

# The Right to Education Act 2009: Its Promises, Impact and Outcomes

**Dr. Bidyananda Borkakoty**

Associate Professor Department of Education, Gargaon College

## Abstract

The right to education, like other fundamental rights, is a fundamental right of every child. Realizing this importance, Article 45 of the Indian Constitution states that the State Government shall endeavor to provide free and compulsory education to all children until they reach the age of 14 within 10 years of the entry into force of the Constitution. The Right of Children to Free and Compulsory Education Act 2009 was approved by the President on 26 August 2009 and came into force in India on 1 April. The main provisions of this Act are called the Right of Children to Free and Compulsory Education Act, The Act shall come into force throughout India except Jammu and Kashmir from the date of publication in the official gazette. This paper gives a comprehensive insight into the right to education Act 2009- its promises, impact and outcomes.

**Keywords:** Compulsory Education, Universal Access, Inclusive, Learning Outcomes, Dropout, Equity, Management, Mobility, Investment, Disparity.

## Introduction

The Right to Education Act (RTE) 2009 is a landmark legislation in India that mandates free and compulsory education for all children between the age group 6 to 14 years. The promises made by the Act, its impact on the field of education, and the outcomes observed over the years. The Right to Education Act 2009 has made significant promises and has led to notable impacts and outcomes in the Indian education sector. While it has succeeded in increasing enrollment and promoting inclusivity, challenges related to the quality of education, resource allocation, and implementation persist. Continuous efforts are required to address these issues to fulfill the Act's promises and achieve its long-term goals.

## Objectives

Following are the objectives of present study:

1. To critically examine the key promises and provisions of the Right to Education (RTE) Act 2009, including its goals, the rights it guarantees to children, and the responsibilities it places on the government and educational institutions.
2. To assess the impact of the RTE Act on improving access to education in India, particularly focusing on enrollment rates, retention rates, and the inclusion of marginalized groups.
3. To investigate the actual outcomes of the RTE Act in terms of educational quality, infrastructure development, teacher training, and student performance.

## Methodology

The present study is a descriptive one. A sincere attempt has been made to describe the present scenario of the right to education act 2009. The study is mainly based on secondary data published by the government of India and Assam. Different books, journals, articles, news papers have also been considered for collecting in-depth information to serve the purpose of the study.

## Literature Review

**Several studies conducted on RTE Act indicate significant improvements in enrollment rates since the implementation of the RTE Act. Kingdon, G. G. (2017). conducted a study on The Progress of School Education in India. He reveals that the Gross Enrollment Ratio (GER) in primary schools has improved, particularly among girls and children from marginalized communities.**

Muralidharan, K., & Prakash, N. (2017). conducted another study on Cycling to School: Increasing Secondary School Enrollment for Girls in India. They reveal that the dropout rates have declined, with more children staying in school until the completion of elementary education.

Ramachandran, V., et al. (2018). in their investigation on Teachers in the Indian Education System have revealed that the Act mandates specific qualifications for teachers, but implementation challenges remain, particularly in rural areas where teacher absenteeism and lack of training are prevalent.

Mehrotra, S. (2020), conducted a study on RTE Act: Progress and Challenges and he reveals that many schools have improved infrastructure, including classrooms, toilets, and drinking water facilities. However, disparities exist between urban and rural areas.

Singh, R., & Sarkar, S. (2015) in their study on Right to Education Act in India: A Study of Implementation and Impact found that Funding and resources have increased, but issues with efficient allocation and utilization remain, often leading to gaps in essential facilities and learning materials.

Banerjee, R., & Mukherjee, P. (2016) conducted a study on the Right to Education Act: A Critical Analysis reveals that enrollment of children from Scheduled Castes (SC), Scheduled Tribes (ST), and other marginalized groups has increased. Learning outcomes (PROBE Report, 2011).

## Analysis

The Right to Education Act 2009 has made significant promises and has led to notable impacts and outcomes in the Indian education sector. While it has succeeded in increasing enrollment and promoting inclusive, challenges related to the quality of education, resource allocation, and implementation persist. Continuous efforts are required to address these issues to fulfill the Act's promises and achieve its long-term goals.

Certain words or phrases mentioned in the Act have the literal meanings of the Central Government, State Governments and Union Territory Governments as the Government concerned may decide. Capital Fee means donations, contributions or cash chargeable in addition to the fees fixed by the School Authority by notice. Children means children aged 6 to 14 years. Backward class children mean children of culturally, economically, geographically, linguistically, gender etc. backward or socially and educationally backward classes or children of Scheduled Castes or Scheduled Tribes or children considered to be underdeveloped by the concerned Government from time to time by notification. Vulnerable class children are children whose parents' income is less than the minimum limit prescribed by the government. Primary education means primary education from grade one to grade eight. Local Authority means the Municipal Corporation, Municipality, Nagar Panchayat, Zila Parishad Panchayat or the village or town in question under the

jurisdiction of a school which has jurisdiction over the school. Guardian means a guardian who takes and cares for a child or is under the authority of the law or the court. National Commission for the Protection of the Rights of the Child means the National Commission for the Protection of the Rights of the Child established in Notice means a notice published in the Gazette. The school is a school owned or controlled by the Government or a local authority. Schools receiving grants or assistance from the Government or any local authority. Schools of any particular category, schools not receiving grants or assistance from the Government or any local authority.

The Act provides for the right of children to free and compulsory education that every child from the age of 6 to 14 years shall receive free and compulsory primary education from neighboring schools until the completion of primary education.

Children shall not be forced to give what may prevent them from successfully completing primary education. Enrollment or completion of primary education at the appropriate time Improve the quality of teacher training. The Central Government will be obliged to provide technical assistance to the States in innovation, research, planning and capacity building.

Regarding the duties of the concerned government, the law states that the government shall provide free and compulsory education to every child. The government must guarantee school enrollment, attendance and completion of primary education for all children aged 6 to 14 years. As described in Section 6 of the Act, the Government shall meet the requirements of neighboring schools. The Government shall ensure that no child from the weaker and underprivileged sections of the society is discriminated against in receiving primary education. The Government will take all necessary measures to provide necessary school infrastructure such as school buildings, teachers and teaching materials. The Government will develop timely curricula and curricula for primary education. The government will provide necessary training to the teachers. The Government shall ensure that every child receives quality primary education as described in the Schedule to this Act

The duties of local authorities are to provide free and compulsory education to every child. This Act shall meet the requirements of neighboring schools referred to in Section Ensure that the weaker and underdeveloped sections of the society are not hindered in accessing primary education. Provide infrastructure like school buildings, teachers and teaching materials. Ensure that children are given special training as mentioned in Section 4 of this Act. Monitor and ensure enrollment, attendance and completion of primary education of each child in schools in the area concerned. To ensure that every child receives quality primary education of the prescribed standard as provided in the Schedule to this Act. Ensure timely development of curricula and curricula for primary education. Training of teachers will be arranged. Keep collected data of all children in the area up to the age of 14 years. Ensure enrollment of children from displaced families in schools. Supervise the school within the jurisdiction. Prepare the academic calendar. It is the duty of every parent and guardian to send or enroll their child in a neighboring school for primary education. The government provides primary education to all children over the age of three

Special provisions for those who do not provide that children who have not enrolled in any school or completed their education at the age of more than 6 years are also entitled to enroll in age-appropriate classes. The child shall have the right to special training within a specified period of time to ensure that he or she is on an equal footing with other children in the age-appropriate class. In addition, the child will be entitled to free education until the completion of primary education even after the age of Regarding the right to transfer to other schools, the Act provides that if there is no school to complete primary education in a place, students of such schools shall not receive grants from Kendriya Vidyalayas, Navodaya

Vidyalayas, Sainik Vidyalayas or government or local authorities They shall have the right to transfer to a school other than the school to complete their primary education. A child has to transfer to another school inside or outside the market,

Such children will then have the right to transfer. That the Headmaster of the school from which the child wishes to be transferred or was studying at the time of transfer will take disciplinary action against the Headmaster who delays in issuing the transfer certificate as soon as possible.

The Act states that if the Government or local authority wishes to establish a school within the area mentioned in the Act, such school may be established within three years of the entry into force of this Act. The Central and State Governments will provide funds for the cost of implementation of the Act. The Central Government will arrange for periodic payment of the portion of the grant to be paid to the discussion poets and instruments in consultation with the State Governments. There shall be provision for the Central Government to request the President under Article 280(3) of the Constitution as required for revenue management to implement the Act. Such wealthy governments must invest in the implementation of the provisions of the Act. Section 29 of the Act states that the Central Government shall prepare the National Curriculum in collaboration with the Educational Authorities. The Central Government will be obliged to provide technical assistance to the States in innovation, research, planning and capacity building.

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The duties of local authorities are stated to be free and compulsory education for every child. You have to give it. shall meet the requirements of neighboring schools referred to in Section 6 of this Act. Ensure that children from the weaker and underprivileged sections of the society are not hindered in accessing primary education. Provide infrastructure such as school houses, teachers and learning materials. Special training of children as provided for in Section 4 of this Act. Make sure to give it. Each child will be monitored and assured of: School enrollment, attendance and completion of primary education in the area concerned. To ensure that every child receives quality primary education of the prescribed standard as mentioned in the Schedule to this Act. Ensure timely development of curricula and curricula for primary education. Training of teachers will be arranged. Keep collected data of all children in the area up to the age of 14 years. Ensure enrollment of children from displaced families in schools. Supervise the school within the jurisdiction. Prepare the academic calendar. It is the duty of every parent and guardian to send or enroll their child in a neighboring school for primary education. The government provides primary education to all children over the age of three

Take the necessary education and care to develop properly. Free pre-primary education will be provided for other children up to the age of 6 years.

Chapter IV of the Act states that teachers' responsibilities towards schools shall provide free and compulsory education to all children under the control of the Government or a local authority. Free BID and compulsory primary education shall be provided to at least 25 per cent of the children in schools receiving grants from the Government or local authorities as per the provisions of the Annual Grant Based Act per school. 25 per cent of the total seats in first class of any education special school shall be allocated to children of weaker and underdeveloped classes in neighboring areas. This arrangement will also apply at the pre-primary education level. The State Government shall bear the necessary equivalent expenses for the education of children enrolled in unaided schools or the tuition fees payable by the children. Every school shall be obliged to provide such information to the relevant law authority if the Government or local authority requests any information regarding school fees.

There will be no selection process and fund raising for admission. Children shall not be enrolled in schools for any fee or selection process. If a school enrolls a child for a fee, such school shall be fined ten times the fee charged from the child. If a child is enrolled in a school through a selection process, such schools will be fined Rs 25,000 as the first instance. They will have to pay a fine of Rs 50,000 in each case if they continue to maintain such a system.

No one can set up a school without a certificate of recognition. Without a certificate of recognition from the Government, no person other than the Government or the authoritative local authority shall establish a school or conduct the operation of a school from the date of commencement of this Act. Application shall be made to the form from the concerned authority and the conditions contained in Section 19 of this Act shall be allowed to be fulfilled.

Regarding the school model and standards, it is said that the government cannot or will not recognize anyone to establish a school without infrastructure. If the schools established before the entry into force of this Act have not met the prescribed standards, the teachers will be teachers for 3 years after the entry into force of the Act. With regard to the power to amend the Schedules, it is stated that the Central Government shall have the power to add or exclude schools from the Schedules of the Act by notification.

Addition of standards and standards

The board of directors of the schools will be composed of elected representatives of the local authorities, parents or guardians of the students and teachers in schools other than schools not assisted by the government. Three-quarters of the members shall be drawn from among the parents of the students (including parents of vulnerable and vulnerable children). 50 per cent of the total members of the committee shall be women.

Regarding the School Development Plan, it is mentioned that the development plan of the school will be prepared by the Management Committee of each school in accordance with the rules. In doing so, it will be based on grants received from the Government or local authorities.

The Act on the Employment Rules and Qualifications of Teachers states that only those who possess the educational qualifications prescribed by the Central Government by notification shall be considered eligible for appointment to the post of teachers. If a State does not have a suitable institution for teacher training or the required number of persons with the required qualifications prescribed by the Central Government, the declared educational qualification shall be obtained within five years of the teacher's qualification by notification. Teachers' salaries, allowances and employment rules shall be as per the selected rules. According to this Act. The jobs that the appointed teachers have to do are in schools. Be on time and follow the rules. The course must be completed on time. Their parents to discuss each child's attendance, learning skills or other such aspects in school. You need to sit in on regular discussions with

your parents. Teachers who neglect to perform the above duties shall face disciplinary action as per the Service Rules. The teacher will be given the opportunity to defend himself before such a system comes into force. The teacher's complaints will be resolved in accordance with the law.

Regarding the teacher-student ratio, he said that within six months from the entry into force of the Act, the concerned government will ensure that every school complies with the teacher-student ratio as stipulated in the Act.

According to the teacher-student ratio, teachers employed in one school will be employed in other schools. They shall not be employed in non-educational activities other than census, disaster management and electoral work. Fifth of the Act on Curriculum and Assessment System The chapter states that the educational authorities of the concerned government will consider the above aspects. Rejection of the values enshrined in the Constitution. To promote the all-round development of children. To provide for the enhancement of children's knowledge, latent potential and acuity. To develop the child's psychophysical abilities. Allow children to learn through work, innovation and exploration in a child-centered and friendly environment. As far as possible, children should be taught in their mother tongue. Free children from fear, anxiety etc. and help them to express their feelings freely. Provide comprehensive and continuous assessment of children's understanding and application of knowledge.

In the case of examinations and post-graduate certificates, it is stated that no child is required to pass the board examinations until the completion of primary education. Every child who completes primary education will receive a certificate. Chapter VI of the Act describes the Protection of the Rights of the Child as follows: The National Commission for the Protection of the Rights of the Child or the State Commission shall oversee the following functions under the Act; Investigate complaints about the right of children to free and compulsory education. They will take all necessary measures under Sections 15 and 24 of the Child Rights Protection Commission Act. The State Government shall constitute State Commissions for the Protection of Child Rights in States where Child Rights Protection Commissions have not been constituted.

Any complaint by any person in respect of the rights of the child referred to in this Act shall be submitted in writing to the local authority and shall be resolved within three months of receipt of the complaint. If anyone is not satisfied with the decision of the local authority, they can appeal to the State Commission for Protection of Child Rights and the Commission will take appropriate action.

The Union Government will constitute a National Advisory Council of 15 persons to advise the Union Government on the implementation of the provisions of the Right to Education Act. The members of this Council shall be entitled to shares and other benefits in accordance with the law. A state for the same purpose at the commercial level an advisory council shall be formed.

Chapter VII on the powers to issue directions of the Act states that the Central Government may direct the required authorities of the State Government concerned to implement the Act. The State Government may give necessary directions to the School Management Committees concerned for the implementation of this Act. The competent local authority may direct the school management committee to implement the said Act.

Provision for advance permission to file cases A case can be filed for action taken under sections 13 (2), 18 (5) and 19 (5) of the Act only with prior approval from the authorized officer concerned. The Government concerned shall announce such matter by notification.

The Right to Education Act- 2009 gave us so many promises. It is also important that we analyze the impact of the Act on education. If we analyze the impact of the Act, especially the impact of the Right to

Education Act on education in Assam, without using research methods, we see that the Act was enforced throughout India. Primary education is free and compulsory for every child from the age of 6 to 14 years. Compulsory charging of fees or contributions that interfere with the education of children is prohibited. Children over 6 years of age without education. They are also in age-appropriate classes. The government has taken strict measures for enrollment. The government has also provided the opportunity to transfer to another school if necessary and directed the headmaster of the school to take all necessary measures. The Central Government has been making arrangements for the timely payment of the : portion of the grant due to the States in consultation with the State Governments. The government. Steps to meet the needs of neighboring schools. They have taken it in their hands. All arrangements have been made to provide housing, teachers and teaching materials to the schools. In addition, primary education. by preparing timely curricula and curricula for. They have taken it out. Teachers also need training from time to time. The government has been providing quality primary education to ensure that every child receives it. Preparation of educational calendar: Do, send your children to neighboring schools for primary education provided disciplines and commercial place as well as therefore the state government has changed over time and analyzed since 2009 has fallen. This a quality improvement is also ensured education which is right to many benefits to the system after many policies, just a few that S-Stren is this law is poorly proportional to the curriculum and educational institutions read (weakness) in getting. It has been seen. No school yet the entire education department O-0 numerous opportunities for students.

It is compulsory for parents or guardians to teach them. Emphasis is placed on free pre-primary education for children up to the age of 6 years. No selection process and fundraising for admission has been discontinued. Violators will be fined between Rs 25,000 and Rs 50,0 The previous requirement of certificates for admission has been relaxed. The Act makes it compulsory for the government to provide opportunities for children to enroll in schools at any time. Since the enactment of the Act, the expulsion or detention of a child in the same class has been stopped. The government has also taken steps to stop psycho-physical punishment or harassment of them. As a result, such incidents are increasingly disappearing in Assam. Currently, the establishment of new schools without certificates of recognition has stopped. The government has also taken steps to improve the standards and standards of schools. The formation of the School Management Committee, the duties of the Management Committee etc. have been carried out as prescribed by the Government. The authority to prepare the school development plan by the management committee of each school has enabled the committee to move towards development based on local needs. The job rules and recruitment qualifications of teachers have now enabled the supply of suitably skilled teachers at this stage. Since the enactment of the Act, teachers have been able to attend schools on time, follow the rules, complete the curriculum on time, ensure the learning qualifications of each child, ensure attendance, frequent meetings of teachers and parents, etc. The previous system of teachers taking home tuition for higher income has been abolished. In addition to these aspects, extensive changes have been made in the school curriculum and assessment system. The Ministry of Education is committed to the effective implementation of constitutional values such as holistic development of children, optimal development of latent childhood, teaching through work in child-centered and friendly environment, learning through mother tongue, continuous and holistic assessment There are many steps taken throughout the country. A child is exempted from passing the board examination until the completion of primary education. Even rights are protected, with timely arrangements. mandatory a increase and so on. Students from Assam are very knowledgeable in the field of application

An education department has taken action. The Right to Education Act provides for the establishment of Commissions for the Protection of Children's Rights at the National and State levels to monitor the rights of children as provided by the Right to Education Act. The Central Government has been directing the state governments to implement the Act from time to time. They have been able to bring about change. After analyzing all these aspects in detail, we can say that the Right to Education Act, 2009 has not had a direct impact in all the states of India. This Act has gradually improved the quality of education as well as the quantitative standards. Although the Right to Education Act has brought many innovations to our education system and seeks to protect the right of children to education, it has also revealed many negative aspects. After the implementation of the Act, we can do a SWOT-Analysis and see that the strength of the implementation of the S-Strength Act is that it has ensured primary education for children. Gar has innovated the curriculum and assessment system. They feel free to set up IB educational institutions. W-Weakness The weakness of the Act is that the evildoers have neglected to provide textbooks on time, there is a proportionate lack of teachers and teaching materials in some schools. There are many schools in the country where teachers are physically and mentally harassing students. These include development measures to include disinterested and vulnerable students, the establishment of several commissions at levels to protect a right of the child, special education for those who do not receive timely education, free education up to 6-14 years and RA, made compulsory, the duties of local authorities and parents or, increased and so on. T-Threat (Challenge) - The challenge in the application of the law is that some kings of India due to their large population One is especially in some parts of Assam where students are deprived of equal opportunities.

Despite the government's many programs to clean up the environment, some schools lack sincerity in raising social awareness. Not all parents are equally responsible for their children's educational development. The Right to Education Act (RTE) has been implemented in India since April 2010. The Right to Education Act (RTE) has been implemented in India since April 2010. The Right to Education Act (RTE) has been implemented in India since April 2010. According to data from 2009 and 2016, the enrollment rate in upper primary level increased by 19.4 per cent. Assam recorded an increase of 5.1 per cent over the previous year.

Similarly, only 13 per cent of schools have fully complied with the standards set by the Right to Education Act in terms of infrastructure. However, the enforcement of the Right to Education Act has led to an increase in enrollment rates The increase in Learning Outcome has not been satisfactory. According to the 2021 ASER, it is gradually reopening after two years of impact. The report said there has been an influx of students from private schools to government schools. Such a tendency is particularly evident at the lower levels of education. The number of students in classes I and II in government schools increased from 9 per cent to 14.1 per cent. Such an increase has been observed in 17 state government schools across India. During this period, the enrollment rate in government schools in Nagaland and Manipur is declining. In such states, enrollment in government schools has not declined as students go to private schools. Instead, the number of students not going to school is increasing. Manipur saw an increase from 1.1 per cent to 15.5 per cent and Nagaland from 1.8 per cent to 19.6 per cent. On average, the number of out-of-school students aged 6-14 years has increased to 2.1 per cent across India.

Challenges faced include learning level problems, declining proportion of students in government schools in a state, • Poor school infrastructure Only 12 per cent of government schools have internet access and only 30 per cent of schools have computer access. 42 per cent of schools lack furniture and only 22 per



cent of schools are for the disabled. A ramp is available, 15 per cent of schools have drinking water, toilets. No toilets, hand washing facilities, lack of adequate teachers, training.

the problem of qualified teachers, unable to teach online, the curricular problems etc.

So, to solve the problems that remain despite the Right to Education Act providing so many facilities. Ensure student retention in schools' Special emphasis on information and communication technology, teacher-student ratio and increase, redesign of educational curriculum, fewer facilities, Priority to available students, e-learning provision. If more emphasis is placed on making stakeholders, especially parents and students, more entrepreneurial. There is a need for equal development in education in Assam and India. Such equitable development of human resources and human capital is possible only if it is possible. Appropriate use will be possible. Then the National Education Policy to advance the full potential of human society, social, justice and national development. As a result, quality, universal, education is Indian education It will underpin the system and promote economic development, social justice and equity, scientific progress, national integration and India is a world leader in cultural preservation

### Conclusion

The Right to Education Act 2009 has made significant promises and has led to notable impacts and outcomes in the Indian education sector. While it has succeeded in increasing enrollment and promoting inclusivity, challenges related to the quality of education, resource allocation, and implementation persist. Continuous efforts are required to address these issues to fulfill the Act's promises and achieve its long-term goals.

The Right to Education Act has been effectively implemented. If it continues, the development of perception, analytical thinking and problems, development of resolving powers, social, moral, emotional etc. It will be possible to develop disciplined students. The National Education Policy 2020 plans will also be completed. This will pave the way for the formation of a Sarvodaya Samaj.

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