



BETWEEN PROMISE & PRACTICE

An Empirical Study of
the Norms and Standards under
the *Right to Education Act, 2009*
across India

APRIL 2026

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This report was made in pursuance of the **2nd National Law University, Jodhpur Right to Education (RTE) Paper Presentation and Discussion Series, 2025**, which witnessed the participation of **36 teams** from about 30 different law schools across India:

- Amity Law School, Lucknow
- Amity Law School, Noida
- Amity Law School, Jaipur
- Bharath Institute of Law, Chennai
- Bharati Vidyapeeth Deemed University's New Law College, Pune
- Chanakya National Law University, Patna
- Christ Academy Institute of Law, Bengaluru
- Damodaram Sanjivayya National Law University, Visakhapatnam
- DES's Shri Navalmal Firodia Law College, Pune
- Faculty of Law, Jai Narain Vyas University, Jodhpur
- Government Law College, Ernakulam
- Gujarat National Law University, Gandhinagar
- Gujarat National Law University – Silvassa Campus
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- School of Law, CHRIST (Deemed to be University) Delhi NCR Campus
- School of Law, GD Goenka University, Delhi NCR
- School of Law, KIIT (Deemed to be University), Bhubaneswar
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- Symbiosis Law School, Noida
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ABOUT THE UNIVERSITY

National Law University-Jodhpur (NLUJ) is one of India's leading law schools situated in the city of Jodhpur, Rajasthan. Since its establishment in 1999, NLUJ has endeavoured to produce exceptional lawyers and legal scholars who aim to push and challenge the existing boundaries of knowledge.

NLUJ is known for its rigorous academic curriculum and its commitment to providing students with a comprehensive education in the field of law. The faculty consists of experienced and well-respected legal scholars, and the university is equipped with state-of-the-art facilities and resources to support student learning and research. In addition to its academic programs, NLUJ is also known for its strong commitment to social justice and human rights, and for its focus on practical skills training. The university provides students with numerous opportunities for internships, clinical programs, and other hands-on experiences that help to prepare them for careers in the legal field.





ABOUT THE COMMITTEE

The Legal Aid and Awareness Committee (LAAC) under the aegis of National Law University, Jodhpur, works towards ensuring justice for all and underlining that no one should be left behind in this quest to seek justice. The Committee is dedicated to promoting legal awareness and giving free legal assistance to the disadvantaged sections of society and has worked incessantly towards the creation of a better, more inclusive, equal, and just society by providing legal aid and creating awareness on various issues that afflict our society today.

The inception of the Right to Education initiative was in July 2016, when the members of the Committee undertook an extensive survey to assess the implementation of the RTE Act in around 125 government schools in Jodhpur, Rajasthan. Since then, the Committee has undertaken various projects under its flagship initiative to increase the accessibility of education. Under its RTE initiatives, the Committee has undertaken 3 major projects – the Paper Presentation and Panel Discussion Series, the Public Interest Litigation (PIL) filed in the High Court of Rajasthan at Jodhpur and the ‘*Milkar Karein RTE Ko Sarthak*’ competition.

A report named “*Breaking Barriers to Education: An In-Depth Study of Implementation of Section 12(1) of the RTE Act across Indian States*” has also been published by the Committee. Through this report, the Committee aimed to gauge the state-wise status of implementation of the RTE Act and the challenges faced by different states. The present report is formulated in pursuance of the 2nd edition of the Paper Presentation and Discussion Series on the Implementation of the RTE Act, 2009. This event witnessed the participation of students and legal aid cells from 36 law schools that surveyed the implementation of the RTE Act in different regions. The survey forms filled by the participants form the basis for the empirical data in this report.



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1 EXECUTIVE SUMMARY

The Right of Children to Free and Compulsory Education Act, 2009 not only guarantees free and compulsory schooling for children aged 6–14 but also mandates specific physical infrastructure standards through its Schedule. In 2018, the Legal Aid & Awareness Committee (LAAC), National Law University, Jodhpur (NLUJ) released a report titled “***Right to Education: Realities Unveiled***”, which analysed the findings of a field survey in Jodhpur on the implementation of the infrastructural requirements under the RTE Act, 2009. This report is a continuation of that commitment and is the product of empirical research conducted under the **2nd NLUJ Right to Education Paper Presentation & Discussion Series Competition, 2025**, undertaken by student researchers across law universities in India, in their local regions, under the supervision of the LAAC, NLUJ. The research set out to examine a question that is as much constitutional as it is practical: to what extent have the infrastructural mandates of the Right of Children to Free and Compulsory Education Act, 2009, been translated into ground-level reality in government elementary schools?

The significance of this inquiry cannot be overstated. When Parliament enacted the RTE Act, it did not limit itself to declaring a right; it also specified the conditions under which that right could be meaningfully exercised. The Schedule to the Act lays down binding norms and standards for school infrastructure, covering classrooms, toilets, drinking water, playgrounds, libraries, boundary walls, and teacher strength, among others. The legislature’s deliberate inclusion of these standards reflects the understanding that education is a holistic process, and that a child cannot learn with dignity in a crumbling, unsafe, or deficient environment. Infrastructure, in this sense, is not ancillary to the right. It is constitutive of it.

To assess the state of compliance with these standards, the research teams employed a structured methodology anchored in direct field observation. Using a **standardised questionnaire developed by LAAC and aligned with the RTE Schedule**, each team visited a minimum of five government or local body schools providing education up to Class VIII. Researchers interacted with headmasters, teachers, and students, reviewed school records and U-DISE+ data where available, and conducted on-site inspection of all mandated facilities. Crucially, the methodology did not rely on formal records alone, and qualitative observations and student and teacher testimonies were systematically recorded to capture the functional reality behind nominal compliance figures.

The findings, organised across **nine thematic parameters**, paint a sobering picture. On approachability, accessibility to schools remained uneven, particularly in semi-rural areas. On the pupil-teacher ratio, several schools were found to be severely understaffed, forcing multi-grade instruction within single classrooms. Building conditions in a number of schools fell short of the all-weather construction standard prescribed under the Schedule. Playgrounds, an explicit statutory requirement, were entirely absent in many surveyed schools. Toilet facilities, where they existed, were frequently found to be locked during school hours, non-functional, or not separated by gender as required. On drinking water, students across multiple schools reported that taps ran dry by midday, revealing a stark gap between infrastructural presence and actual usability. Boundary walls and library facilities were similarly absent or inadequate in a considerable number of schools.

What these findings collectively demonstrate is not a pattern of incidental non-compliance but a systemic failure to meet legally binding obligations. The deficiencies documented are not administrative lapses to be excused; they are violations of Schedule I of the RTE Act, which carries the force of law. Schools operating in these conditions remain functional only because the enforcement mechanism envisioned under Section 18 of the Act, which conditions school recognition on compliance with the Schedule, has not been meaningfully operationalised. Recognition has been granted, and continues to be renewed, without verification of physical infrastructure, undermining the very purpose of the provision.





In response to these findings, the report advances two principal recommendations. First, Section 18 must be strictly enforced: recognition should be withheld from non-compliant schools, and periodic physical inspections, not mere paperwork reviews, must be institutionalised. Second, the social audit framework under the Samagra Shiksha scheme, which mandates that at least 20% of schools be audited every year, must be rendered genuinely transparent and accountable. At present, audit reports are sporadically published, district-level findings are rarely accessible to the public, and the NCPCR's last published audit dates to 2022. This opacity, combined with the irregularity of audits, leaves a serious accountability vacuum that neither administrative oversight nor litigation has been able to fill: despite over a decade of PILs before the Supreme Court and various High Courts.

This report is situated within a broader and ongoing commitment by LAAC to the realisation of the right to education. The Committee's work in this area extends well beyond academic inquiry: it encompasses awareness drives, assistance to beneficiaries in filing RTE admission forms, and a Public Interest Litigation filed before the Rajasthan High Court in 2017, which has yielded successive court orders directing inspections, constitution of joint committees, and submission of status affidavits. The present research, undertaken competitively under the 2nd NLUJ RTE Paper Presentation & Discussion Series, represents a continuation of that sustained effort to transform data into accountability and statutory promise into lived reality. The right to education, the report concludes, will remain only nominally guaranteed so long as the physical conditions necessary for its exercise continue to be neglected.

2 INTRODUCTION

Context and Importance of Infrastructure in the RTE Act

The enactment of the Right of Children to Free and Compulsory Education Act, 2009 (RTE Act) led to a transformative moment in India's commitment to universal elementary education. The main point for which the Act is known is granting free and compulsory schooling for every child between six and fourteen years. But apart from this, the act has equally dedicated the focus on ensuring a proper infrastructure of schools. This emphasis is crystallised in the Schedule of the RTE Act. It specifically lays down the norms and standards that every school must fulfil. By dedicating a significant portion of the RTE Act to infrastructure, the legislation recognises that the realisation of the RTE Act needs an enabling environment as well. The motive of this Act cannot be fulfilled in isolation; rather, it will be achieved when the children learn with dignity and safety.

The parliament rightly acknowledged that a school without boundary walls, safe classrooms, drinking water, functional toilets or playgrounds produces only nominal schooling and doesn't fulfil the intent of Article 21 A of the Constitution. Thus, the decision regarding the building standards was deliberate, and it made infrastructure a statutory obligation rather than merely being an administrative concern.



The importance of infrastructure is grounded in the understanding that education is a holistic process which, apart from providing information, adds to a child's confidence level, shapes his personality and opinions. When the schools have adequate and proper infrastructure, like well-built classrooms, libraries, and playgrounds, the school becomes a place of exploration and safety for the children. When the school infrastructure is deficient, it hinders the growth and development of a child, where he cannot achieve his full potential. Hence, infrastructure is not peripheral to education quality; it is a foundation that makes the promise of the RTE Act meaningful.



Objectives of the report

- To identify key infrastructural deficiencies that hinder the implementation of the RTE Act at the ground level.
- To propose policy recommendations to strengthen the infrastructural capacity and ensure fulfilment of the RTE mandate.



Methodology

The empirical approach adopted for assessing how effectively the Right of Children to Free and Compulsory Education Act, 2009, has been implemented, especially regarding the Schedule on physical infrastructure in government schools. This aimed to bridge the gap between statutory expectations and ground realities, with legal understanding being aided by first-hand experience. A structured questionnaire developed by LAAC, National Law University, Jodhpur, was used to conduct the survey. The format and contents of the questionnaire broadly followed the norms and standards under the Schedule to the RTE Act. The different parameters covered most aspects of infrastructure, institutional, or otherwise. Every participating team was required to visit at least five schools run by government or local bodies, providing education up to Class VIII, since the RTE Act extends to children between 6 and 14 years of age.

The survey questionnaire combined objective questions, for example, on classroom numbers, teacher strength, or toilet facilities, along with subjective and open-ended questions that captured the perceptions of teachers, students, and researchers about functionality and maintenance. Participants first acquainted themselves with the legal and policy backdrop of the RTE Act and its Schedule before the fieldwork began. They then trained in accessing details on schools, like U-DISE code, category, and catchment area, based on government databases and Google Maps for accuracy and uniformity in entries.

The student researchers met headmasters, teachers, and students directly during these field visits. A review of teacher registers and school report cards was also done wherever possible to cross-check figures. The infrastructure assessment was done through on-site observation. Researchers personally inspected classrooms, playgrounds, libraries, and drinking water facilities. Special attention was paid to toilets, whether they were separate for boys and girls, clean, accessible, and functional. Researchers also noted whether the building was all-weather, whether classrooms were sufficient in number, and whether the boundary wall, library, and sports equipment existed as required by the RTE Schedule. In many schools, photographs and field notes were taken to support later analysis.

Subjective observation played an important role in the inquiry. The researchers paid attention to the uses and perceptions of students and teachers regarding the facilities, for instance, children said in a number of schools that the taps for drinking water ran dry after noon, or that toilets were locked during class hours. Such qualitative information gives a more realistic idea of accessibility than checkboxes alone can provide.

Apart from school-level data, the team reviewed secondary sources such as government reports, previous college surveys, and academic papers on RTE implementation. This helped in placing the field findings within broader policy frameworks.

Following fieldwork, participants had post-visit discussion sessions under the guidance of faculty mentors. These helped reflect upon disparities between statutory entitlements and on-ground realities, assisting in translating



observations into meaningful legal analysis. Put together, these steps helped in constructing a strong context-sensitive understanding of RTE implementation.

Limitations

Despite its structured and extensive design, the study had several limitations, which affected its scope and generalisability.

- **Imbalanced geographic representation:** Some states, and particularly remote rural districts, could not be covered due to logistical and travel constraints. By necessity, therefore, the data is biased towards schools in semi-urban or accessible rural areas. This unevenness means true nationwide representation would not be possible with this study.
- **Institutional cooperation:** In some schools, for example, researchers found resistance from staff, especially regarding the provision of administrative records and permission for long interviews. Headmasters and other non-teaching staff were not always available when visited, which limited how complete the data was regarding enrolment or infrastructure maintenance.
- **Subjective bias and observational limits:** Although this standardised the questionnaire, rating conditions like “good classrooms,” “functional toilets,” or “safe drinking water” necessarily included subjective judgment. That is to say, what one observer considered “clean” or “usable” might be different for another observer. Where documentary evidence was incomplete, such as maintenance logs or DISE validation, the observations were mostly experiential in nature.

- **Timing of the field visits:** Some visits coincided with winter vacations, which meant very low attendance of students. This made any proper assessment of the pupil-teacher ratio or observation of classroom interactions difficult to conduct. Similarly, certain facilities like libraries or playgrounds were either locked or not in use at the time of inspection.
- **Structural constraints of the format:** While the rigid questionnaire adherence allowed for uniformity, it provided very limited room for capturing unique local challenges. For example, schools that functioned in temporary shelters or shared space with another shift faced issues not directly addressed by the form.

Despite these constraints, it is able to show concrete patterns of uneven infrastructure quality, a shortage of functional toilets, and gaps between legal mandates and local implementation. The mixed-method approach combines statutory benchmarks with human experience to ensure that the findings remain both empirically grounded and legally relevant.

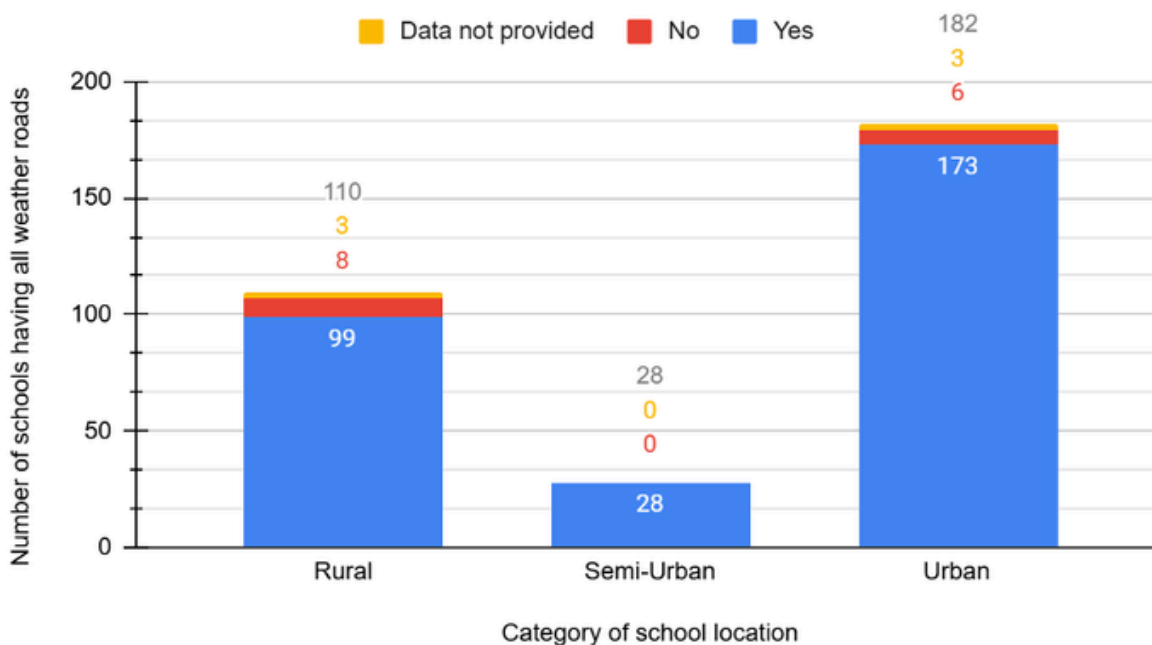


3

THEMATIC ANALYSIS OF INFRASTRUCTURAL GAPS

A. Approachability of the schools

Approachability of Schools by all weather road

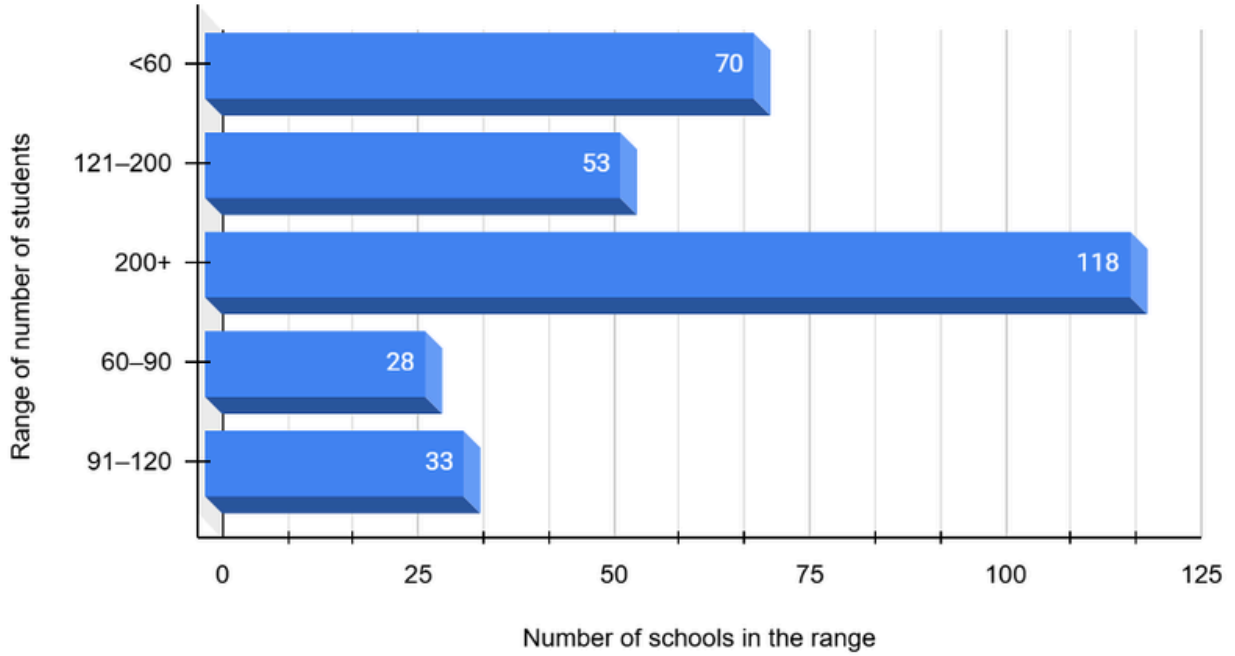


The graph shows clear disparities in school accessibility across different locations. Urban schools are largely well-connected, with most having dependable all-weather road access, indicating stronger infrastructure and planning. Rural schools also show relatively good connectivity, but the presence of schools without proper road access and missing information highlights uneven development and possible neglect in remote areas. Semi-urban schools present a mixed picture: while connectivity exists, it is less robust compared to urban areas, suggesting transitional infrastructure challenges.

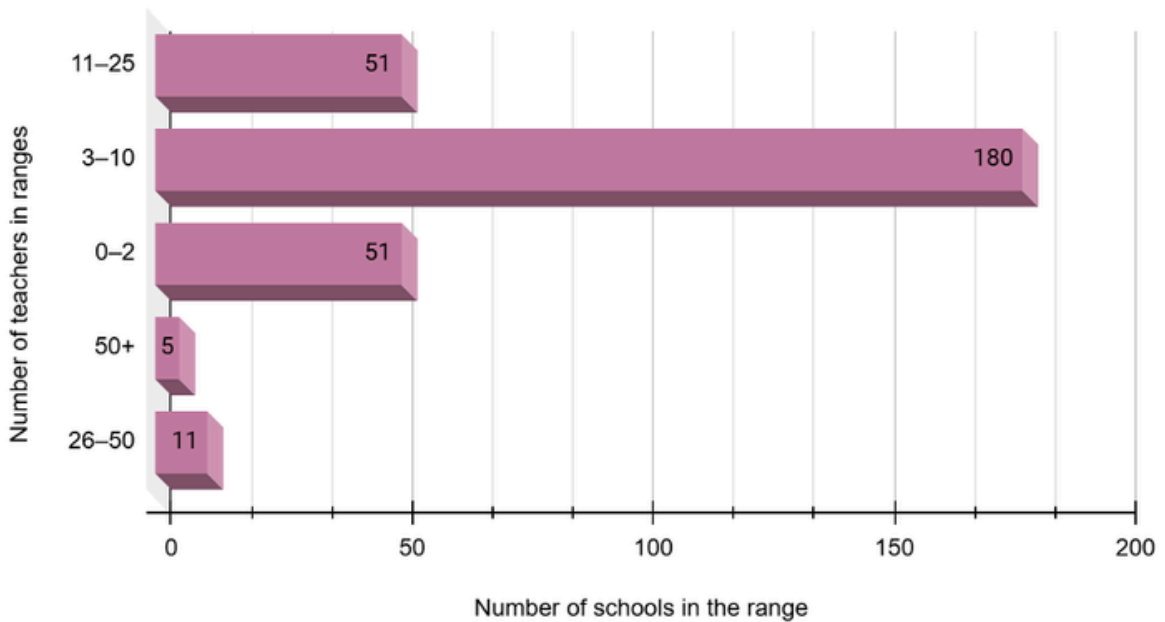
B. Pupil Teacher Ratio



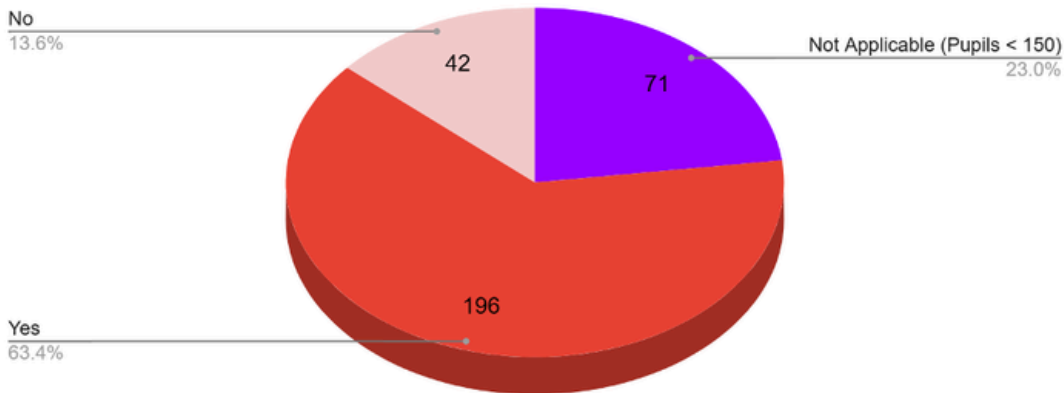
Number of Students (grades 1-5)



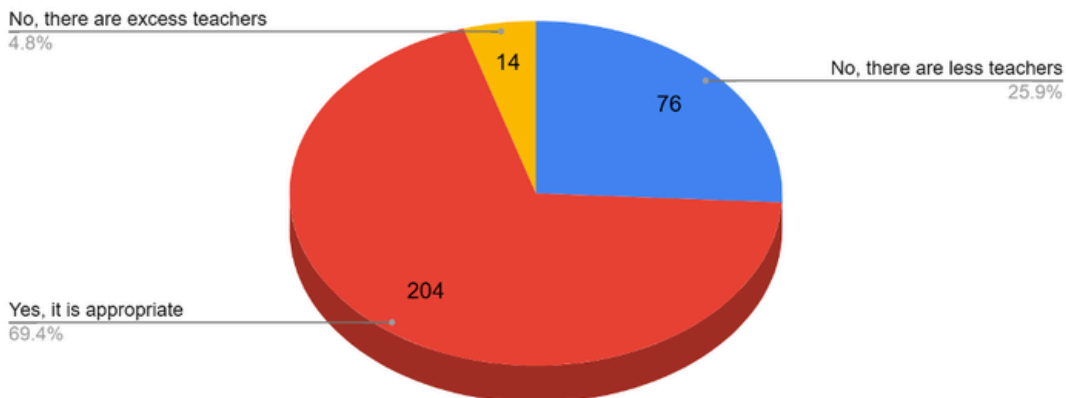
Number of Teachers



Presence of Head Teacher



Is the pupil-teacher ratio appropriate?



This section of this report presents an assessment of participating schools' compliance with the staffing norms prescribed under Schedule I of the RTE Act 2009. The analysis is based on responses received through a structured survey form circulated to the schools. The indicators used for assessment are objective and directly aligned with statutory requirements, specifically:

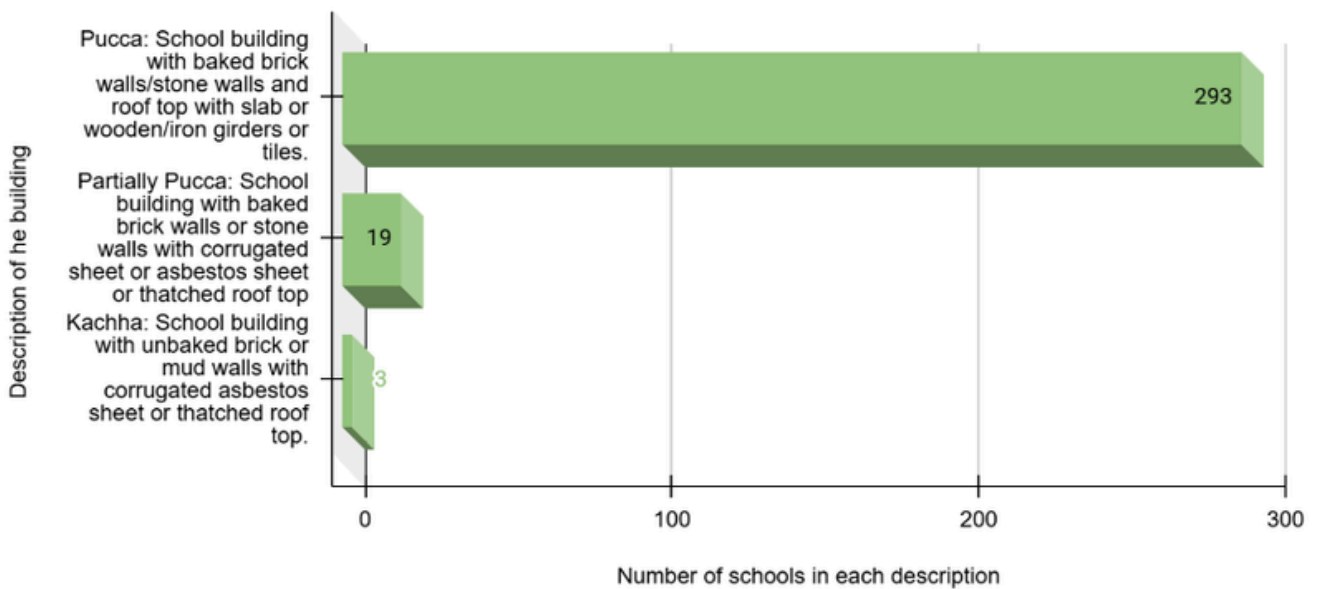
- (i) the mandate of having two teachers for up to sixty admitted children,
- (ii) the requirement of a full-time Head Teacher in schools with an enrolment exceeding one hundred and fifty students.

The findings indicate a generally satisfactory level of compliance. A majority of 204 schools (69.4%) reported adherence to the mandated pupil-teacher ratio. Further, 196 schools (63.4%) confirmed the presence of a full-time Head Teacher, thereby meeting the Schedule 1 requirement applicable to larger institutions.

However, 76 schools (25.9%) reported a shortage of teachers, indicating pockets of non-compliance that merit attention. Despite this, the overall trend emerging from the self-reported data suggests that most participating schools possess adequate staffing and are substantially aligned with the core staffing standards outlined under Schedule I of the Right to Education (RTE) Act, 2009.

C. Building

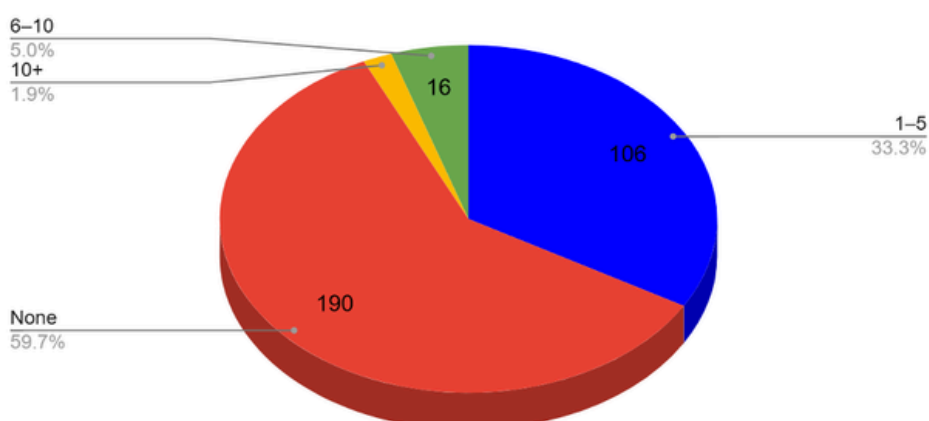
Condition of the building



Schedule 1 of the Right to Education (RTE) Act, 2009 prescribes that every school must have an all-weather building with safe and usable classrooms. While the Act does not explicitly classify the degree of repairs required, the foundational expectation is that classrooms must be structurally secure, hygienic, and conducive to learning. In evaluating compliance, the survey sought self-reported descriptions of classroom conditions and repair needs.

D. Conditions of Classrooms

Classrooms in need of minor repair

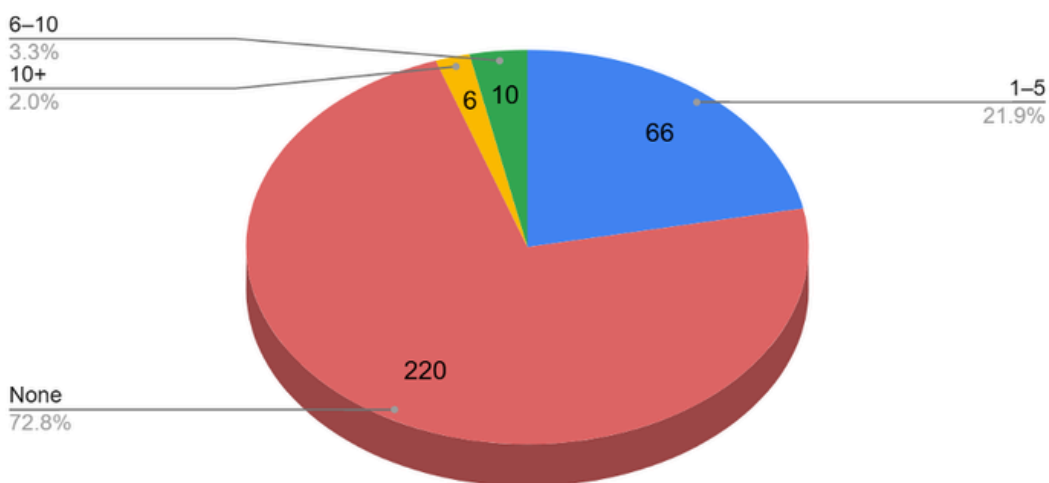


The responses indicate that minor repair needs are widespread across a significant proportion of participating schools. These issues, while not immediately life-threatening, substantially impair the learning environment. Schools reported repeated instances of “peeling wall paint,” “damaged floor tiles,” “loose electrical wiring,” “broken window panes,” and “rusted or jammed doors.” In several cases, respondents noted the absence of proper ventilation or sunlight due to “damaged shutters” or “non-functional windows.”

Of particular concern are schools where minor repair issues extend across all classrooms rather than being isolated to one or two rooms. Such schools described a uniform deterioration of infrastructure, with multiple classrooms suffering from “chipped plaster,” “leaking fans,” and “cracked flooring.” This indicates not only inadequate maintenance but also systemic neglect of periodic upkeep. Even though these issues may not require immediate structural overhaul, they meaningfully compromise hygiene, safety, and classroom comfort.

The quantitative data showed that a substantial portion of schools reported one or more classrooms requiring minor repair. However, the qualitative findings indicate that the statutory expectation of maintaining a safe and appropriate learning environment is frequently unmet. The widespread need for minor repairs suggests that schools are struggling to adhere to the functional quality standards inherent in the RTE mandate, even if they meet the basic requirement of having a physical classroom structure.

Classrooms in need of major repair



Unlike minor issues, major repair needs represent clear and immediate risks to child safety and fall in direct conflict with Schedule 1’s requirement that classrooms must be safe, secure, and fit for use. The survey data reveal a concerning number of schools where classrooms require substantial repair or reconstruction.

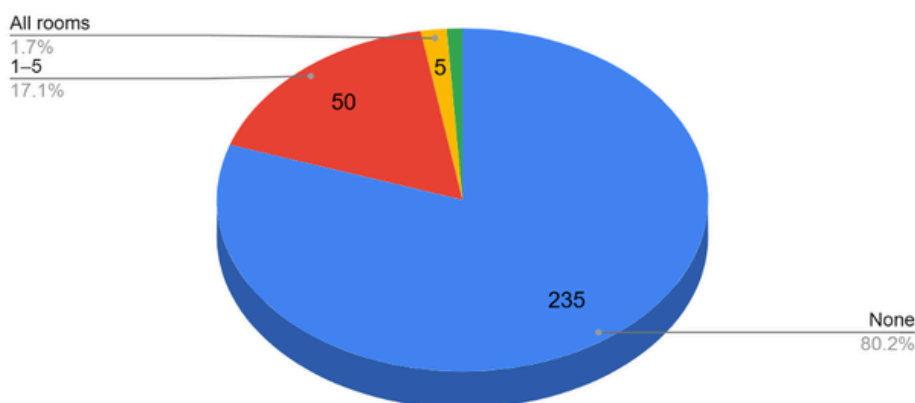
Respondents reported instances of “severe roof leakage,” “large cracks along structural beams and walls,” “fallen plaster from ceilings,” “unstable or broken furniture,” and “electrical wiring exposed inside the walls.” In some schools, the blackboards were described as “broken,” “chipped,” or “detached from the wall,” impairing basic instructional functionality. Other responses described classrooms as “not usable during rains,” “unsafe to sit in,” or “requiring urgent renovation.”

Alarming, a number of schools indicated that all classrooms in the building required major repair, revealing a pattern of systemic infrastructural decay rather than isolated defects. Such widespread deterioration reflects long-term neglect or insufficient funding and calls for better administrative oversight. In these cases, the learning environment is not only substandard but actively hazardous.

Given the RTE Act’s emphasis on safe and adequate infrastructure, classrooms with severe structural problems fall into clear non-compliance. The presence of even a single unsafe classroom contradicts the Act’s mandate; the presence of multiple or all classrooms in such a condition represents a significant violation. The analysis, therefore, concludes that major repair needs constitute one of the most serious infrastructural deficits identified in the survey.

The Schedule of the RTE Act requires, in addition to classrooms, the presence of an office-cum-store room and, where applicable, a separate room for the Head Teacher. The Act also anticipates adequate support spaces such as staff rooms and kitchens (for mid-day meals), even though these are not separately enumerated.

Other rooms in need of repair

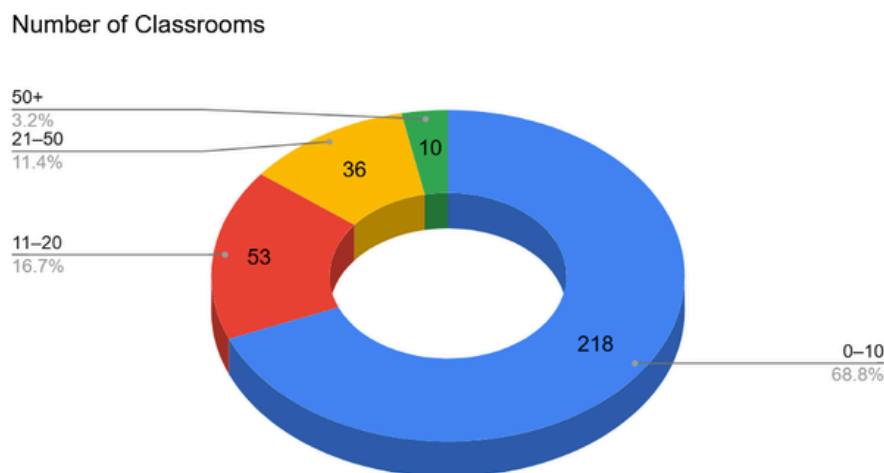


Survey responses indicate that many of these essential non-instructional rooms are in various states of disrepair. Commonly reported issues include “damaged roofing in staff rooms,” “broken storage cupboards,” “leaking kitchens,” “cracked walls in the Head Teacher’s room,” and “insufficient ventilation in office areas.” Some schools reported that their storerooms were “completely unusable” due to dampness or rodent infestation, compromising record-keeping and storage of learning materials.

Several schools also noted that the mid-day meal kitchen required repair due to “broken countertops,” “damaged chimneys,” or “poor drainage.” Given the kitchen’s direct impact on food hygiene and child health, such conditions are particularly concerning.

These defects undermine administrative efficiency and the ability of teachers to perform essential duties, while also posing health and safety risks. Although the Schedule does not explicitly classify required repair levels, it clearly requires that these rooms exist and function appropriately. The presence of significant deterioration in these spaces signals a broader pattern of inadequate maintenance and underfunding.

E. Classroom per Teacher Ratio

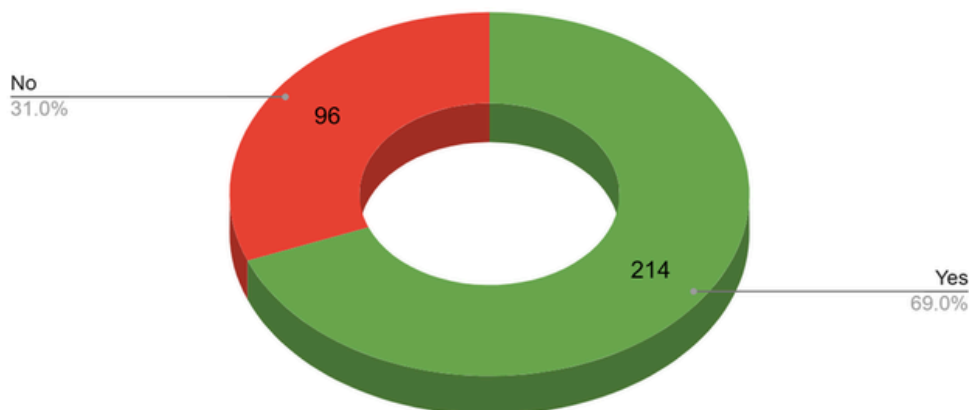


The graph presents the distribution of classrooms across the surveyed schools. The data reveals that a significant majority, 218 schools (68.8%), have only 0–10 classrooms, making this the largest category by a considerable margin. This is followed by 53 schools (16.7%) with 11–20 classrooms, 36 schools (11.4%) with 21–50 classrooms, and a small number of 10 schools (3.2%) with more than 50 classrooms. The visual representation clearly illustrates that the sample consists predominantly of small to medium-sized schools, with very few large institutions.

From the perspective of the Schedule, this distribution has important implications. The Act requires that every school must have at least one classroom per teacher, along with an office-cum-storeroom-cum-headteacher room. Schools with 11–20 classrooms show somewhat better prospects for meeting RTE norms, as their infrastructure size suggests they might accommodate grade-wise classrooms and dedicated spaces. However, without sufficient teacher strength, even these schools may face overcrowding or staff imbalance. The relatively small number of schools with 21–50 and 50+ classrooms likely represents larger, better-resourced institutions with more favourable teacher-classroom distribution.

Overall, the classroom distribution demonstrates that while a minority of schools may meet infrastructure expectations, a substantial share, nearly 70% of schools, operate with a limited number of classrooms.

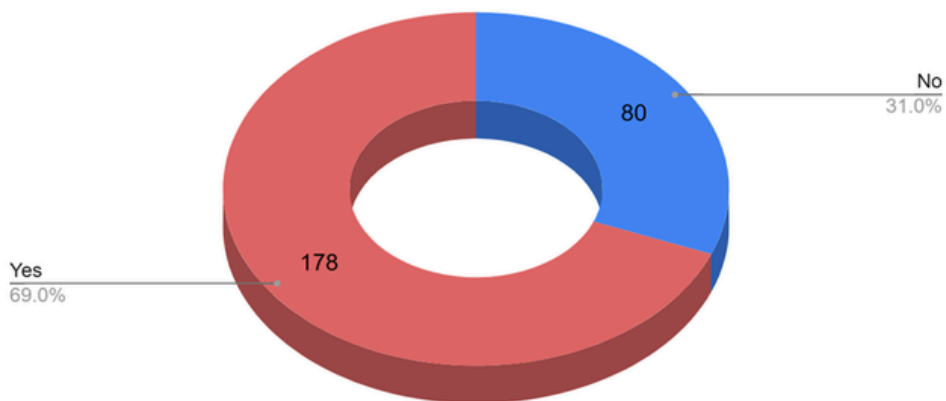
Is there one classroom per teacher?



The graph depicts the extent to which surveyed schools meet the RTE Schedule requirement of providing at least one classroom for every teacher. According to the visual data, 214 schools (69%) report that they do indeed have a one-classroom-per-teacher arrangement, while 96 schools (31%) do not meet this requirement. The majority compliance is encouraging, as it suggests that nearly seven out of ten schools possess the minimum infrastructural capacity required to ensure that each teacher has a dedicated teaching space. This is foundational for maintaining grade-wise separation, ensuring focused instruction, and reducing the reliance on multi-grade teaching- all of which are emphasised in the RTE norms to guarantee quality learning environments.

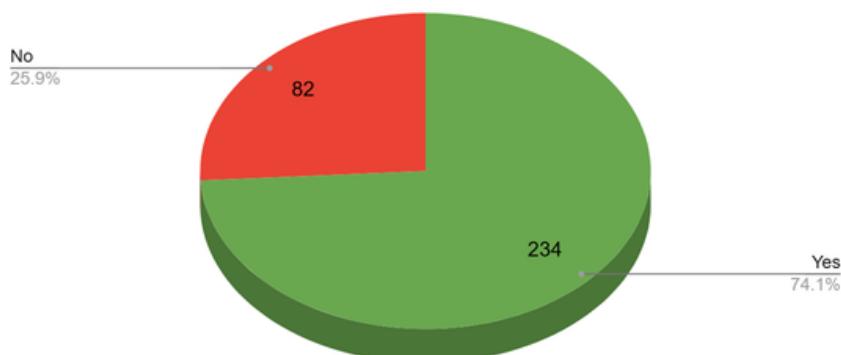
However, the fact that 31% of schools lack a one-classroom-per-teacher structure raises important concerns. For these schools, teachers are likely either sharing rooms, rotating between spaces, or conducting classes in improvised areas such as verandas, libraries, or open spaces. These conditions undermine classroom stability and continuity of learning. In many cases, this shortfall also results in multi-grade teaching, where several classes are taught within the same room out of necessity rather than pedagogical choice. Such practices are known to compromise learning outcomes, especially in foundational literacy and numeracy. Furthermore, the absence of sufficient classrooms in nearly one-third of schools indicates structural gaps that may reflect broader issues such as low funding, inadequate construction, delays in school expansion, or poor maintenance of existing facilities.

Is there a room for head teacher?



F. Playground

Presence of Playground in the school

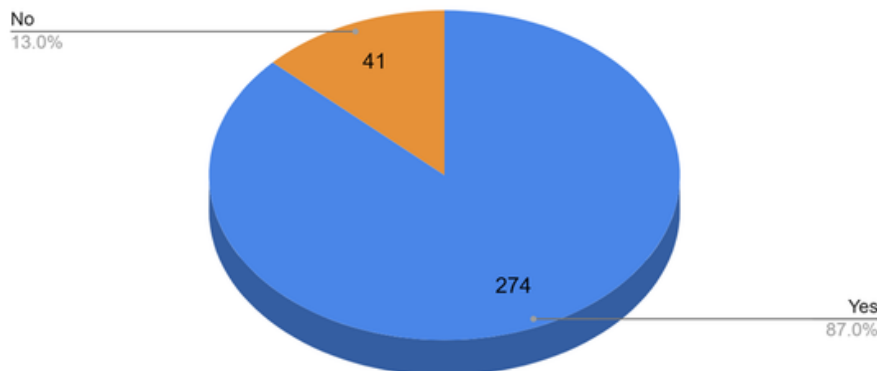


Schedule 1 of the Right to Education (RTE) Act, 2009 stipulates mandatory infrastructural standards essential for holistic child development. The relevant provisions include:

Item 2(vi): Every school must have a playground.

Item 7: Play material, games, and sports equipment shall be provided to each class as required.

Do students get any play materials, sport equipment, etc.?



These statutory mandates, however, contrast with the actual conditions on the ground in many schools, as revealed by the qualitative feedback obtained from the survey. Although a small number of schools reported satisfactory facilities, describing their spaces as “wide open areas suitable for sports” or “big, well-maintained, and equipped”. The broader trend reflects consistent issues of non-compliance, inadequacy, and safety concerns. A large proportion of respondents indicated the complete absence of a playground, with a number of schools stating explicitly- “There is no playground.” In other cases, the spaces identified as playgrounds were functionally unsuitable, such as “small verandahs,” “interlock paved courtyards,” or “cemented areas” used mainly for assembly rather than play.

Even where playgrounds exist, their condition raises serious concerns. Many respondents described such areas as “dry, uneven and covered with dirt,” “bare and not level,” “unsafe,” or “not usable during the rainy season,” reflecting a general lack of maintenance and an increased danger of injury. Concerns continue with the availability and state of play materials themselves. Several schools lack even basic equipment, including swings and slides, while others reported that equipment is “old and rusty,” “broken,” or in need of “repair and repainting,” thus not really usable at all. One of the most disturbing themes involves the lack of access for students with disabilities. Respondents noted that some playgrounds are “on sand so inaccessible for wheelchair users” and also lack “ramps or pathways,” effectively excluding children with mobility impairments from joining in play activities.

These observations provide critical contextual background to the quantitative data that, although 234 schools reported having a playground and 82 reported not having one, and 274 reported having play materials while 41 did not, mere availability of such facilities did not translate to compliance.

F. Separate Toilets for Boys and Girls

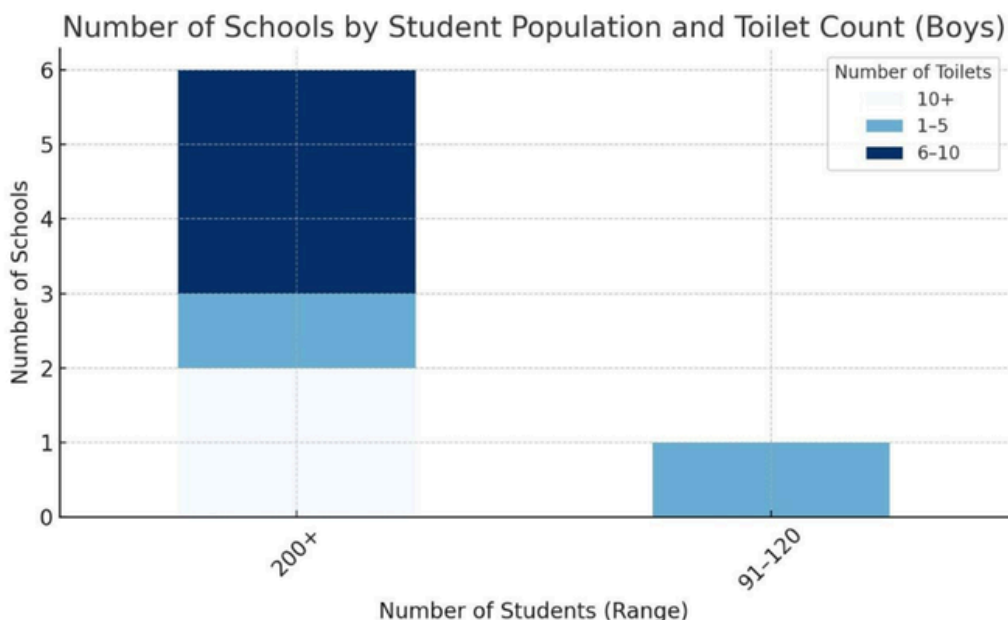
Schedule 1 of the Right to Education (RTE) Act, 2009 mandates the provision of separate, adequate, and functional toilets for boys and girls. The statutory requirement is further operationalised by DISE guidelines, which define a functional toilet as one that has minimal odour, an unbroken seat, a working drainage system, regular cleaning, dryness, accessibility, and a closable door. The following section analyses toilet availability and adequacy across participating schools based strictly on the graphical data provided.

The graphical data is presented in two parts:

1. A graph depicting boys' schools (student population vs. toilet count), and
2. A second graph representing girls' and co-ed schools collectively, displaying toilet counts across student-strength categories.

The two graphs reveal clear and consistent patterns of infrastructural inadequacy, particularly in larger schools.

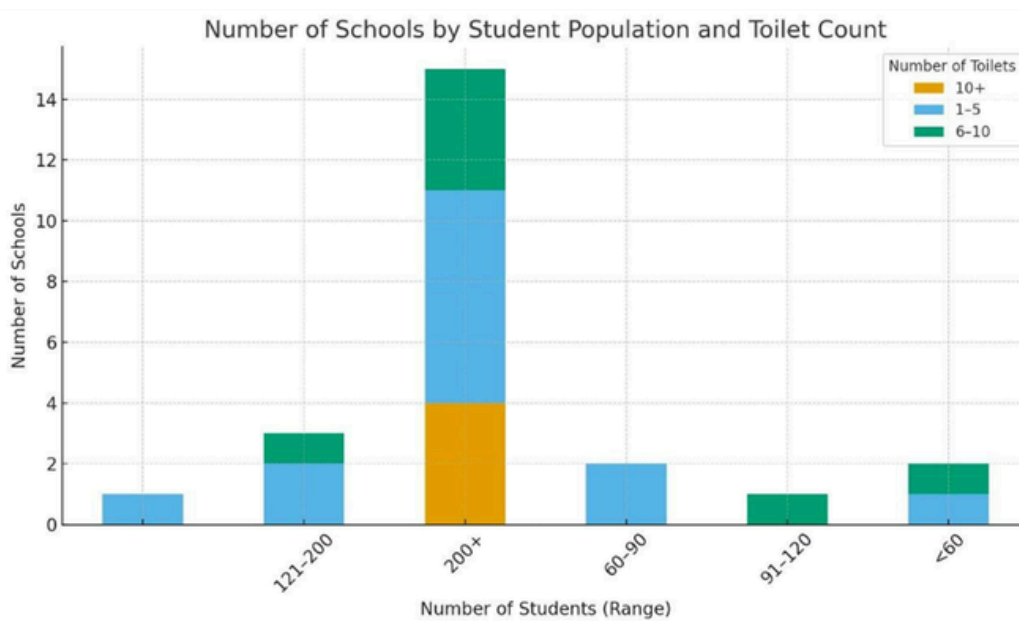
1. Analysis of Boys' Schools



The boys' schools graph shows toilet availability only for two enrolment ranges: 91–120 and 200+ students. This aligns with the contextual note that no boys' school in the sample had enrolment below 120 students except for one institution.

For the single school in the 91–120 category, toilet availability falls in the 1–5 range. For a school of this size, this is broadly adequate. However, the situation is markedly different for the 200+ student category, where a total of six schools are represented. Among these, the majority fall in the lowest provision range: approximately two schools have only 1–5 toilets, three schools have 6–10 toilets, and only one school offers more than 10 toilets. This distribution shows substantial under-provision for large boys' schools, where student volumes demand significantly higher sanitation capacity. The low count relative to enrolment suggests overcrowding, hygiene degradation, and limited privacy. Additionally, the absence of data on functionality in the graph means actual accessible toilets may be fewer than the number reported.

2. Analysis of Girls' and Co-Ed Schools



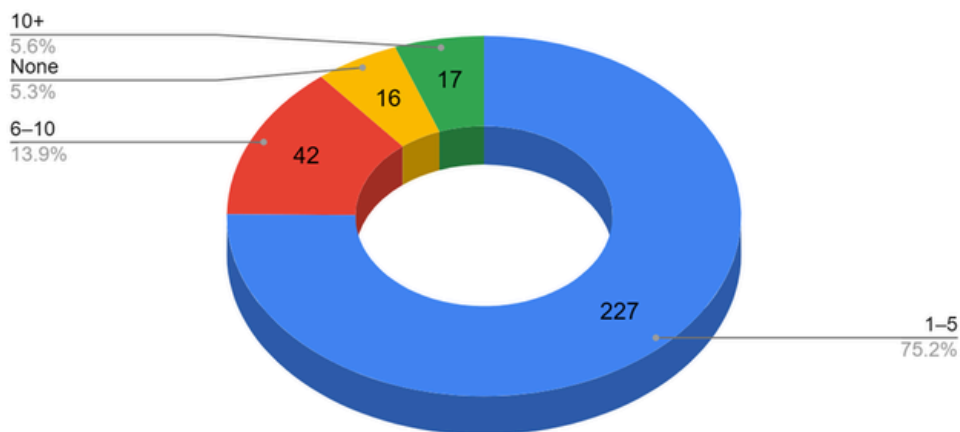
The second graph presents a fuller enrolment spectrum, ranging from <60 students to 200+ students. When interpreted correctly, this graph reveals three critical trends across school types.

First, in the <60 and 60–90 student categories, toilet counts mostly fall within the 1–5 range, with some instances in the 6–10 range. Given the small student population, these figures represent adequate or even generous provisioning and suggest that lower-enrolment schools are not facing toilet shortages.

Second, for the mid-sized categories (91–120 and 121–200), the distribution becomes more varied. The single school in the 91–120 category has 6–10 toilets, which is satisfactory. However, schools in the 121–200 category show mixed results: while one school provides 6–10 toilets, the rest fall into the 1–5 range, representing borderline adequacy, especially if gender distribution is skewed or infrastructure is shared.

Third and most significantly, the 200+ category displays the most concerning pattern. This category contains the highest number of schools and shows the widest spread of toilet counts. A large cluster of schools (approximately seven) has only 1–5 toilets despite having more than 200 students. A smaller number have 6–10 toilets, and only about four schools exceed 10 toilets. This replicates the same pattern observed in boys’ schools: larger schools systematically face toilet shortages.

Number of girls' toilets that are functional and usable

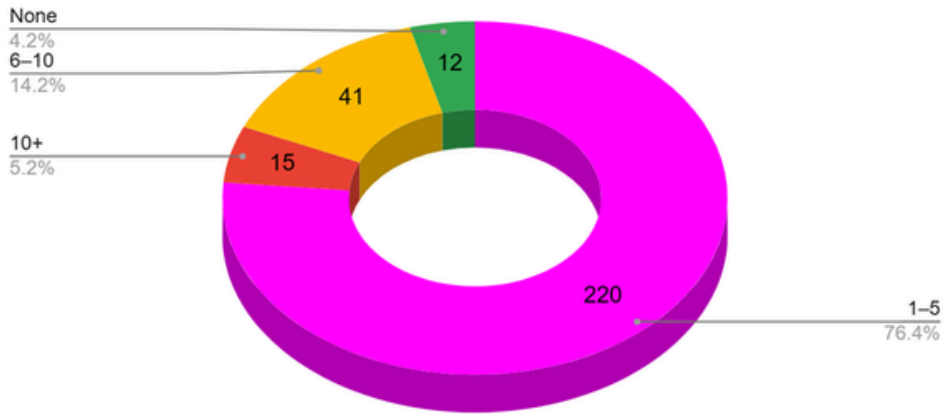


This distribution confirms that for girls’ schools with 200+ students, the highest frequency was in the 1–5 toilet range. This aligns directly with the graphical data provided. High-enrolment girls’ and co-ed schools should ideally have significantly higher toilet availability, particularly in light of menstrual hygiene considerations, privacy requirements, and the recognised link between inadequate sanitation and absenteeism among adolescent girls.

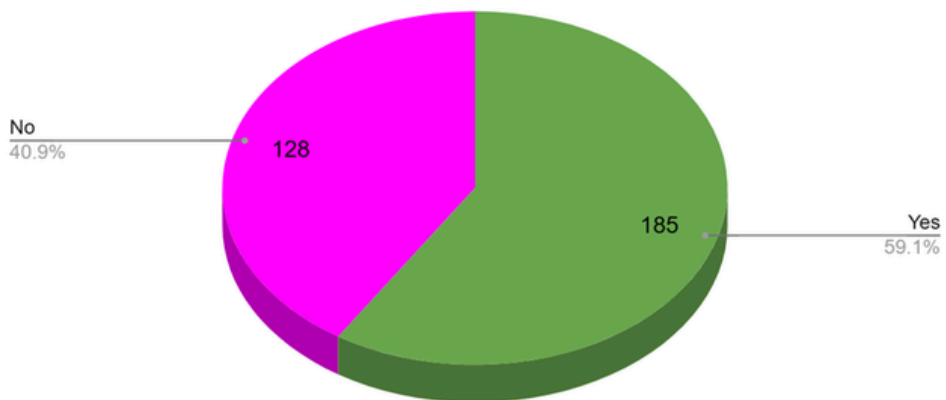
The patterns emerging from both graphs show a consistent misalignment between the norms and standards and the actual provisioning. Schools with the highest enrolment, i.e., those with the greatest sanitation demands, are statistically the most likely to have the lowest toilet counts. Even when toilets exist, the qualitative narratives frequently report issues such as lack of cleanliness, locked toilets, or inconsistent water supply.

Furthermore, the extremely uneven distribution of toilets across schools of similar size suggests unequal resource allocation rather than systematic planning. Lower-enrolment schools occasionally appear over-provisioned, while high-enrolment ones are severely under-provisioned. This indicates structural inefficiencies in sanitation infrastructure planning.

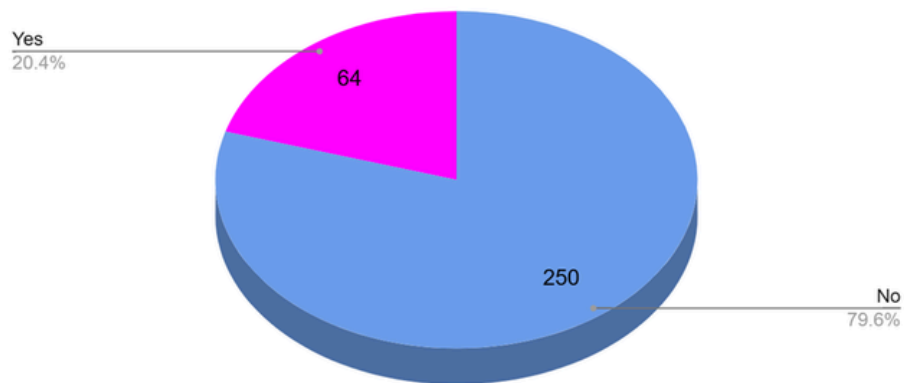
Number of boys' toilets that are functional and usable



Are there any separate toilets for teachers?

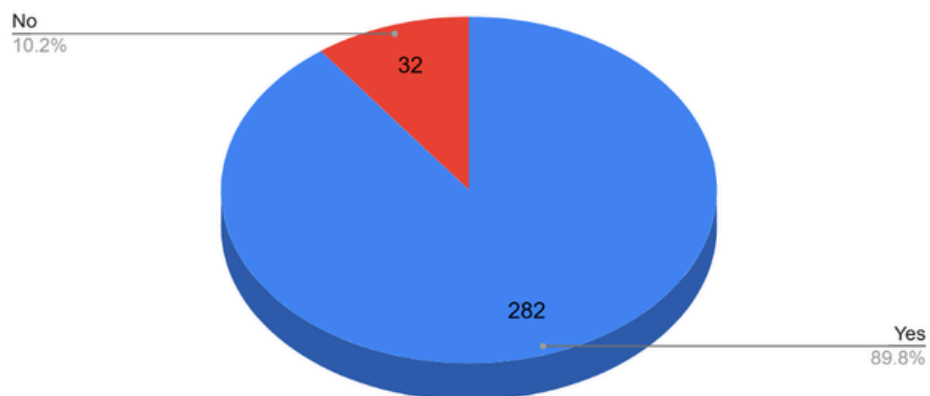


Are any of the toilets locked?

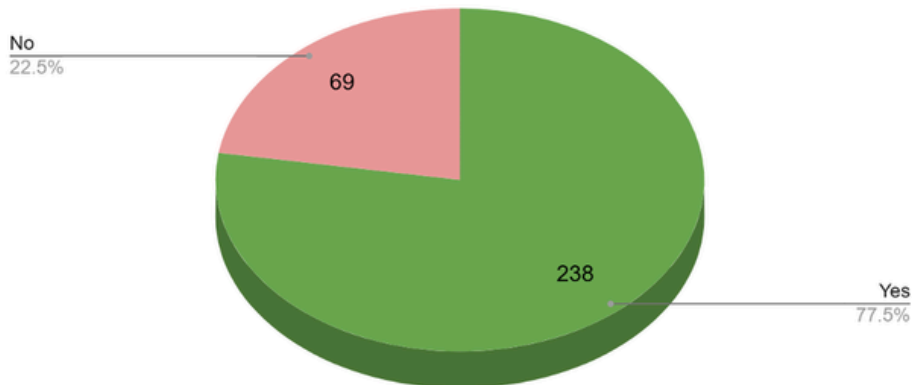


G. Safe Drinking Water

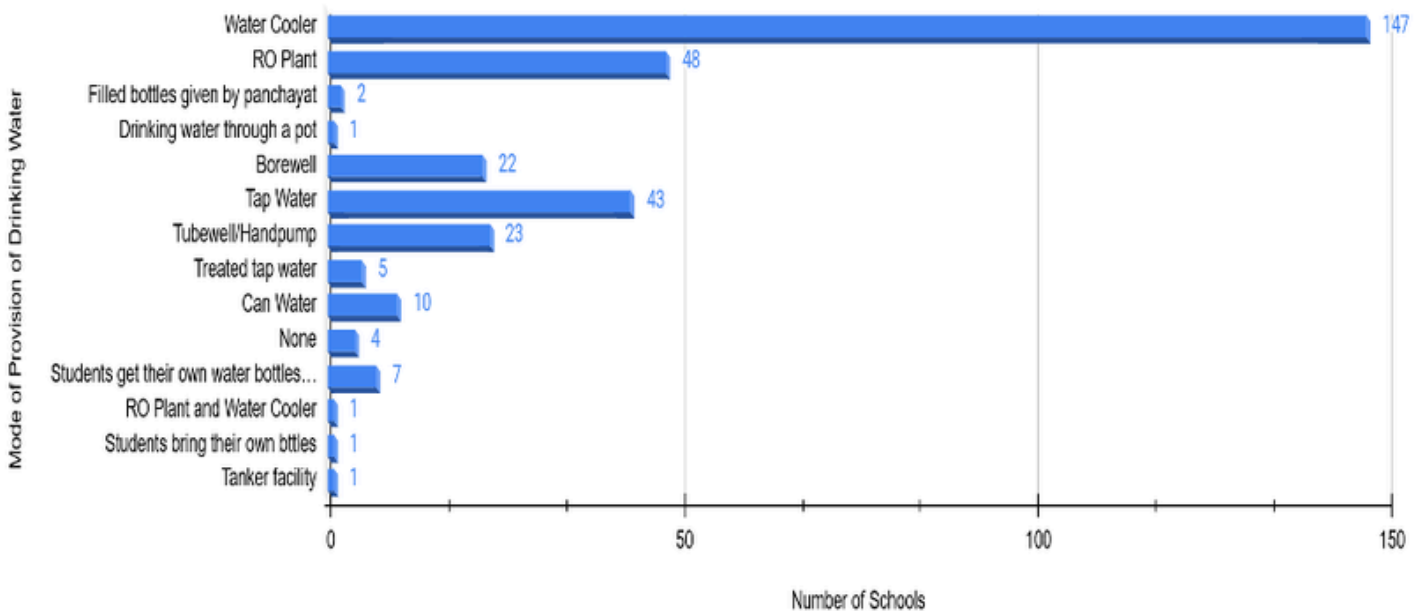
Is there any facility for safe drinking water for children?



Are children allowed to use Teachers' water supply?



Mode of provision of drinking water



The graph shows that 282 schools (89.8%) report having a safe drinking water facility, while 32 schools (10.2%) do not. This high percentage of schools with available drinking water is encouraging, particularly because the RTE Act (Schedule I, Item 2(iv)) mandates that every child must have access to safe and adequate drinking water. However, the presence of a water source alone does not necessarily imply that the water is safe, functional, or adequate in everyday practice.

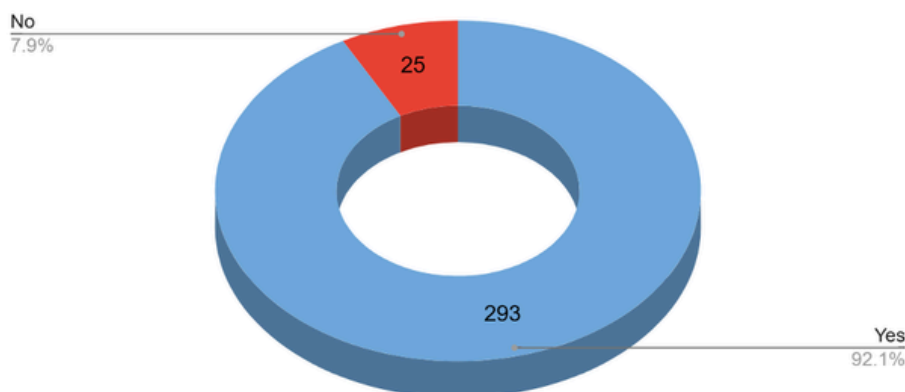
According to UDISE guidelines, a drinking water source is considered functional only when it is accessible to the school, and there is a provision to bring, store, and supply water without involving the children in collection. This definition means that the water source must not merely exist but must also be safe, operational, hygienic, and reliably available throughout the school hours. Safe water includes water that is free from visible contamination, not stagnant, and protected from sources of pollution, while adequacy refers to whether the quantity is sufficient for all children, not just in emergencies, but on a daily basis. Therefore, even among the 89.8% of schools that reported “Yes,” some may still fall short of these functional and safety requirements if the water facility is poorly maintained, inconsistently available, or unhygienic in its surroundings.

The remaining 10.2% (32 schools) lacking any safe drinking water facility represent a serious concern. Without access to water, children may be forced to depend on external sources, borrow from teachers’ supplies, or go without hydration altogether- each of which is unsafe and violates the spirit of the RTE Act.

Even one school without drinking water is one school too many, given that drinking water is not an optional amenity but a basic health and survival necessity within a learning environment. Thus, although a high proportion of schools (almost 90%) appear to comply with the requirement of providing drinking water, the absence of such facilities in the remaining 10% is not appropriate, particularly because safe and adequate water is a non-negotiable component of child welfare and school functionality.

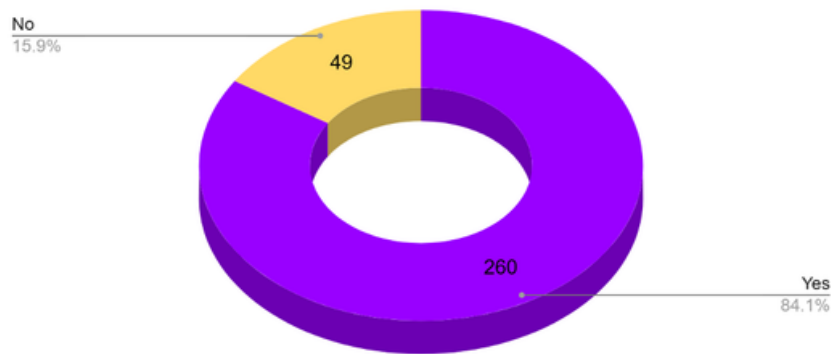
H. Fencing

For the security of the school, is there a boundary wall or fencing?



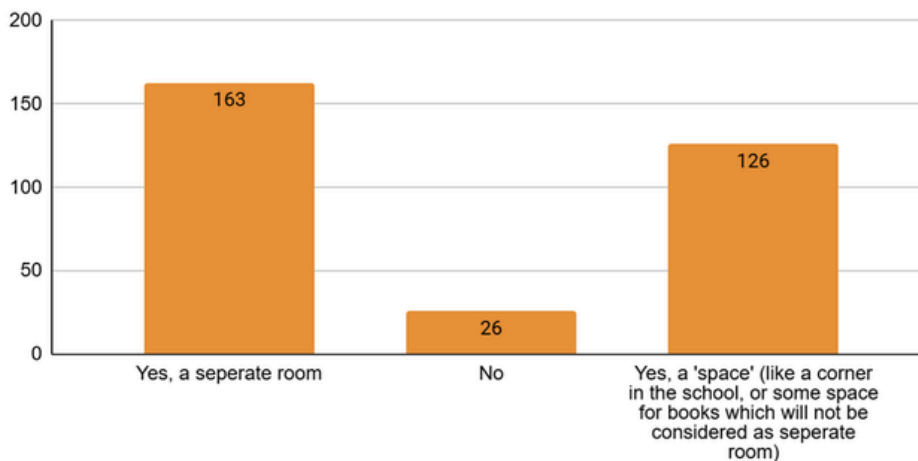
The RTE Act states that there should be “arrangements for securing the school building by boundary wall or fencing.” In furtherance of the same, these graphs represent that the boundary walls or fencing requirement is being fulfilled by almost every school (92%). The percentage of the schools lacking boundary walls are just 7.9%, which is indeed good indicator, however when it comes to sufficiency of the walls for the purpose of security, the percentage lacking it increases to 15.9%, which raises slight concerns but this is a qualitative aspect so it may include subjective bias of the respondents or the persons collecting the data.

Is this boundary wall or fencing sufficient for security of school?



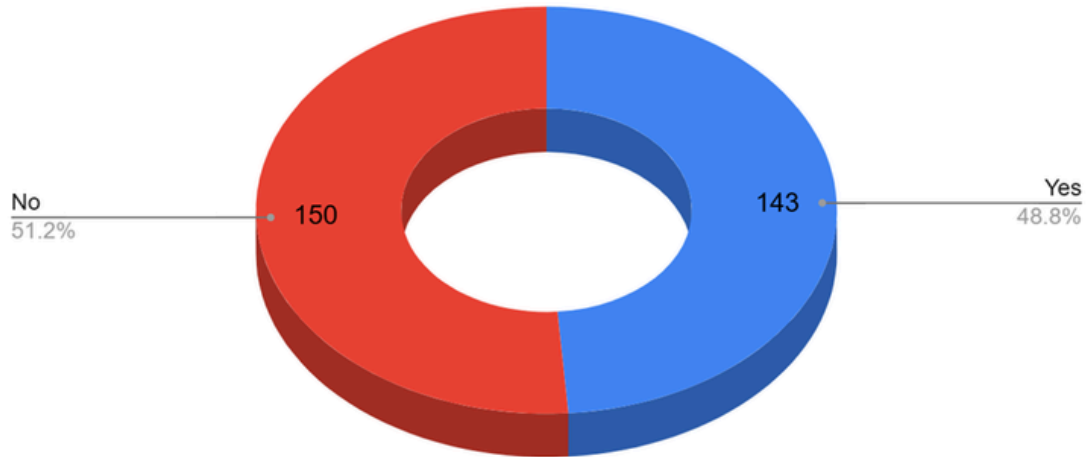
I. Library

Is there a library?

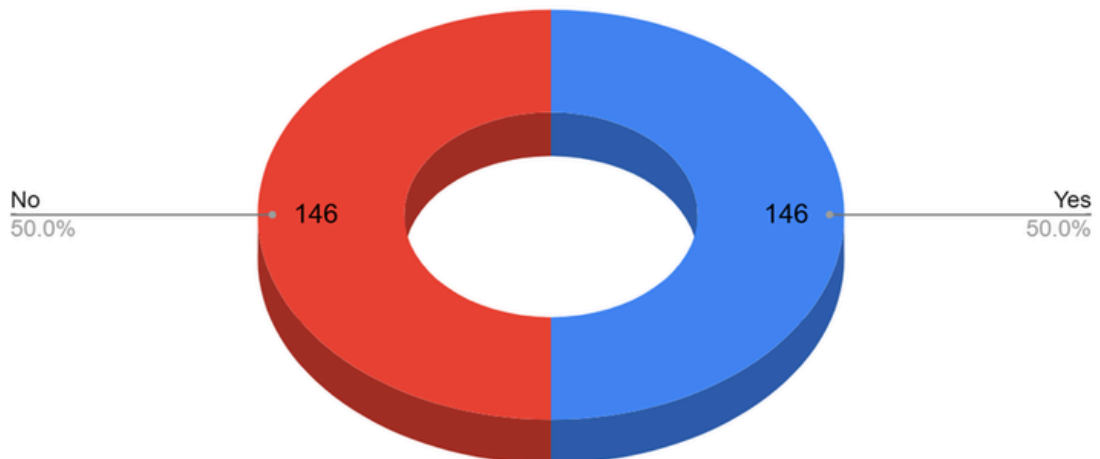


Answer: Yes/No

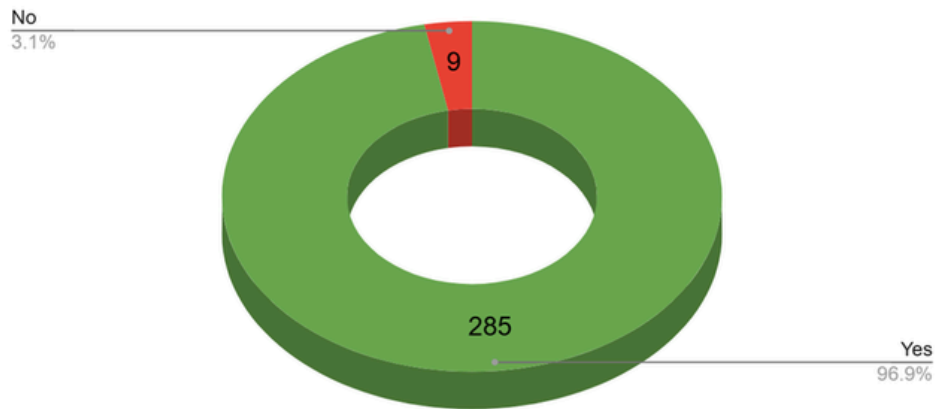
Provision of Newspapers



Provision of Magazines



Provision of storybooks



The RTE Act mandates that “There shall be a library in each school providing newspaper, magazines and books on all subjects, including story-books.” The data presented states that the requirement of having a library in school is being fulfilled significantly because only 26 schools didn’t have it in their premises, whereas 289 schools had a library. Though 126 schools from these just had a small space dedicated to the library and not a proper room, which is an area of concern.

When researched further in accordance with the Act, to check the availability of materials, it was found that the availability of newspapers (48.8%) and magazines (50%) is relatively poor. This is a hindrance as the children are not being updated on current affairs. The positive part revealed is that the libraries containing textbooks aligning with curricular needs were 87%, and 96.9% of the libraries also had availability of storybooks in order to promote reading habits.

4

REFLECTIONS FROM RESOURCE PERSONS AND STAKEHOLDERS

In furtherance of the 2nd NLUJ RTE Paper Presentation and Discussion Series, 2025, a panel discussion titled “Discussion on Capacity Building for Law Students in RTE” was held, wherein various experts in this field were invited to share their observations and interact with the participants. This section highlights the key findings from the panel discussion.

Ms. Pooja Pandey

Ms. Pooja Pandey, a Ph.D. scholar at the National Institute of Education, Planning and Administration, New Delhi, delivered a powerful address on the ***role of law students in promoting awareness about the Right to Education (RTE)***. She opened by emphasising the importance of adopting a bottom-up approach, placing law students not on the sidelines but at the very centre of educational justice efforts. Instead of waiting to become professionals, students can begin shaping access to justice and public awareness around RTE while still in law school.

She introduced the micro-meso macro framework as a way to understand the layered involvement law students can have. At the micro level, she stressed the need for personal motivation. Since education law does not attract glamour, money, or mainstream recognition, it must be pursued out of genuine commitment to social justice. Law students, she argued, must begin by building a solid foundation of knowledge, understanding the RTE Act, its state-specific applications, the constitutional context, and related international frameworks. Alongside legal understanding, students must develop practical skills such as engaging with communities, simplifying complex legal concepts for public use, and documenting violations or gaps in implementation. Most importantly, she urged students to form a personal practice by observing the field directly, visiting government schools, interacting with stakeholders, and reflecting critically on what is working and what is not.

Once this individual capacity is shaped, Ms. Pandey pointed to the meso level, where students must move from isolated interest to collective strength. This includes building peer groups, joining or forming learning circles, and connecting with communities of practice focused on education rights. She stressed the importance of tapping into alumni networks, many of whom are already engaged in RTE work. These collaborations strengthen practical knowledge, create support systems, and open up avenues for future advocacy and field action.





Ms. Pooja Pandey

At the macro level, she argued for deeper institutional involvement. Law schools should integrate education law meaningfully into their curricula, create space within legal aid clinics to address RTE issues, and support students with resources, mentorship, and opportunities for field engagement. Without this kind of institutional support, she cautioned, even the most committed efforts may remain unsustainable or ineffective. She advocated for a structure where academic recognition is given to real-world RTE engagement, thereby bridging theory with meaningful practice.

Ms. Pandey concluded by clarifying the ultimate objective: enabling parents and children to access their rights under the RTE Act. She highlighted that, unlike in other legal fields, the beneficiaries here do not usually come forward. Instead, the law student or legal professional must proactively identify violations, build awareness, and offer support. Whether through filing complaints, organising awareness drives, or aiding school admissions, law students can have a direct and lasting impact. Even if students later pursue careers in corporate law, litigation, or academia, they can integrate the principles of education equity into their work through pro bono efforts, public education, or policy reform.

Lastly, she stressed that capacity building is not just personal — it must be shared. As students grow in knowledge and experience, they must pass it on by training paralegals, mentoring peers, and involving local volunteers. In doing so, they ensure that awareness about RTE does not remain confined within legal institutions but reaches the very communities it seeks to empower. Ms. Pandey closed with the powerful message that law students are not peripheral to the RTE movement — they are central to its realisation on the ground.

Mr. Manab Singha

Mr. Manab Singha, who is a National Senior Lead for RTE POD at Indus Action, was one of the key speakers at the event. Indus Action is also a collaborator for this initiative. Mr. Singha holds a Master's degree in Social Work and brings over 14 years of experience as a social development professional. His core expertise lies in educational reform and community building, and he has worked extensively across Indian states to improve the implementation of the Right to Education Act.

In his presentation, Mr. Singha focused on the **practical issues in implementing Section 12(1)(c) of the RTE Act**, which mandates 25% reservation in private unaided, non-minority, non-residential schools for children from economically weaker and socially disadvantaged groups. Despite being in force for over 14 years, he emphasised that the policy continues to be sidelined, even in high-level policy discussions such as those around the National Education Policy 2020, where RTE was not mentioned at all.

Drawing from Indus Action's partnerships across 14 states, he classified Indian states into four categories based on their RTE implementation status. The first includes states like West Bengal, Kerala, Punjab, Nagaland, and Manipur, which have largely ignored the provision and shown no intent to implement it. The second includes states like Jharkhand that attempt implementation but do so without transparency or accountability. The third includes states such as Bihar and Andhra Pradesh that have adopted online admissions but continue using outdated policy frameworks. The fourth category includes states like Odisha and Madhya Pradesh that have moved to transparent, online systems with updated policy mechanisms. Each category requires a tailored intervention strategy, and Mr. Singha urged law students to identify where they could make a meaningful contribution.

He then outlined key implementation challenges across different stages of the Section 12(1)(c) process. First, he highlighted the massive number of unrecognised private schools, particularly in states like Bihar (with 40,000 such schools), many of which violate basic child rights due to a lack of regulation. Even among recognised schools, many do not publicly declare the availability of RTE seats, allowing informal gatekeeping and favouritism. States like Odisha and Bihar have improved transparency by publishing available seat data, but others still lag behind.





Mr. Manab Singha

Next, he discussed the application and admission processes, pointing out that while some states have enabled parent choice and online applications, others operate in a completely offline manner where schools retain discretionary power over who gets admitted. The lottery systems in some states also lack transparency, being conducted internally despite official protocols.

A key equity issue Mr. Singha raised was the disproportionate allotment of seats to economically weaker sections (EWS) over socially disadvantaged groups (SDGs). In states like Chhattisgarh, he observed that although tribal communities form a large part of the population, they are significantly underrepresented among beneficiaries. He proposed the idea of sub-quotas within the 25% reservation, tailored to reflect state-level demographic compositions — a suggestion that, while open to legal debate, invites deeper discussion on inclusive equity.

He further pointed out that the document verification and final admission process remain vulnerable to manipulation when left to schools. Odisha's model of having independent block or district officials handle verification is more accountable and replicable. He suggested the use of technological tools like API integration with government databases to make this process efficient and tamper-proof.

On the matter of student retention and learning outcomes, he stressed the need for monitoring systems that track whether enrolled children are actually learning and staying in school, rather than schools enrolling students merely to claim reimbursements.

Finally, he addressed the broken reimbursement mechanism in several states. He shared that many state governments have failed to submit reimbursement claims to the central government for years, resulting in significant losses. In one northeastern state, over ₹500 crore was lost simply because claims hadn't been filed since 2016–17. He advocated for systems like PFMS-based direct disbursement to ensure that schools receive payments in a timely and transparent manner, thereby sustaining their participation in the scheme.

Mr. Singha concluded by calling law students and legal professionals to engage with Section 12(1)(c) not just as a legal provision, but as a powerful tool of affirmative action and social transformation. He encouraged them to contribute through policy advocacy, legal awareness, research, and litigation, and to ensure that the rights guaranteed under RTE are made real for India's most vulnerable children.

Ms. Nisha Vernekar

Ms. Nisha Vernekar, a doctoral researcher at the University of Duisburg-Essen, Germany, with prior experience leading the education vertical at Vidhi Centre for Legal Policy, spoke on **access to education for marginalised groups**. She began by contextualising the Right to Education (RTE) Act as a major step toward universal primary education, noting its success in enrolment rates. However, she emphasised that enrolment alone doesn't reflect the true realisation of rights; one must also assess retention, school experience, and learning outcomes. Children from economically weaker sections and disadvantaged social backgrounds are disproportionately at risk of dropping out, learning less, and struggling due to household vulnerabilities like income shocks or caregiving responsibilities. These systemic issues highlight the role of the home in shaping educational outcomes, even though legal responsibility lies with the state.



She highlighted that the RTE Act does attempt to address structural disadvantages by prohibiting capitation fees and screening, allowing mid-year admissions, and defining vulnerable groups. Yet, realising these rights requires more than statutory language—it demands convergence with other legal frameworks like social security and disability rights. Ms. Vernekar urged law students to recognise their distinct expertise in navigating legal systems and to collaborate with non-law actors like researchers and NGOs to bridge policy and implementation. She underlined the importance of tackling information asymmetry, noting that many parents don't assert their rights due to a belief that free education is a privilege, not a legal entitlement.

She elaborated on the multiple roles the state plays, as provider, regulator, and legislator, and explained that advocacy must adjust accordingly. For instance, implementation of Section 12(1)(c) requires effective state regulation of private schools. She stressed that the RTE Act is a living document, responsive to socio-legal developments like the later inclusion of children with disabilities, debates around the no-detention policy, and gaps in early childhood education. As such, legal advocacy must be iterative, grounded in evolving realities. Her key message was to adopt an interdisciplinary approach—understanding how legal and social systems co-evolve—and to use legal training not just to enforce rights, but to democratise them through awareness-building, systemic engagement, and collaborative reform.

Ms. Rajakumari Michaelsamy

Ms. Rajakumari Michaelsamy, Programme Manager for Early Childhood Care and Education at the Right to Education Initiative, is a human rights practitioner specialising in addressing early education inequalities among marginalised groups, including children with disabilities, migrants, refugees, and asylum seekers. Her work highlights the lifelong impact of early education on social justice and inclusion. In her presentation, she discussed **how to monitor the Right to Education through a human rights-based lens**, drawing from her experience in civil-political and socio-economic rights work.

She began by underscoring that RTE is not only a constitutional and statutory right in India but is also protected under international human rights law, including treaties like the ICESCR and related General Comments, to which India is a signatory. She explained that human rights monitoring differs from academic research as it reaffirms education as a right, identifies whether gaps lie in law, policy, or implementation, and documents violations and inequalities systematically.

She outlined a stepwise monitoring approach: (1) defining the purpose, whether for legal reform, supporting a marginalised community, or launching broader advocacy campaigns; (2) determining the scope, including the level of education, thematic area, target group, and context; (3) identifying applicable human rights standards, both national and international; and (4) developing or selecting relevant indicators, which should blend quantitative and qualitative data. She emphasised using participatory, rights-sensitive methods such as site visits, surveys, FGDs, and media monitoring, while ensuring safe and ethical involvement of children and communities.

Drawing on past work with CRY and Amnesty International, she shared field examples showing how child participation revealed corporal punishment and sexual abuse in unregulated private schools, prompting complaints to state commissions. She stressed that such monitoring must follow strict child protection protocols. Community engagement, especially in SMCs and Gram Sabhas, empowers local problem-solving and strengthens accountability. Data disaggregation and triangulated sources such as secondary databases, interviews, and RTIs enrich monitoring outcomes. She concluded by highlighting the importance of drafting reports grounded in legal standards, mapping relevant decision-makers, and applying advocacy strategies tailored to the level of change. She urged law students to collaborate across disciplines, use available human rights monitoring tools, and build institutional accountability for equitable, inclusive education.



Mr. Debargha Roy

Mr. Debargha Roy, LL.M. Candidate at the University of Cambridge, and founder of Project Saathi, spoke passionately on the **role of legal aid clinics and litigation in strengthening the Right to Education (RTE)**.

Acknowledging the groundwork laid by earlier speakers, he framed his address as an appeal to law students, emphasising that RTE is a justiciable right and that legal clinics have a unique role in holding duty bearers accountable, not just the state and schools, but also communities and civil society.

He urged students to go beyond research for research's sake. The data and insights collected during surveys, such as issues related to drinking water, teacher shortages, or school infrastructure, should not remain in reports or competitions. Rather, they should be leveraged to file complaints, draft representations, engage with local authorities like District Education Officers, or even seek legal recourse. Legal aid clinics, he emphasised, are not merely spaces for volunteering or teaching; they are platforms through which students can advocate for rights and ensure systemic redressal.

Mr. Roy highlighted that many legal aid clinics already work with government schools and possess a wealth of field experience. He encouraged students to view their classroom engagements through the lens of law by identifying legal violations, interpreting statutory obligations under RTE, and communicating them effectively to school staff and local governance bodies. Even small actions like writing to authorities or assisting in ongoing RTE litigation can have a significant impact. He cited examples, including assisting in a Supreme Court case on Rohingya children's education and how a judicial intern's reference to RTE provisions influenced a judge's direction in an unrelated bail matter.

In closing, he invited students to compile their collective findings into a "State of the Nation" report on RTE and reflect deeply on their field experiences. The goal, he stressed, is not just participation but transformation of how future lawyers see their role in society. Whether or not one chooses education law as a career, the skills of issue identification, rights-based reasoning, and advocacy are essential to any legal path. This engagement with RTE, he concluded, is not an end, but a beginning.





1. What factors explain the distinctions in RTE policy implementation across states?

Mr. Singha highlighted that education lies in the Concurrent List, allowing both central and state governments to legislate on it. States, therefore, have the authority to contextualise the RTE framework according to their demographic and administrative needs. Such variations, he emphasised, are both legal and necessary.

Ms. Pandey further added that apart from legal autonomy, the composition of marginalised groups varies greatly between states. The policies thus reflect local socio-economic dynamics and attempt to address state-specific exclusionary patterns in education access.

2. What measures are necessary to ensure children are not only enrolled but also learning effectively? Additionally, how can children with special needs be integrated into mainstream education?

Ms. Vernekar addressed the first part by pointing out that India's curriculum and pedagogical practices often cater to "front-benchers," overlooking diverse learning needs. She emphasised the need for pedagogy that is inclusive, experiential, and adaptive, rather than rote or exam-oriented. Teaching all children effectively, she stressed, demands both curriculum reform and continuous teacher development.

On inclusion of children with special needs, she clarified the distinction between integration and inclusion. While integration aims to bring children into the same physical space, inclusion requires appropriate accommodations—curricular, infrastructural, and pedagogical—to ensure equal participation.

Mr. Singha provided examples from state practices. Odisha, for instance, allows children up to 9 years of age to be enrolled in Class 1 under RTE 12(1)(c), showcasing policy-level accommodations. However, he acknowledged systemic challenges—such as inadequate teacher training and poor school infrastructure—which hinder effective inclusion.

Ms. Pandey emphasised that the onus lies not on the child or the parent but on the education system. With the passage of the Rights of Persons with Disabilities Act (RPWD), the legislative intent now leans strongly towards inclusion. She also pointed to recent amendments in the RTE Act that include special educators in the Pupil-Teacher Ratio (PTR) to support inclusive learning.



3. What are the best practices to ensure effective implementation of education-related laws and policies?

Ms. Michaelsamy noted that effective implementation requires alignment across governance, budgeting, teacher training, and infrastructure. Where the state fails, civil society organisations (CSOs) and campaigns can play a vital monitoring and advocacy role.

She shared the example of the Child-Friendly Teachers Network in Tamil Nadu—an informal collective of motivated government school teachers who meet regularly to share classroom innovations and advocate for localised reforms. One such effort revitalised a tribal school in Jawadhu Hills, increasing attendance from 10 to over 600 children, exemplifying how grassroots commitment can bring systemic transformation.

4. What is the panel's view on the use of technology in streamlining RTE admissions, and how does digital disparity affect awareness among children and parents?

Mr. Singha explained that while technology platforms have been developed to implement RTE admissions across states, digital access in rural or remote areas remains a challenge. He cautioned that technology alone cannot solve systemic issues without accompanying human intervention, robust accountability mechanisms, and capacity-building of users.

Mr. Roy expanded the discussion by introducing a rights-based use of technology. Drawing from Project Saathi's submission to the UN Special Rapporteur on Education, he proposed using AI and big data tools not just to streamline operations but to monitor compliance with RTE norms. For instance, AI could analyse UDISE+ school data to check for infrastructural, pedagogical, and legal compliance across institutions, including mandates from RTE, the RPWD Act, and Supreme Court directions.

He also emphasised that rather than focusing merely on digitisation in classrooms, technology should be seen as a tool for rights-based access, monitoring, and delivery.

5

POLICY RECOMMENDATIONS AND CONCLUSION

The survey findings demonstrate that while many schools nominally comply with the infrastructural norms under the RTE Act, 2009, the quality and functionality of facilities remain inconsistent. Classrooms in disrepair, locked or unusable toilets, and absent playgrounds reveal a gap between statutory entitlement and lived reality. These are not merely administrative lapses but failures to meet binding legal standards under Schedule I of the Act. Policy responses must therefore strengthen enforcement and accountability within the legal framework.

- **Strict Enforcement and Implementation**

The first recommendation is to strictly enforce Section 18 of the RTE Act, which bars any school from operating without a recognition certificate tied to compliance with the Schedule's norms and standards. Clearly, as evidenced through our surveys, these norms are not designed to be aspirational; rather, they require the existence of basic facilities such as classrooms, drinking water, toilets, and playgrounds. Yet the report reveals stark existence deficits: schools without playgrounds, schools where toilets are missing altogether, and schools operating with fewer classrooms than teachers, forcing multi-grade teaching in single rooms. Even in such cases, the schools have been established and are operating despite non-compliance. This undermines the very purpose of Section 18, which was designed to prevent schools from functioning without minimum infrastructure. Strengthening this provision requires strict enforcement: recognition should be withheld where facilities do not exist, and periodic inspections must verify not just paperwork but the physical presence of mandated infrastructure.

- **Strengthen social audits of Infrastructure compliance**

The second recommendation is to strengthen social audits of infrastructure compliance. The Samagra Shiksha scheme was launched in 2018 by the Department of School Education & Literacy, Ministry of Education, as an integrated programme subsuming Sarva Shiksha Abhiyan, Rashtriya Madhyamik Shiksha Abhiyan, and Teacher Education. To operationalise accountability, the Ministry issued "Guidelines for Social Audit of Samagra Shiksha" in 2021, which explicitly tie the audit exercise to the implementation of the Right of Children to Free and Compulsory Education Act, 2009. These guidelines are not vague: they mandate that at least 20% of schools must be audited every year, so that all schools are covered once in a five-year cycle. On paper, this creates a rolling, predictable mechanism for monitoring compliance with RTE norms.

Yet, despite this periodicity, the findings of this report show widespread deficiencies in infrastructure and functionality. This gap between mandated audits and ground reality raises questions about the comprehensiveness and transparency of the process. The guidelines themselves stress that audit findings should be made available in the public domain and that accountability rests with the State/UT Education Departments. However, in practice, publication of audit reports is sporadic, and district-level findings are rarely accessible to the public in a consolidated form.



This is where complementary oversight becomes critical. The National Commission for Protection of Child Rights (NCPCR) is empowered to conduct social audits of implementation. But its last published audit dates back to 2022, as per website updates in March 2024, with no subsequent records available. The irregularity of NCPCR's audits, combined with the opacity of Samagra Shiksha audits, leaves a serious accountability vacuum. Transparency and coordination in terms of these audits are needed to ensure systematic infrastructural compliance with the norms and standards of the RTE Act.

Despite several PILs filed before the Supreme Court and various High Courts seeking enforcement of RTE infrastructure norms, more than 10 years of litigation have not produced uniform systemic compliance.

Conclusion

The present report is founded upon the data collected through comprehensive field surveys conducted by various independent teams across different regions. The role of the Legal Aid and Awareness Committee of the National Law University, Jodhpur, was limited to consolidating and organising the data collected into a coherent framework. These surveys were conducted using a standardised questionnaire that aligned with the norms present under the Right to Education Act.

Furthermore, it becomes significant to emphasise that this work is a part of the committee's ongoing and continuous commitment towards the implementation of the Right to Education Act. Over the years, the committee has conducted extensive awareness drives, field surveys, and, most importantly, it has assisted many beneficiaries in filling out the RTE admission forms in order to facilitate their access to education and help them realise the right guaranteed under the act. This reflects that ensuring the right to education is not a one-time effort, but rather it requires sustained involvement and continuous monitoring.

Moreover, the importance of this ongoing work can be better highlighted by the Public Interest Litigation initiated by the Committee in 2017 before the Rajasthan High Court in Jodhpur. This PIL challenged the state's inaction and was a call to the judiciary to confront the gap prevalent between the constitutional guarantee of education and its harsh ground-level realities, so it was an attempt to transform lived realities into enforceable rights. The subsequent court orders over the years, directing the constitution of joint committees, various inspections, submission of detailed affidavits and status reports, highlight judicial recognition of this issue. These orders also demonstrate the deficiencies in the system and infrastructure, ranging from facilities of washrooms, drinking water, and inadequacies in overall compliance with the mandates provided under the act.

Though the right to education is constitutionally guaranteed, it continues to face a gap between the statutory promises and the ground-level reality. Hence, the work undertaken by the Legal Aid and Awareness Committee showcases the dedicated and sustained initiatives taken in furtherance of bridging this gap. The commitments are not merely academic; they involve grassroots intervention and strive to translate data into action, and the committee remains dedicated to this ongoing process to realise the right to education.



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