooks for children. This deficiency suggests a lack of resources to enhance a child’s learning experience.

The overall infrastructural deficiencies highlighted in the findings underscores challenges on the quality of education and holistic development of a child. Inadequate infrastructure can hinder a child’s overall development and may contribute to disparities in educational outcomes. The findings underscore the need for policy interventions and resource allocation to address the infrastructural challenges faced by elementary Government schools. Interventions involve targeted investments in school facilities, water and sanitation infrastructure improvements, and support for the midday meals programme. The findings emphasises on the need for urgent attention and interventions to improve a child’s overall learning environment and educational outcomes.

Table 2
Extracurricular activities (Mid-day meal and Playground)in Government schools

Playground for recreational and extracurricular activities.	6 out of the 15 schools established playgrounds for extra-cirricular activities
Schools providing Mid-day meals for children / a Kitchen to prepare meals.	None of the Government provided mid-day meals for children

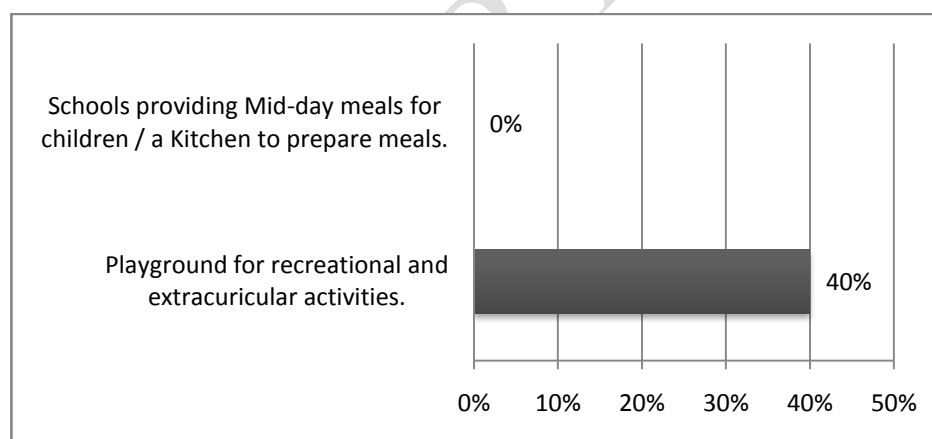


Fig 3. Extracurricular activities in Government schools

Playgrounds serve as crucial environments for children's development, contributing significantly to their physical, social, and cognitive growth. Playgrounds are social spaces where children interact with peers, learning to share, communicate, and collaborate. These experiences are fundamental for developing social skills, teamwork, and navigating interpersonal relationships—skills vital for effective collaboration in adulthood. Children experience various emotions during play, helping them develop emotional intelligence and skills that contribute to overall emotional well-being and resilience. Playgrounds are not just spaces for leisure; they are dynamic learning environments that support the holistic development of a child. However, given the importance of schools establishing child-friendly spaces under the RTE Act, the study highlights a concerning finding regarding access to recreational activities in schools. The study found that only (n=6) out of the (n=15) schools secured access to recreational activities such as seesaw, merry-go-round, swing set, slide, etc. The study underscores a significant mismatch among Government schools in this regard. The study equally emphasizes the misuse of funds. The underlying findings underscore the need to ensure access to recreational activities, crucial for nurturing valuable skills in children through play.

Proper utilization of funds can contribute to creating environments that support the development and well-being of children by providing them with opportunities for physical activity and social interaction.

The absence of midday meals can have significant implications for the well-being and attendance of children, particularly in the context of the "Right to Education" Act. The midday meals program is a crucial provision aimed at improving the nutritional status of children and encouraging regular attendance in schools. Midday meals play a crucial role in providing essential nutrients to children, contributing to their overall health and well-being. In many cases, students attending government schools come from socio-economically disadvantaged backgrounds, therefore, the midday meals program is a vital source of nutrition for them. The provision of midday meals has been linked to increased school attendance. Children are more likely to attend school regularly if they know that a nutritious meal will be provided. This, in turn, can contribute to better educational outcomes. The midday meals program also promotes social equality by ensuring that children, regardless of their economic background, have access to a basic level of nutrition. This aligns with the broader goals of inclusive and equitable education. Addressing the lack of a midday meal program in government schools requires attention from policymakers, educators and SMCs to ensure that the nutritional needs of children are met. Advocacy for implementing such programs is essential to uphold the principles of the Right to Education Act and promote the well-being of a child.

Table 3
Enrolment of children (6-14 years) under "Right to Education" Act in Government and Private school

<i>Fundamental "Right to Education" Act Provision for Government and Private elementary schools</i>	<i>Enrollment Rate</i>
Free education and enrolment of children (6-14 years) in Government schools.	0%
25% reservation seats for Economically Weaker Section (EWS) in Private schools.	0%

*Note.*The 25% reservation for Economically Weaker Section (EWS) in Private schools is highlighted based on the criteria under the RTE Act

According to the findings Table 3, there is a nil record of Government schools fulfilling the free education clause stipulated under the RTE Act. Instead, they charge a minimal fee, citing the schools need for teachers and maintenance grants. The findings underscore that elementary Government schools in Tuensang district must implement the "Right to Education" Act more actively. The lack of records and the imposition of fees contradict the principles of the Act, suggesting a gap between policy and practise. Private schools must equally attain the 25% reservation of seats for the Economically Weaker Section, as mandated by the "Right to Education" Act. The gaps raise concerns about Private schools' compliance with the socio-economic inclusivity provisions outlined in the Act.

The findings imply that the implementation status quo to the "Right to Education" Act in Tuensang is inadequate, with potential consequences for the quality and accessibility of education, especially for economically disadvantaged children. The study's results prompt a review of policies and regulations governing education. It necessitates interventions to ensure that both Government and Private schools adhere to the "Right to Education" Act provisions and guidelines. The information provided suggests challenges in implementing the "Right to Education" Act in Tuensang district, with issues related to fee collection in Government schools and non-compliance with reservation quotas in Private schools. Addressing these issues is crucial for ensuring equitable access to education for all children.

OTHER FINDINGS

Physical punishment on a child

The "Right to Education" Act plays a crucial role in safeguarding children's rights in education. It explicitly states that no teacher should subject a child to physical punishment or mental harassment. The majority of the schools claim to have no records of physical or psychological harassment towards a child. There is a positive finding, as it suggests that most schools are prohibiting such practises.

However, headmasters of two schools mentioned past cases where teachers had physically abused children. The reported incidents involved hitting children with sticks for reasons such as not completing homework and not keeping up with the curriculum. The reported cases of physical abuse are concerning, as they indicate a violation of the “Right to Education” Act. Physical punishment can severely affect a child’s well-being and negatively impact their learning experience. Based on the findings, interventions may be needed to ensure that schools are effectively implementing and enforcing the prohibition of physical punishment by initiating teacher training programmes and awareness campaigns to prevent such incidents in the future.

Punctuality of the teachers in attending schools

The study underscores punctuality and irregularity in attendance among handful of teachers in government schools. Punctuality is crucial for creating a structured and effective learning environment, and irregular attendance can negatively impact a child’s education. The mention of teacher absenteeism raises concerns about the consistency of instructional delivery. The study equally points out a need for more trained and qualified teachers. The findings underscore systemic challenges within the education system that may require targeted interventions. These include professional development for teachers, efforts to improve attendance and punctuality and implementing strategies to enhance overall school performance.

Private Home Tuition

The “Right to Education” Act prohibits teachers from providing Private home tuition outside school hours. This regulation is in place to ensure that teachers focus on their responsibilities within the school setting and avoid potential conflicts of interest. The study found that only some teachers resorted to providing home tuition to supplement their income. The findings suggest financial challenges among teachers, indicating that their monthly salaries from Government schools need an upgrade. The mention of irregular salaries in most Government schools is equally a significant concern. The statement that some teachers had not received their monthly salaries on time highlights a matter of wage delay. The study's findings underscore the highlighted teachers' economic challenges, pushing a significant percentage to engage in Private home tuition.

SUGGESTIVE MEASURES/DISCUSSION

UNICEF India Representative Ms. Yasmin Ali Haque called for blended approaches involving communities, parents, and volunteers, which are required to reach out to children and support their learning. Equally, school policies and practises must include broadening access to education, including remote learning, especially for marginalised groups¹⁸.

Strengthening School Facilities

Strict enforcement of no-fee education must be imposed to provide quality education for children under the age criteria of 6 to 14 years. Immediate and open initiatives should address infrastructure problems, such as adequate desks, chairs, books, toilets, and safe drinking water facilities. Parents are more likely to enrol their children if the learning environment in government schools is child-friendly. Similarly, stakeholders should ensure children stay caught up in elementary schooling. There should be transparent advocacy to ensure the right usage of funds allotted under the RTE scheme. The central and state governments, as well as regional stakeholders must urgently ensure midday meals for children attending school. School Management Committees (SMCs) ought to take the lead in ensuring these programs in a more secure way and guaranteeing a satisfying meal on a regular basis.

Maintaining Teacher Accountability

There is a pressing need to recruit qualified teachers who are well-versed in the provisions of the “Right to Education” Act. Teachers play a pivotal role in the overall development of children, and their awareness of the Act is crucial for its effective implementation. Strict regulations and accountability must be implemented to ensure teachers diligently fulfil their duties through rigorous monitoring. It is equally essential to initiate continuous training and professional development opportunities for teachers to enhance their understanding of the “Right to Education” Act and its implications. By addressing teacher accountability and ensuring the recruitment of qualified educators, the “Right to Education” Act can reach its prospects. This approach emphasizes providing necessary tools for teachers and their ethical conduct and commitment to their roles in shaping children's future.

Addressing Educational Inequities

The 25% seat quota for the economically weaker section (EWS) must be fulfilled in Private schools. This provision is a significant step in promoting classroom diversity, ensuring representation from various socio-economic backgrounds. Reserving seats for underprivileged children in private schools should be inclusive and reflect the broader societal fabric. Concerned authorities should encourage and ensure active participation of the private sector in achieving broader societal goals related to education and social inclusion. Addressing educational inequities can foster inclusivity, diversity, and equal opportunities in the education system. Implementing such measures increases the likelihood of improving the overall educational landscape in Tuensang District and ensuring that the “Right to Education” Act achieves its intended goal.

Initiating Awareness Programmes

Seminars, workshops, awareness programs, training, community programs, leaflet/ pamphlet distribution, etc., must be initiated among teachers, parents, and community members to reach the prospects of the “Right to Education” Act attainment. Mass awareness programmes and regular assessment and monitoring, including regular and strict monitoring, are essential in ensuring compliance.

LIMITATIONS

The study does not cover all provisions and guidelines of the RTE Act, but confined only on school infrastructure and the attainment of the 25% seat in private schools. The study is also limited based on the availability of elementary schools in selected townships of Tuensang district, Nagaland, Northeast India.

CONCLUSION

It has long been established that a country's investment in education improves the general well-being of its current and future generations. Nagaland enacted the “Right to Education” Act in 2012, two years after the national mandate in 2010¹¹. This delay may have affected the timely implementation of essential infrastructure in schools. Even after a decade after the policy announcement, government schools lack basic infrastructure such as desks, chairs, books, toilets, and safe drinking water facilities. It is observed that funds allotted under the scheme are mismanaged, which calls for greater transparency and accountability. Apart from government schools charging school fees, punctuality issues among teachers are prevalent. In addition, Government schools not adhering to the mid-day meal guidelines raise concerns about the nutritional well-being of a child. It is imperative that improving child nutrition while increasing enrolment, retention, and attendance rates should be prioritised. External authorities must oversee the implementation and challenges to ensure compliance and effectiveness. The researcher's observations equally underscore unfavourable conditions for a child's holistic educational development.” Lastly, the study emphasize the urgent need for comprehensive reforms in the education system in Nagaland, including addressing infrastructure deficits, financial mismanagement, teacher accountability, nutritional well-being, and strengthening school governance structures. This requires collaborative efforts from government authorities, external agencies, and the community to ensure that every child has access to quality education in a conducive learning environment.

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