The Law

The Right to Free and Compulsory Education Act, passed in India in 2009, mandated private unaided schools to reserve 25% seats for Economically weaker sections (EWS) and marginalised communities. Indus Action aims to understand state-level processes and monitor students enrolled under this Act.

Our Intervention

The Bright Spots Report (BSR) began in 2018 to capture best practices from across the country and share them forward so that they could be institutionalised within systems.

This report, categorised into two sections, examines its implementation in different states, offering insights, best practices, challenges, and recommendations to promote educational equity. Section I offers insight into key trends across states and recommendations by Indus Action on addressing some of the emergent gaps at the national level, while Section II of the report offers in-depth analysis across seven critical criteria of implementing Section 12(1)(c) across the 18 states and UTs where the law is enforced.

We bridge the gap between policy and action by easing welfare access to vulnerable citizens

indusaction.org
info@indusaction.org
The Results

Findings indicate that even the best-performing states have undersubscription to the available RTE 12(1)(c) seats. This finding is also substantiated by JPAL in Chhattisgarh.

States using online admission and monitoring processes effectively track students and secure high reimbursement approval from the central government.

There is a marginal decline in the number of children benefiting from this provision. This is likely to be the case due to low-budget private school closures during the pandemic.

As of February 2023, only 18 states have implemented RTE Section 12(1)(c), with several states and union territories yet to do so. Supreme Court issued a notice to the non-implementing states to implement the said provision.

School participation by private unaided schools varies significantly across implementing states. For example, over 70% of schools participate in states like Chandigarh, Chhattisgarh, Dadra and Nagar Haveli, Delhi, Gujarat, Madhya Pradesh, Rajasthan, and Odisha. In Bihar, Jharkhand, Maharashtra, Tamil Nadu and Uttarakhand, the participation rate is 30 to 70%, while states like Assam, Himachal Pradesh, Karnataka, Tripura, and Uttar Pradesh show limited participation, ranging from 0.3% to 20%. (2020-21 estimates)

Seventeen states have set per-child costs, with Chandigarh having the highest at Rs. 28,176, and Madhya Pradesh and Uttar Pradesh the lowest at Rs. 5500 and Rs. 5400.

Chandigarh, Delhi, Chhattisgarh, Uttarakhand, Gujarat, Odisha, Rajasthan, and Tamil Nadu. Certain states have active grievance redressal mechanisms for RTE 12(1)(c) implementation.