International Journal for Multidisciplinary Research (IJFMR)
E-ISSN: 2582-2160 ● Website: www.ijfmr.com ● Email: editor@ijfmr.com

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

**Dr. ASHWATH YADAV G S**

Associate Professor of Economics
Government First Grade College Hosadurga-577 527
Chitradurga District, Karnataka State
E-mail ID: gsayadav@gmail.com

**Abstract:**
The Indian government established the Right to Education Act (RTE) in 2009 to provide every child between six to fourteen years old with the fundamental right to education in India. The law enacted numerous comprehensive goals yet faced various impediments when implementers attempted to carry out its directives. The study investigates how RTE failed to implement effectively due to unresolved social imbalances and inconsistent quality standards combined with inadequate teacher training and workforce recruiting. The article introduces practical methods to enhance children's legal access and execution of the law throughout India. India established strong educational rights development through the Law of Education yet faces numerous barriers which hinder complete realization of its potential. The extensive implementation of RTE becomes possible through responsible measures combined with environmental inclusivity and resolution of infrastructure needs along with improved teacher quality and social disparity closures and focus on education quality. All parties who affect education delivery must completely support proposed plans. Through modern innovations India can ensure high-quality education in suitable settings for all students even when their family circumstances vary in wealth.

**Keywords:** Obstacles, Challenges, Right to Education, Fundamental right.

## 1. INTRODUCTION

Under the Law of the Law of Education (RTE) India established during 2009 children between 6 to 14 years gained fundamental educational rights. Implementing the RTE law faced numerous hurdles that inhibited its goals even though it included broad aims. This research examines the primary difficulties RTE faced in implementation by analyzing its lack of required facilities and minimal teacher preparedness and insufficient workforce recruitment and unresolved social inequalities and diverse quality standards. The paper outlines a series of pragmatic steps to improve accessibility and execution of laws regarding children across India.

The chief obstacle of RTE exists due to poor infrastructure of schools which mainly affects urban areas and underprivileged communities. Multiple educational institutions face a dual challenge of poor classroom facilities and substandard sanitation and scarce educational resources that disrupt educational processes. The absence of suitable school facilities acts as an obstacle which deters students from joining school and completing their education among disadvantaged social groups. The National Commission for the Protection of the Rights of the Child (NCPCR) documented numerous institutions lacking essential facilities and such situations impede the RTE program for achieving quality education. The government's school infrastructure funding requirement demands permanent school construction in deprived regions and continued facility upkeep and regular book and learning material stock. Thorough tracing methods for school funding distribution are essential to validate how funds are used effectively.

The immediate educational need requires both adequate recruitment and proper training of qualified teaching staff. RTE educational standards depend on teacher excellence because India currently suffers from a continuously worsening shortage of qualified educators. Educators normally do not possess necessary certifications because they show limited teaching competence and lack sufficient child-centered teaching practice expertise. Educational results decrease severely in remote places where there are insufficient numbers of qualified teaching staff. The government needs to run challenging training sessions for educational staff that follow certification requirements while offering sustained professional development possibilities. Staff members in difficult areas will continue their employment and advance their professional growth if they receive proper pay rates alongside stable employment conditions and enhanced career development opportunities. A standardized feedback system should evaluate teachers to ensure their education standards maintain their quality.

Social discrimination creates multiple obstacles for RTE's implementation process especially toward marginalized groups such as SC, ST, weaker economic sections and disabled students. Groups that encounter structural barriers prevent them from getting education access mostly because of poverty and discrimination against them along with cultural biases. The social framework limits access for disadvantaged children to standard educational settings even though RTE mandates their admission provisions. Extension programs that use community engagement help identify and resolve special challenges which underprivileged children encounter in accessing education. Schools working together with local organizations help educate people about education value while supporting families in their economic struggles. Financial assistance programs together with scholarships function to help reduce educational expenses for families who lack sufficient economic means.

Educational quality stands out as the primary problem within the structure adopted by RTE. Educational institutions across the country commonly embrace educational practices that fail to develop student capabilities for critical thinking and problem solving. The evaluation system places more importance on examination results from experimental learning which produces insufficient student engagement. Methods of implementing registration numbers and infrastructure standards must shift toward improving educational quality as the current system's primary goal. To achieve its purpose RTE must develop extended teaching standards by including experimental and activity methods into the curriculum. Educational results evaluation and assessment processes must focus on qualitative measures to guarantee curricula correctly address student learning needs.

*With this background the current study aims to understand the challenges in the Implementation of the Right to Education Act of 2009.*

## 2. LITERATURE SURVEY

Through its central provision the RTE Law sets a requirement for every educational institution to designate 25% of available seats for children from underprivileged backgrounds (Bajpai 2018). The educational benefits of this requirement aim at correcting historical disenfranchisement patterns which historically disadvantaged scheduled castes, programmed tribes and economically weaker sections. The actual execution of this intended provision by Nambissan and Ball (2020) has shown inconsistent results. Such marginal groups of children demonstrate reduced enrollment stability than their more fortunate peers demonstrating the existence of structural barriers that block equality measures despite regulatory provisions.

Each child must have the privilege of attending school at a reasonable distance according to the act which aims to enhance physical educational institution accessibility (Aithal and Aithal, 2019). Research shows that children specifically in rural areas need accessible schools to ensure their school attendance. Nayak et al. (2022) show that the legal framework has failed to overcome physical barriers which prevent children from accessing education caused by inadequate facilities together with inadequate staffing in educational institutions. Educational challenges become more complex because India encounters geography-based problems of quality and equity in educational delivery.

According to RTE Law quality standards should be maintained throughout educational programs. The law mandates that educational institutions must meet basic requirements for infrastructures along with quality elements of teacher qualifications and teaching staff relationships (Divan and Rosencranz, 2022). According to Muroidharan, Singh and Ganimian (2019) the educational standards mentioned in regulations do not translate into actual compliance by schools. The research findings of these investigators show a substantial difference exists between regulatory school standards and actual school conditions in numerous Indian educational facilities. Such differences between standards and ground reality suggest serious problems with the RTE Act's ability to guarantee both accessibility and educational quality.

Additional provisions under the law specify how equity and inclusion protect the rights of disabled children. Current educational policies integrate these provisions because researchers now understand the crucial value of inclusive teaching practices (Osborne and Russo, 2020). Khan et al. (2021) explain that implementation issues primarily caused by a shortage of trained staff who could help children with special needs limit inclusive education opportunities. The RTE establishes equity as its foundation but field-level realities consistently prevent it from becoming operational reality.

The law enforces regulations on private schools because excessive tuition costs should not block poor families from receiving quality educational services (Chawla and Kumar, 2022). Multiple studies analyze the relationship between public schools and private institutions where experts suggest that uncontrolled growth in private schools risks damaging government educational institutions. Chacko (2018) explains that education privatization growth creates more inequalities that require political leaders to develop strong public education systems and properly control private educational initiatives.

Analysis shows that specific socio political forces create difficulties in the deployment of the RTE (Bhat, 2022). Various groups of stakeholders including governments teachers and civil societies unions hold conflicting interests against the goals of RTE. Such complexity remains vital to analyze since it determines how educational policies undergo interpretation and execution at local sites (Kruks-Wisner, 2018).

Minow (2019) presents extensive discussions regarding how educational rights interact with the biggest human rights frameworks. The Rehabilitation of Overloaded Educational Institution serves as more than a mere legal framework because it preserves the social ideals of fair and equal educational access across India which follows global education standards. The challenge persists of converting educational rights into concrete achievements because India functions as both a populous and distinctive nation.

The pandemic crisis has made the complex educational system in India more complicated. According to Nayak et al. (2022) an extensive investigation revealed that pandemic-induced transition to online learning specifically affected students from marginalized ecological settings. The digital gap violates the core purpose of RTE to ensure equal educational opportunities because it highlights future challenges that must be solved.

The RTE receives assessments based on the changing educational policies which exist in India according to Aithal and Aithal (2019). Educational experts stress that educational requirements differ between regions and communities hence an integrated approach serves better purposes. These educational reforms present an overall vision of establishing equal and superior educational facilities across all districts.

The right to education law of 2009 demonstrates huge promise for educational transformation in India but many barriers exist that limit its complete effectiveness. The implementation of essential research and policy development serves to solve the persistent educational system problems. Parties with interests need to unite their goals with the real-world situations experienced by Indian children to establish tangible educational opportunities for everyone (Papas, Papoutsi and Drigas, 2018). India's progress through educational challenges maintains the Rights of Children in Education as its central approach for ongoing educational reform and social equity advancement.

## 3. RESULTS AND DISCUSSION

This act is known as the Right of Children to Free and Compulsory Education Act or Right to Education (RTE) act was passed in the year 2009 in India. To make it brief, the Act of 2013 focuses on providing

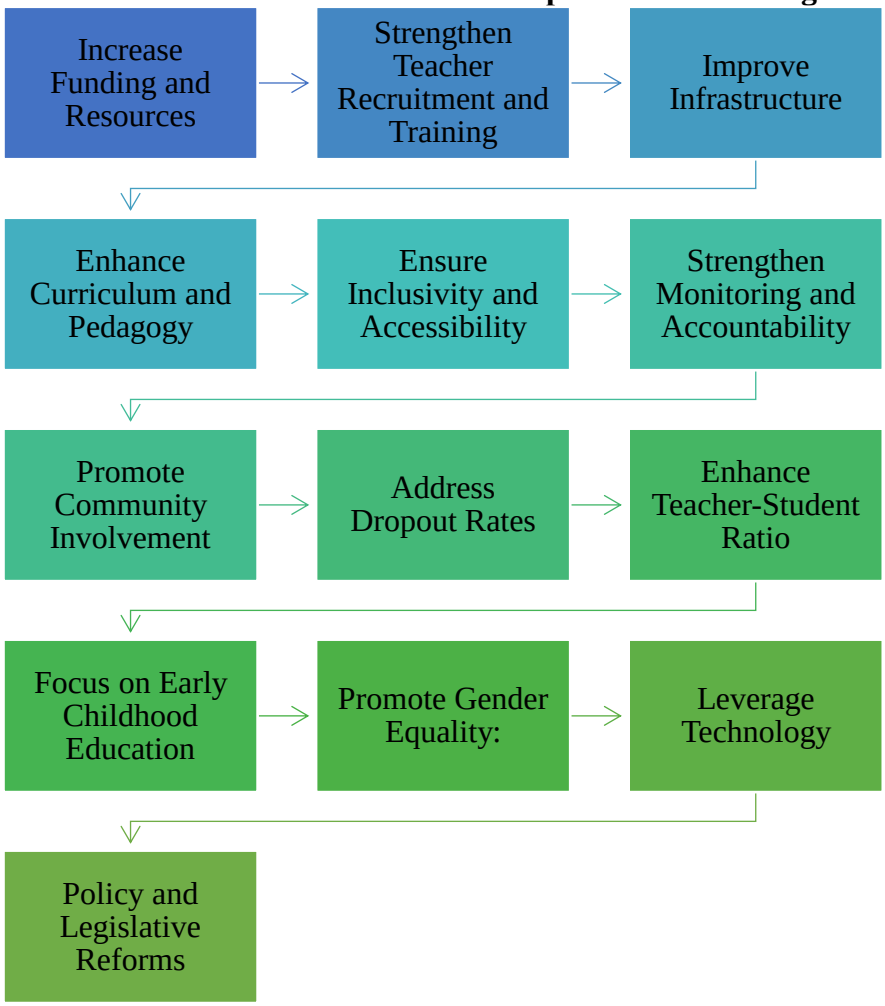
free compulsory education to the children of ages 6 to 14 years, but there are certain issues that the authorities have come across.

Challenges in the RTE Act, 2009

- Infrastructural challenges: A certain number of schools especially in the rural zones lack infrastructure. These issues include the following; and poor quality of school facilities, lack of sanitary facilities, limited educative amenities and lack of clean water supply. These conditions are not conducive to learning hence reducing the efficiency of teaching.
- Lack of teachers: There is inadequate supply of teachers particularly in the rural areas, whenever there is an offer, there are few takers. Also where teachers are present, they may not be qualified enough or motivated enough to a level that will allow them to teach properly.
- Excessive Large Group Class Size: Large group class size is also an indication of large number of students to be handled by a teacher or several teachers in a school.
- Retention and Dropout Rates: Even today the dropout rates are very high and these are increasingly observed within the realm of girl's education, children from the tribal areas and the economically weaker sections of the society. The cause of this include poverty, child labor, and social norms and culture among others.
- Education Standards: Although there are some enhancement in enrollment and attendance to educational facilities, the quality of education is often compromised. Some students can effectively go through their grades without acquiring the fundamental skills for reading and writing as well as simple mathematics, which is referred to as "learning poverty."
- Non-Formal Education: As customary, the Act provides for other and special education systems, and the non-formal schools, as well as the programs, receive little attention and funding; as such, poor learning is expected.
- Implementation and Monitoring: The extent to which implementation of the Act has been done is still a question mark especially since its implementation varies from one state to the other and equally from one district to another. Supervisory measures therefore remain quite ineffective making enforcement and accountability chaotic at some instances.
- Perception and Stigma: There is low awareness on the side of parents and communities on what the RTE Act entails and further; children with a disability experience barriers on the extent of education to be attended.
- Funding and Resources: This implies that there must be financial compliments for the implementation of the RTE Act as well as timely provision of resources. However, the scenario is altered by many states that lack adequate budgetary capacity, thus limited financial might to support basics such as constructions and infrastructures that enhance quality education.
- Curriculum and Pedagogy: The curriculum is not developed frequently and its infusion into classroom practices do not fit well with local realities and needs of students. There is limited practice of children's- oriented and creativity in teaching methodologies.
- Achieving these challenges needs cooperation from various stakeholders including the government, civil society and other community members for enhancing implementation of the RTE Act so that all the learning needs, every child should be facilitated to have good quality education.

Regarding the Right to Education (RTE) Act, 2009 in India, it is imperative to note that the act needs to be enhanced to ensure that improvement of the quality of education being offered becomes a reality for children. Here follows some recommendations that can enhance the effective implementation of the Act:

**Figure 1:**
**Recommendations to enhance effective implementation of Rights to Education Act**




Increase Funding and Resources:

- *Schools should be provided with sufficient funds especially in areas such as rural and less privileged areas in order to improve the learning facilities, class, and teaching aids.*
- *To ensure the quality education is offered the provision of funds for training programs for teachers.*

Strengthen Teacher Recruitment and Training:

- *It should establish high standards of the teacher qualification to determine suitable candidates to teach the learners.*
- *Therefore, the authorities should ensure that all teachers undertake training and continue professional development to learn about new teaching methodologies and inclusion for children with disabilities.*

Improve Infrastructure:

- *There should be Kenya should ensure that all schools have some basic needs such as the provision of clean and safe water, sanitation, library, and play fields among others.*
- *Call for improvement and development of digital facilities that would enhance the uptake of technology and digital learning.*

Enhance Curriculum and Pedagogy:

- *Modify the content of the academic program with regard to the socio-economic conditions of the present state and potential employment opportunities.*
- *Most counties need to integrate life skills, critical thinking, and problem-solving to the curriculum.*

- *Promote forms of learning that involves participation and making of activities, during the learning process.*

Ensure Inclusivity and Accessibility:

- *Recommend procedures for implementing positive education for every child towards meeting the needs of children with disabilities.*
- *The government should sponsor scholarships to the needy and vulnerable students to minimize their dropout rates.*

Strengthen Monitoring and Accountability:

- *Besides, it should create a sound monitoring system to periodically check compliance with norms and standards set by RTE.*
- *Hold schools and educational authorities accountable for failures in implementation through regular audits and assessments.*

Promote Community Involvement:

- *In this we should involve the people of the community in the various school management committees so that the management focuses in the priority needs of the community.*
- *The third recommendation is, cans is to forge links with NGOs and private bodies for association in educational development.*

Address Dropout Rates

- *It implies that adequate measures should be taken to tackle the issue of early dropouts, including mentorship programs, after school programs and vocational training among others.*
- *People need to take awareness about education and its advantages at a later period in life, a few organizational awareness should be conducted.*

Enhance Teacher-Student Ratio:

- *One can also recommend a he decrease the number of students per teacher so as to provide special attention to all the learners.*
- *One, recommend that to effectively cater for large classes the university recruit more support staff for instance teachers' helpers.*

Focus on Early Childhood Education:

- *To make additional attempts in relation to the recommendations of this work means expanding the access to the early childhood education programs so that children are ready for school.*
- *Educators ought to ensure that early childhood teachers are well trained for better practice in education for a lifetime.*

Promote Gender Equality:

- *It has been said that the girls' schools enrolment should be promoted through policies meant to encourage their participation and retention in schools.*
- *There is the need to have special provision in schools to help girls with sanitation so as to avoid cases of dropping out from school due to early pregnancies and child care facilities for girls to use freely and safely to avoid cases of early pregnancies and such other related cases as being pregnant and dumped by their baby fathers, thus having to drop out of school to support for their babies.*

Leverage Technology:

- *To help the needy students, there should be the establishment of online classes and other teaching aids to enhance learning among the community, especially the one that is far from schools.*
- *Educate the teachers on how to use technology in their classroom practices.*

Policy and Legislative Reforms:

- *Ensure constant amendments of the RTE Act and make certain that they are compatible with the new challenges and the new techniques.*
- *This should be done in line with the changes that have been made to the provisions of the RTE Act, the SDGs and other international standards in education.*

Thus the improvement of the existing situation in these aspects may bring a qualitative change in the implementation of the Right to Education Act for India and all its children who should be provided with good preparation for the future.

## 4. CONCLUSION

The universal education promise of RTE requires exclusive policies that support children with disabilities. Every child must receive suitable support and resources according to the education included in disability irrespective of their physical abilities or cognitive levels. The government must establish complete guidelines for schools to receive children with disabilities and this must include training special teachers and furnish assistive technology. Campaigns promoting awareness about reducing discrimination against children with disabilities will encourage their integration in educational institutions.

The implementation of the Law of Education provides India with a strong foundation to advance educational rights but various obstacles prevent complete achievement of its goals. The implementation of RTE can be optimized substantially when authorities address infrastructure needs while enhancing teacher quality and closing social gaps and focusing education quality along with responsible measures and environmental inclusivity. These recommendations need full support from all stakeholders which includes governments together with educational authorities and community organizations. The implementation of significant advances should enable India to establish quality educational opportunities for all children without consideration of their social status in favorable learning settings.

## REFERENCES:

### JOURNALS AND BOOKS

1. Bajpai, A., 2018. Child rights in India: Law, policy, and practice. Oxford University Press.
2. Nambissan, G.B. and Ball, S.J., 2020. Advocacy networks, choice and private schooling of the poor in India. In Education and Social Justice in the Era of Globalisation (pp. 161-186). Routledge India.
3. Aithal, P.S. and Aithal, S., 2019. Analysis of higher education in Indian National education policy proposal 2019 and its implementation challenges. International Journal of Applied Engineering and Management Letters (IJAEML), 3(2), pp.1-35.
4. Nayak, J., Mishra, M., Naik, B., Swapnarekha, H., Cengiz, K. and Shanmuganathan, V., 2022. An impact study of COVID-19 on six different industries: Automobile, energy and power, agriculture, education, travel and tourism and consumer electronics. Expert systems, 39(3), p.e12677.
5. Duffy, R.M. and Kelly, B.D., 2019. India's Mental Healthcare Act, 2017: content, context, controversy. International Journal of Law and Psychiatry, 62, pp.169-178.
6. Kruks-Wisner, G., 2018. Claiming the state: Active citizenship and social welfare in rural India. Cambridge University Press.
7. Osborne Jr, A.G. and Russo, C.J., 2020. Special education and the law: A guide for practitioners. Corwin.
8. Rahman, T., 2020. Pakistani english. The handbook of Asian englishes, pp.279-296.
9. Chawla, N. and Kumar, B., 2022. E-commerce and consumer protection in India: the emerging trend. Journal of Business Ethics, 180(2), pp.581-604.
10. Muralidharan, K., Singh, A. and Ganimian, A.J., 2019. Disrupting education? Experimental evidence on technology-aided instruction in India. American Economic Review, 109(4), pp.1426-1460.
11. Divan, S. and Rosencranz, A., 2022. Environmental law and policy in India: cases and materials. Oxford University Press.
12. Bhat, R.M., 2022. Historical Review of Indian Constitution. Traditional Journal of Law and Social Sciences, 1(02), pp.100-110.

13. Chhibber, P.K. and Verma, R., 2018. Ideology and identity: The changing party systems of India. Oxford University Press.
14. Minow, M., 2019. A federal right to education: Fundamental questions for our democracy. NYU Press.
15. Pappas, M.A., Papoutsi, C. and Drigas, A.S., 2018. Policies, practices, and attitudes toward inclusive education: The case of Greece. Social sciences, 7(6), p.90.
16. Haldar, S.K., 2018. Mineral exploration: principles and applications. Elsevier.
17. Palvia, S., Aeron, P., Gupta, P., Mahapatra, D., Parida, R., Rosner, R. and Sindhi, S., 2018. Online education: Worldwide status, challenges, trends, and implications. Journal of global information technology management, 21(4), pp.233-241.
18. Chacko, P., 2018. The right turn in India: Authoritarianism, populism and neoliberalisation. Journal of Contemporary Asia, 48(4), pp.541-565
19. Amirapu, A. and Gechter, M., 2020. Labor regulations and the cost of corruption: Evidence from the Indian firm size distribution. Review of Economics and Statistics, 102(1), pp.34-48.
20. Mangal, S.K. and Mangal, U., 2019. Essentials of educational technology. PHI Learning Pvt. Ltd..

**STATUTES**

21. The Karnataka Education Act, 1983
22. Right of Children to Free and Compulsory Education Act (RTE) of 2009