

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

## ABSTRACT

The "Right to Education Act" (RTE) is a crucial policy addressing elementary education challenges. Enshrined under Article 21A of the Indian Constitution, the RTE Act mandates free and compulsory education for children aged 6 to 14 years, making it a fundamental right. Despite its progressive intentions, the RTE Act faces several challenges in its implementation. Equitable access, inadequate infrastructure, shortage of teachers, quality of education and financial constraints are prevalent issues. Addressing these challenges requires concerted efforts from the government, civil society, and stakeholders. It involves increasing investments in education, improving the quality of teacher education and training, enhancing infrastructure facilities, and strengthening monitoring mechanisms. While the RTE Act represents a significant step towards ensuring universal access to quality elementary education in India, its practical implementation requires overcoming various challenges and addressing systemic issues to realize the vision of inclusive and equitable education for children.

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 examine the school infrastructure, a key provision under the "Right to Education Act". The study employed a close-ended questionnaire on key school informants. The results show a significant lag in the school infrastructure, underscoring several concerns for school authorities and SMCs in ensuring a 'child-friendly' space for effective learning outcomes. Based on the findings, suggestive measures and implications for intervention approaches are discussed to navigate the gaps and challenges. The study emphasizes the need for increased attention, prioritization, and inclusivity in elementary 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*

## 1. INTRODUCTION

It is widely recognized that "education" directly impacts a child's cognitive development and lays the foundation for lifelong learning. A holistic approach to education is essential for fostering the overall development of a child. A well-rounded education can empower children to thrive academically, socially, and personally, laying the groundwork for a prosperous future<sup>1</sup>. Similarly, elementary education is crucial to a country's social and economic prosperity. A child's development into a responsible and empowered citizen is determined by the primary education he or she obtains. Therefore, investments in quality elementary education are paramount for the holistic development of children and the long-term prosperity of nations. By prioritizing education as a foundational pillar of societal advancement, countries can unlock the full potential of their citizens and build a brighter, inclusive and sustainable future<sup>2</sup>.

Education in India 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 known as the "Right to Education Act" or the "RTE Act"<sup>3</sup>. The "Right to Education" 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. Implementing this right enables children from the economically weaker classes to have access to primary education. A few of the main motives of RTE policy implementation are to uplift the nation's literacy rate 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 on school. However, given the importance of "education for all", many issues persist concerning the RTE Act's implementation in India, particularly in remote regions such as the Northeast. The RTE promising policy, which appeared propitious on paper, endures practical challenges in its implementation<sup>4</sup>, marking from inadequate school infrastructures, financial challenges, quality learning, credible School Management Committees (SMCs), lack of accountable and trained teachers and high ratio of dropouts<sup>5,6</sup>. While education is a "basic right" for a child under the Right to Education Act, most children in India have not benefited from the advantages of free elementary schooling<sup>7</sup>, particularly for marginal populations in India<sup>8,9</sup>.

## **1.1 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 Constitution<sup>3</sup>. 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.

### **1.1.1 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.

### **1.1.2 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.

### **1.1.3 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, blackboards etc, school boundary walls/ fencing, hygienic toilets (separate for boys and girls), safe drinking water (Water Purifier), a 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 or 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.

## **1.3 Tuensang District, Nagaland**

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 1963<sup>10</sup>. Nagaland is among the eight states from the Northeast region of India. Nagaland is predominantly derived 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 rural<sup>11</sup>.

Under the provisions of the "Right to Education" Act, Nagaland, under its gazette, abided by the guidelines and provisions in January 2012<sup>12</sup>. 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 Nagaland<sup>13</sup>.

### ***Right to Education" Act, Implementation and Challenges in India's Northeast Region***

A study found worrying challenges regarding the RTE Act in Golaghat district, Assam<sup>14</sup>. The study highlights 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 that 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 underscores that most government schools needed to catch up in fulfilling the "Right to Education" Act provisions, with classrooms needing basic infrastructures such as doors and windowpanes<sup>15</sup>. Equally, a blog narrates that the disorders in Government schools in Nagaland were strikingly evident in lack or complete absence of basic infrastructure, inadequately trained teachers, limited or no access to quality education, overcrowded classrooms and teachers covering multiple subjects<sup>16</sup>. 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 Nagaland<sup>17</sup>. A research article additionally refers to similar worries and challenges in Arunachal Pradesh<sup>18</sup>. According to the findings, 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.

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<sup>20</sup>. The findings 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.

The study aims to revisit the RTE Act by examining the infrastructure of elementary schools in Nagaland's Tuensang district. It should be highlighted that the study only covers some of the RTE Act's provisions and guidelines. The primary emphasis of the study is on school infrastructure and the 25% private school quota under the RTE educational policy.

## **2. METHODOLOGY**

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

### ***2.1 Questionnaire***

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

### ***2.2 Data Collection and Analysis***

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

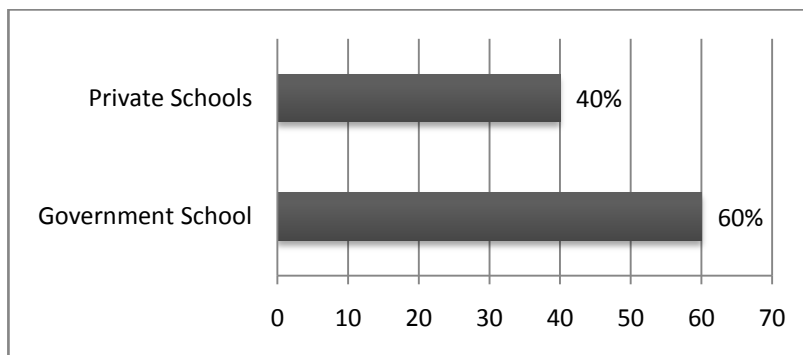
i. Government elementary schools (n=15) were selected to examine the infrastructural guidelines under the RTE Act.

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.

## **3. RESULT**

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

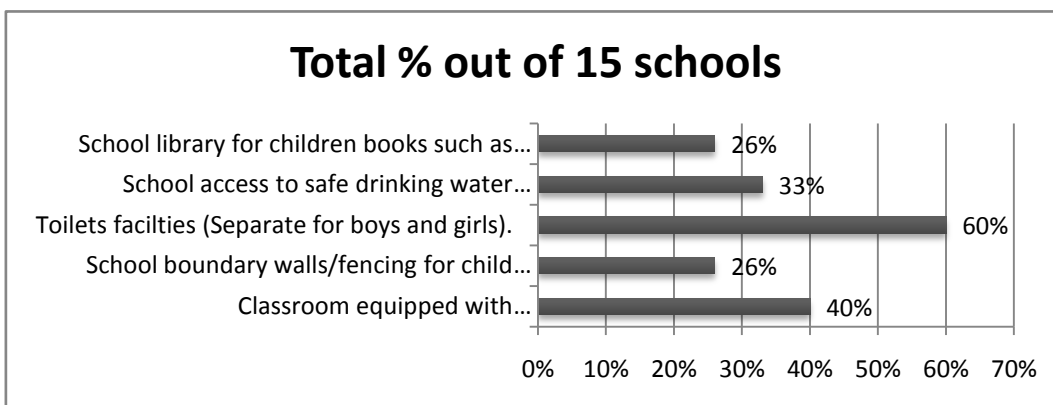


**Figure 1** Distribution of samples across types of schools

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

<i>Infrastructure guidelines under the RTE Act</i>	<i>Infrastructure availability out of (n=15) Government schools</i>
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 was 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 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 need for more resources to enhance a child's learning experience.

The overall infrastructural deficiencies highlighted in the findings underscore challenges to a child's quality of education and holistic development. The findings underscore the need for policy interventions and resource allocation to address the infrastructural challenges elementary Government schools face. Interventions involve targeted investments in school facilities and water and sanitation infrastructure improvements. The findings emphasize the need for urgent attention and prioritization from concerned authorities to improve a child's 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-curricular activities
Schools providing Mid-day meals for children / a Kitchen to prepare meals.	None of the Government provided mid-day meals for children

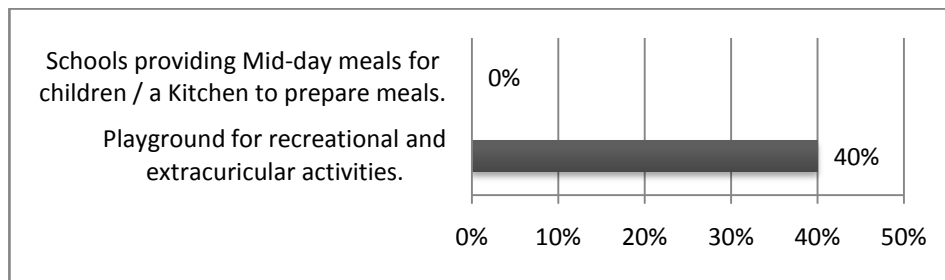


Fig 3. Extracurricular activities in Government schools

Given the importance of schools establishing child-friendly spaces under the RTE Act, the study highlights concerns 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 underlying findings emphasize the need to ensure access to recreational activities, which is crucial for nurturing valuable skills in children through play. Proper utilization of funds can support the development and well-being of children by providing them with opportunities for physical activity and social interaction<sup>25</sup>.

Midday meals 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<sup>21</sup>. 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<sup>21</sup>. Children are more likely to attend school regularly if they know that a nutritious meal will be provided<sup>19</sup>. 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. Addressing the absence of midday meal programs 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 a child's well-being.

**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 in Table 3, there is no record of government schools fulfilling the free education clause stipulated under the RTE Act. Instead, they charge a minimal fee, citing the school's 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 practice. 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 provisions and guidelines of the "Right to Education" Act. 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.

### **5.2 Punctuality of the teachers in attending schools**

The study underscores punctuality and irregular attendance among teachers in government schools. The irregularity of teachers 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.

### **5.3 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 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 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.

## **4. DISCUSSION**

### **6.1 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. Similarly, stakeholders should ensure that children stay caught up in elementary schooling. There should be transparent advocacy to ensure the proper usage of funds allotted under the RTE

scheme. The central and state governments and regional stakeholders must urgently ensure midday meals for children attending school. School Management Committees (SMCs) ought to take the lead in ensuring these programs are more secure and guaranteeing a satisfying meal regularly.

### **6.2 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<sup>22</sup>. 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<sup>24</sup>. 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.

### **6.3 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<sup>23</sup>. 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.

### **6.4 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.

## **5. 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 2010<sup>11</sup>. This delay may have affected the timely implementation of essential infrastructure in schools. However, even a decade after the policy announcement, government schools need more basic infrastructure such as desks, chairs, books, toilets, and safe drinking water facilities. In this regard, the study findings call 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 prioritized. External authorities must oversee the implementation and challenges to ensure compliance and effectiveness. The researcher's observations underscore unfavourable conditions for a child's holistic educational development. The study emphasizes the urgent need for comprehensive reforms in Nagaland's education system, including addressing infrastructure deficits, financial mismanagement, teacher accountability, nutritional well-being, and strengthening school governance structures. Addressing these challenges requires concerted efforts from the government, civil society, and stakeholders. It involves increasing investments in education, improving the quality of teacher education and training, enhancing infrastructure facilities, strengthening monitoring mechanisms, and promoting community participation in the education process.

## **6. LIMITATIONS**

The study does not cover all provisions and guidelines of the RTE Act but is confined only to school infrastructure and the attainment of the 25% seats in private schools. The study is also limited

based on the availability of elementary schools in selected townships of Tuensang district, Nagaland, Northeast India.

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