



A Comparative Analysis Of Nep 2020 And Right To Education Act 2009 Of Elementary Education In Odisha

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Abstract

Two major policies that have influenced elementary education in India are the Right to Education (RTE) Act of 2009 and the National Education Policy (NEP) 2020. The paper provides a comparative evaluation of the two policies, focusing on their key provisions, implementation strategies, and efforts to achieve universal access and enrolment in elementary education. The major objective of the study is To Compare the key Provisions of NEP 2020 and RTE Act, 2009 for elementary education in Odisha. Using The secondary data sources such as UDISE+, RTE Act 2009 and NEP 2020 official Documents, Peer-reviewed journals, policy reviews, and articles. The evaluation also explores implementation issues, policy flaws, and ways to make improvements so that every child receives a fair and excellent education. The findings of the study Reveals that RTE Act laid the foundation for access and equity, the NEP 2020 builds a more holistic and future-ready education framework, addressing both quality and inclusion more deeply. This study also includes infrastructure deficits, teacher shortages, administrative constraints, digital divides, and inadequate funding.

Key words: RTE 2009, NEP 2020, Elementary Education.

Introduction:

By 2025, the policy aims to make pre-primary education universal and places particular emphasis on everyone achieving foundational literacy and numeracy in primary school and beyond (Ministry of Education, 2020). The National Education Policy (2020) proposes numerous reforms at the school education level that aim to improve school quality, including curriculum transformation, including pedagogy with the 5+3+3+4 scheme extending to children aged 3-18 years, reform of the current exams and assessment structure, improvement of teacher training, and reform of the education regulatory structure. Among other things, it seeks to increase public spending on education, improve the use of technology, and increase the focus on adult and vocational education (Ministry of Education, 2020). It suggests that the curriculum burden in every subject must be minimized to its 'core essential' material by creating room for holistic, discussion, and analysis-based learning (National Education Policy, 2020). Access, Equity, Quality, Affordability, and Accountability are the five guiding pillars of the NEP 2020 (Ministry of Education, 2020). Young people will be prepared by the NEP 2020 to tackle the various domestic and global issues of the present and the future (Govindarajan, 2020).

Article 21-A was added to the Indian Constitution by the Constitution (86th Amendment) Act, 2002, establishing free and compulsory education for all children between the ages of 6 and 14 as a Fundamental Right in any format that the State may, by law, specify (Constitution of India, 2002). According to Kumar and Chavan (2015), the Right of Children to Free and Compulsory Education (RTE) Act, 2009, the consequential legislation envisioned under Article 21-A, all children are entitled to a full-time elementary education of satisfactory and equitable quality in certain minimum norms and standards. The RTE Act and Article 21-A became operative on April 1, 2010 (Ministry of Law and Justice, 2009). The phrase "free and compulsory" appears in the title of the RTE Act. "Free education" means that no child must pay any fees, charges, or expenses that could prevent them from pursuing and finishing elementary education, with the exception of children who have been enrolled by their parents in a school that is not supported by the relevant government (The RTE Act, 2009). "Compulsory education" requires the relevant government and local authorities to provide and guarantee that all children in the age range of 6 to 14 are admitted, attend, and complete their primary education (Nayak & Reddy, 2020). As a result, India has advanced to a rights-based strategy that requires the Central and State Governments to uphold this fundamental child right as specified in Article 21A of the Constitution, in accordance with the RTE Act's requirements (Ministry of Law and Justice, 2009).

Justification of the Study:

The National Education Policy (NEP) 2020, which aims to promote diversity, equity, and holistic development throughout all learning stages, represents a fundamental shift in India's educational environment. However, as highlighted by Sharma & Singh (2020), there exists a critical gap between policy intent and the realization of education as a fundamental right, particularly in promoting a public-funded, child-centric, and equitable learning environment. Their critique, grounded in capability theory and critical policy analysis, underscores the need to move beyond economic utilitarianism and reaffirm

education as a democratic and social imperative. Mandal (2024) contributes to this discourse by proposing an ideal roadmap for child education under NEP 2020, emphasizing the need for deeper dialogue around scientific, philosophical, and psychological approaches. Meanwhile, Bhowmik & Bhowmik (2021) draw attention to implementation hurdles, particularly in ensuring adequately trained and committed educators at the foundational level an essential factor in achieving the intended early childhood development goals. Nandi (2023) emphasizes the structural reforms envisioned in higher education, pointing to NEP's broader objective of aligning India's education system with the 2030 Sustainable Development Goals. Yet, this forward-looking agenda is challenged by operational realities on the ground, especially regarding inclusivity and access. Gandhi (2021) reinforces the importance of contextual adaptability in the face of disruptions such as the COVID-19 pandemic. The urgency of foundational literacy, community engagement, and support for disadvantaged groups becomes more apparent, reinforcing the role of NEP 2020 as both a policy response and a social commitment.

Objectives of the Study:

1. To Compare the provision of RTE Act, 2009 and NEP 2020 for elementary education in Odisha.
2. To Study the implementational challenges of RTE Act, 2009 and NEP 2020 frameworks.
3. To evaluate the progress of Odisha in achieving universal access and enrolment in elementary education, and in reducing dropout rates at the secondary level from 2009–10 to 2021–22, in the context of RTE Act, 2009.

Methodology:

This study adopts a Descriptive research design to analyze and compare the impact of the Right to Education Act (RTE), 2009 and the National Education Policy (NEP), 2020 on elementary education in Odisha. Using The secondary data sources such as UDISE+, RTE Act 2009 and NEP 2020 Documents, Peer-reviewed journals, policy reviews, and research articles.

Analysis and Discussion:

Objective:1 Key Provisions of NEP 2020 and RTE Act, 2009 for Elementary Education in Odisha.

- ❖ By establishing free and compulsory education as a legislative right for children aged 6 to 14 under Article 21A of the Constitution, the Right to Education (RTE) Act, 2009 marks a significant milestone in India's commitment to universal basic education. The National Education Policy (NEP) 2020, on the other hand, adopts a more comprehensive and forward-thinking strategy with the goal of changing the entire educational system by incorporating students between the ages of three and eighteen, thus expanding coverage to include both secondary education and early childhood care and education (ECCE).
- ❖ This expansion is particularly important for Odisha, where early learning opportunities in rural and tribal areas remain inconsistent.
- ❖ RTE's curriculum was structured according to the conventional 10+2 system, with the addition of Continuous and Comprehensive Evaluation (CCE) to change the emphasis from memorization. This is replaced by a more age-appropriate 5+3+3+4 framework in NEP 2020, which incorporates the Foundational Stage (ages 3–8) and directly addresses the learning crises in the early grades, a recurring problem in many government schools in Odisha. In Odisha, where ASER surveys have indicated poor learning outcomes, NEP's emphasis on competency-based, experiential learning that is more in line with practical skills and fundamental literacy and numeracy is a welcome change.
- ❖ When it comes to teachers, the RTE Act prescribed minimum teacher qualifications and set pupil-teacher ratios, but challenges like vacancies and untrained staff have persisted, especially in Odisha's remote districts. NEP builds upon these foundations by focusing on teacher education reform,

continuous professional development, and the integration of technology and blended learning tools. Odisha has already started NEP-aligned teacher training through DIETs and SCERT.

❖ Regarding infrastructure, RTE set mandatory norms such as toilets, drinking water, classrooms, and boundary walls. Odisha made notable progress under schemes like SSA and RMSA, but gaps still exist. NEP 2020 introduces the concept of “school complexes” or clusters, promoting the sharing of resources among neighbouring schools, which could especially benefit small or single-teacher schools in tribal belts of Odisha.

❖ In terms of inclusion, RTE aimed at bridging educational gaps by mandating a 25% reservation in private unaided schools for disadvantaged children and ensuring gender equity. NEP furthers this agenda by proposing Special Education Zones (SEZs) and launching a Gender Inclusion Fund to improve educational access and outcomes for girls and other marginalized groups. These are relevant for Odisha, which still struggles with dropouts among tribal girls and children with disabilities.

❖ Language of instruction is another area of policy evolution. While RTE did not clearly mandate medium of instruction, NEP 2020 strongly advocates for mother tongue or regional language as the medium of instruction till at least Grade 5 (preferably till Grade 8). This aligns well with Odisha’s multilingual demographics, especially in areas with tribal dialects, making learning more relatable and effective for young children.

❖ On the governance front, RTE emphasized community participation through School Management Committees (SMCs). NEP continues this participatory approach but adds a layer of school leadership development, decentralized governance, and real-time data monitoring. Odisha has taken initial steps to strengthen school leadership under the NEP rollout.

❖ Lastly, in terms of monitoring and accountability, RTE relied heavily on manual inspections and compliance audits, whereas NEP promotes digital dashboards and real-time tracking systems. Odisha’s use of UDISE+ is a positive move toward this, though full integration remains a work in progress.

Discussion: RTE Act laid the foundation for access and equity, the NEP 2020 builds a more holistic and future-ready education framework, addressing both quality and inclusion more deeply. Odisha’s implementation of these policies shows encouraging progress, but effective outcomes will depend on localized strategies, capacity building, and sustained investments in the state’s education infrastructure.

Objective-2: The Implementational Challenges of Both Frameworks (RTE Act, 2009 and NEP 2020) in Odisha.

❖ The implementation of both the Right to Education (RTE) Act, 2009 and the National Education Policy (NEP), 2020 has faced a range of challenges in Odisha, shaped by regional disparities, socio-economic factors, and administrative capacity. Although the RTE Act established a strong legal foundation for universal elementary education, its execution has been uneven. A primary challenge has been infrastructure shortfalls—many schools, particularly in tribal and remote areas, still lack basic facilities such as toilets, clean drinking water, and electricity, despite the minimum norms prescribed under the Act. While schemes like Sarva Shiksha Abhiyan (SSA) and Samagra Shiksha were launched to bridge these gaps, funding and maintenance remain inconsistent across districts.

❖ A significant issue under the RTE framework has been the shortage of trained teachers, along with pupil-teacher ratio imbalances in rural and tribal blocks. Many schools in interior Odisha still operate with single teachers, and teacher absenteeism further disrupts learning. Moreover, the Continuous and Comprehensive Evaluation (CCE) system mandated by RTE was not well-understood or effectively implemented, resulting in a lack of genuine assessment reforms. The 25% reservation for disadvantaged children in private unaided schools also witnessed weak enforcement, partly due to limited awareness, administrative bottlenecks, and resistance from private institutions.

❖ The implementation of NEP 2020, although more recent, also presents unique challenges. First, the shift to the new 5+3+3+4 curriculum structure demands overhauling existing school systems, retraining teachers, and developing new learning materials. Odisha has begun pilot projects in some districts, but scaling statewide remains a logistical and financial hurdle. Early Childhood Care and Education (ECCE), introduced as a foundational component, faces infrastructure gaps—most

Anganwadi centers lack trained staff and age-appropriate pedagogical materials, despite efforts under the Mission Shakti and WCD Departments.

❖ Language policy under NEP, which advocates instruction in the mother tongue/local language till Grade 5, is culturally suitable for Odisha, but developing multilingual content and training teachers in local dialects remains a major task. Odisha's tribal belts have high linguistic diversity, which complicates uniform implementation. Moreover, the use of technology in classrooms—promoted under NEP for blended and digital learning—is uneven, as many schools lack internet access, digital devices, or even reliable electricity.

❖ Another key barrier is capacity building at all levels—from school leaders and SMCs to district-level administrators. NEP calls for a more decentralized and autonomous governance model, but Odisha, like many states, still operates under a highly centralized structure with limited resources for local-level innovation. Monitoring mechanisms under RTE were largely manual and reactive; while NEP promotes real-time, data-driven dashboards, Odisha's use of platforms like UDISE+ is still evolving, and data quality remains inconsistent.

❖ Financial constraints are another major bottleneck. NEP 2020 envisions a 6% of GDP allocation for education, but in practice, budgetary allocations for elementary education in Odisha have fluctuated, limiting the rollout of new reforms, especially in backward districts. Moreover, community participation, though mandated under both frameworks, often remains passive, with School Management Committees (SMCs) either inactive or poorly trained in many rural areas.

Discussion:

Both RTE and NEP provide strong policy frameworks, their effective implementation in Odisha is challenged by infrastructure gaps, teacher shortages, administrative limitations, technological inequality, and insufficient funding. For NEP 2020 to succeed where RTE faced bottlenecks, Odisha must adopt a phased, region-specific strategy, supported by capacity-building, stakeholder engagement, and sustained investment in foundational systems.

Objective-3. Progress of Odisha in achieving universal access and enrolment in elementary education, and in reducing dropout rates at the secondary level from 2009–10 to 2021–22, in the context of the Right to Education Act, 2009.

Table-2: Universal Access, Enrolment and Dropout under the Right to Education Act, 2009 in the context of Odisha:

Academic Year	Universal Access (%)	Enrolment (%)	Dropout Rate (%) (Secondary Level)
2009-10	93% (National data; Odisha slightly lower)	93% (Elementary)	50% (Estimate, Secondary)
2010-11	95%	95%	48%
2011-12	96%	96%	45%
2012-13	97%	97%	42%
2013-14	98%	98%	39%
2014-15	98%	98%	37%
2015-16	98%	98%	35%
2016-17	98.5%	98.5%	32%

2017-18	98.5%	98.5%	30%
2018-19	99%	99%	28%
2019-20	99%	99%	27%
2020-21	99% (Elementary)	99% (Elementary); 89% (Secondary Gross Enrolment Ratio)	27.3% (Highest in India)
2021-22	100% (Elementary Universalization Achieved per reports)	100% (Elementary); 89.3% (Secondary GER)	27.29% (Secondary Level)

[Source: UDISE+ 2021-22 reports, Government of Odisha Education Department releases, Press Information Bureau (PIB), The New Indian Express educational coverage (2024-2025)]

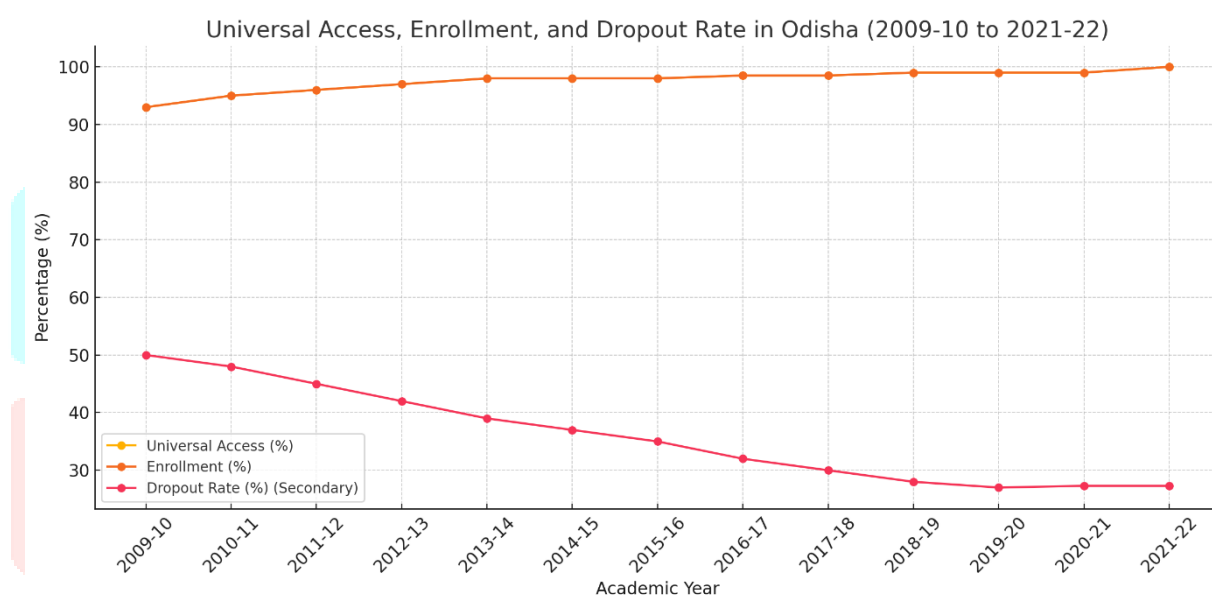


Figure-1: Showing Universal Access, Enrolment and Dropout under the Right to Education Act, 2009 in the context of Odisha

The data shows a steady improvement in both universal access and enrolment rates in education over the years, particularly at the elementary level in Odisha. Starting around 93% in 2009-10, universal access and enrolment rates increased consistently, reaching near universalization at the elementary level by 2020-21 and reportedly achieving full universalization by 2021-22. However, the secondary level presents a contrasting picture. Although there is progress in secondary enrolment, with the Gross Enrolment Ratio (GER) improving to 89.3% by 2021-22, the dropout rates at the secondary level remain a significant concern. Despite a gradual decline from an estimated 50% in 2009-10 to around 27.29% in 2021-22, Odisha still records one of the highest dropout rates in India. This highlights a critical gap between enrolment and retention at the secondary level, indicating that while access to education has expanded, sustained participation and completion, especially beyond the elementary stage, require further focused interventions.

Conclusion:

A comparison of the two laws reveals that the National Education Policy (NEP) of 2020 and the Right to Education (RTE) Act of 2009 were essential in creating the foundation of basic education in India. While the RTE Act established a legally binding entitlement to free and compulsory education for children aged 6 to 14, NEP 2020 enhances this vision by emphasizing quality, inclusion, and integrated development throughout the whole school continuum, from early life to secondary schools. A historic shift toward a rights-based strategy that prioritized enrolment, infrastructure, and access was started by the RTE Act.

However, its excessive reliance on input-based standards tended to overlook crucial components like learning outcomes, the caliber of teachers, and inclusive education for kids with special needs. By encouraging competency-based learning, basic reading and numeracy, teacher education changes, and the integration of early childhood care and education (ECCE) into the official school system, NEP 2020, on the other hand, aims to address these shortcomings. Although NEP 2020 has an ambitious ambition, its consistent execution across states is unclear because it is a policy document rather than a legally binding mandate. To accomplish its goals, it must overcome the fragmentation of governance, digital divides, teacher preparedness, and the viability of significant structural changes. However, issues including limited parental involvement, a lack of continuity focus in secondary education, and inadequate inclusive education initiatives continue to plague RTE. Congruence between the RTE Act's legal enforcement and NEP 2020's progressive and holistic vision is critically needed if fair, inclusive, and high-quality elementary education is to reach India. It will be necessary for policymakers to guarantee teacher capacity building, close the disparities between access and learning results, and encourage local involvement in school governance. India's educational system may undergo revolutionary and long-lasting improvements with a synergistic approach that incorporates the best aspects of both models.

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