

# INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

---

Volume 8 | Issue 5

---

2025

© 2025 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

---

This article is brought to you for free and open access by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of **any suggestions or complaints**, kindly contact [support@vidhiaagaz.com](mailto:support@vidhiaagaz.com).

---

**To submit your Manuscript** for Publication in the **International Journal of Law Management & Humanities**, kindly email your Manuscript to [submission@ijlmh.com](mailto:submission@ijlmh.com).

---

# Challenges in Execution of Right to Education in Maharashtra: An Overview

---

DR. MEHKARKAR GAJANAN SONAPPA<sup>1</sup> AND AISHWARYA PRAMOD ATHAWALE<sup>2</sup>

## ABSTRACT

*The Right to Education (RTE) Act, 2009, marked a significant milestone in India's efforts to provide free and compulsory education to all children aged 6 to 14. Maharashtra, as one of the most progressive states in India, has made substantial progress in implementing the RTE Act. However, despite these strides, the state faces numerous challenges to implement the soul essence of RTE. These include issues related to access to higher education, skill development gaps, teacher training, and infrastructural inadequacies. The learning losses, indicates violation of educational guarantees under Article 21-A. To overcome these challenges, Maharashtra needs to strengthen legal frameworks, improve digital infrastructure, enhance teacher training, and ensure continuous access to quality education for all children.*

**Keywords:** Education, Right to Education, Literacy Rate, Article 21A)

## I. INTRODUCTION

The Right to Education (RTE) Act, 2009, was enacted with the objective of ensuring universal access to education for all children in India, particularly those aged 6 to 14 years. This act makes education a fundamental right under Article 21-A of the Indian Constitution, emphasizing equitable and inclusive education as a cornerstone for the nation's development. Maharashtra, known for its progressive stance in various sectors, has made considerable efforts to uphold the provisions of the RTE Act. The state has focused on expanding access to both primary and higher education, addressing skill gaps, and improving educational infrastructure.<sup>3</sup>

However, despite these achievements, Maharashtra's education system continues to grapple with significant challenges. The disparity in education quality is a persistent issue, that delves into the execution of the RTE in Maharashtra, analyzing both the progress made and the systemic barriers that hinder its full realization.

---

<sup>1</sup> Author is an Associate Professor at K.B.C.N.M.U. Dr. Babasaheb Ambedkar Memorial Law College, Dhule, India.

<sup>2</sup> Author is a Research Scholar at K.B.C.N.M.U. Dr. Babasaheb Ambedkar Memorial Law College, Dhule, India.

<sup>3</sup> THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009.

## II. SCOPE OF THE RIGHT TO EDUCATION (RTE) ACT

The **Right to Education (RTE) Act** was enacted with the primary aim of providing free and compulsory education to all children aged 6 to 14 years. Its broader goal is to ensure equitable, inclusive, and quality education across the country, including Maharashtra. However, several challenges impact the realization of these aims.

### Objectives of RTE:<sup>4</sup>

1. **Universal Access to Education:** The RTE Act mandates that every child has the right to education, emphasizing the need for schools to be available within a reasonable distance from their homes. It aims to eliminate geographical barriers and ensure that all children, regardless of their location, have access to a school.
2. **Equitable Access for Marginalized Groups:** The Act places special emphasis on children from economically weaker sections (EWS) and disadvantaged communities, mandating that 25% of seats in private schools are reserved for these children. The goal is to reduce educational disparities and integrate children from all backgrounds into mainstream education.<sup>5</sup>
3. **Improvement in Quality of Education:** The RTE Act aims not only at access but also at improving the quality of education by mandating pupil-teacher ratios, training for teachers, adequate infrastructure, and age-appropriate curricula. It seeks to create a conducive learning environment and enhance learning outcomes.<sup>6</sup>
4. **Non-Discrimination and Inclusivity:** One of the Act's fundamental principles is the elimination of discrimination based on caste, gender, religion, or economic status. It strives to create an inclusive education system where all children, particularly those from marginalized groups, receive equal opportunities to learn.<sup>7</sup>

## III. CONSTITUTIONAL FRAMEWORK OF RIGHT TO EDUCATION IN MAHARASHTRA

The Right to Education (RTE) Act, 2009, marked a transformative moment in India's educational landscape by making free and compulsory education a fundamental right for children aged 6 to 14 years. It was enacted in alignment with Article 21-A of the Indian Constitution, which obligates the state to provide this right. In Maharashtra, a state known for

---

<sup>4</sup> Right to Education in India (1st Vol) Hardcover – 1 January 2016 by Dr Jayanta Mete Dr Ajit Mondal (Author)

<sup>5</sup> DEEPA IDNANI, RIGHT TO EDUCATION AND SCHOOLING (2017), <https://www.rawatbooks.com/human-rights/right-to-education-and-schooling>.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

its progressive social and educational policies, the implementation of the RTE has achieved substantial milestones, but challenges remain that needs to be ruled out to give the quality education to students.<sup>8</sup>

**i. Article 21-A and the RTE Act, 2009**

Article 21-A, inserted into the Indian Constitution by the 86th Constitutional Amendment Act of 2002, mandates that the state shall provide free and compulsory education to children between the ages of 6 and 14 years. The RTE Act, 2009, operationalizes this constitutional mandate, setting forth a comprehensive framework for delivering quality education to children. Provisions of the RTE Act include:<sup>10</sup>

- a. **Admission to age-appropriate classes:** The act ensures that children who have either never been to school or have dropped out are enrolled in classes appropriate to their age, helping them integrate into the mainstream education system.
- b. **Student-teacher ratio:** To ensure effective learning, the act mandates a student-teacher ratio of 30:1 in primary schools and 35:1 in upper primary schools.
- c. **Prohibition of physical punishment:** The act prohibits physical punishment, mental harassment, and expulsion of children from school.
- d. **25% reservation in private schools:** One of the most significant provisions of the RTE Act is the requirement for private unaided schools to reserve 25% of their seats for children from economically weaker sections (EWS), ensuring access to quality education for marginalized groups.

**ii. Implementation of the RTE in Maharashtra**

Maharashtra has demonstrated a strong commitment to implementing the RTE, focusing on increasing enrollment rates and enhancing educational infrastructure. The state's efforts include the establishment of numerous government schools. The School Education and Sports Department in Maharashtra is responsible for overseeing the execution of the RTE provisions, ensuring that schools comply with the standards set by the act.

**iii. The need to Strengthening the Right to Education (Article 21-A)**

To address the ongoing challenges and ensure that the RTE fulfills its mandate, certain measures

---

<sup>8</sup> (No date) *School education | government of India, Ministry of Education*. Available at: <https://www.education.gov.in/rte> (Accessed: 12 October 2025).

<sup>9</sup> (No date a) *NCERT*. Available at: <https://ncert.nic.in/dee/pdf/guidelines16.12.2013.pdf> (Accessed: 12 October 2025).

<sup>10</sup> *RTE-meaning, objectives, features, significance and limitations!* (no date) *Testbook*. Available at: <https://testbook.com/ias-preparation/right-education-act-rte> (Accessed: 12 October 2025).

can be considered:<sup>11</sup>

- a. **Mandating alternative education during emergencies:** The need for a legal framework mandating the provision of alternative education systems, such as online or community-based platforms, to ensure learning continuity during crises.
- b. **Setting standards for remote learning:** Laws should be introduced to regulate the quality of education, ensuring that students receive the same level of education as they would in physical classrooms.

#### **IV. LEGAL PROTECTION AND JUDICIAL INTERVENTIONS IN MAHARASHTRA: SAFEGUARDING THE RIGHT TO EDUCATION (RTE)**

The judiciary has played a pivotal role in ensuring the protection and proper implementation of the Right to Education (RTE) Act, 2009, in Maharashtra. Through landmark judgments and active judicial interventions, both the Supreme Court of India and various High Courts have reinforced the right to free and compulsory education for children aged 6 to 14 years. Maharashtra, a progressive state with a strong legal and educational framework, has witnessed several significant judicial and governmental actions aimed at enforcing RTE provisions, especially in relation to equitable access to quality education.<sup>12</sup>

##### **i. Judicial Interventions in RTE**

The judiciary's involvement has been critical in addressing gaps in the implementation of RTE provisions. Courts have played a proactive role in ensuring that children, particularly those from marginalized and economically weaker sections, are not deprived of their constitutional right to education. Some judicial interventions include:<sup>13</sup>

- a. **25% Reservation in Private Schools:** One of the most notable provisions of the RTE Act is the mandatory 25% reservation for children from economically weaker sections (EWS) in private unaided schools. This provision aims to ensure equitable access to quality education for all children, regardless of their socio-economic background. The courts have upheld this provision in numerous cases across India, including Maharashtra, and have issued rulings that mandate strict compliance by private

---

<sup>11</sup> Shriram Yerankar, *Implementation of Right to Education in Maharashtra: Issues and Challenges*, 76 THE INDIAN JOURNAL OF POLITICAL SCIENCE 45 (2015).

<sup>12</sup> Vikas Motewar vs The State Of Maharashtra And 5 Ors on 15 March, 2017- <https://pwnonlyias.com/mains-answer-writing/the-right-to-education-act-designed-to-protect-the-rights-of-children-is-now-being-used-to-enable-private-schools-to-exclude-the-poor>.

<sup>13</sup> Mahawar, S. (2022) *Article 21A of the Indian Constitution*, iPleaders. Available at: <https://blog.ipleaders.in/article-21a-of-indian-constitution/> (Accessed: 12 October 2025).

institutions. In cases where schools refused to admit children under this quota or demanded additional fees, the courts have intervened to protect the rights of the students and ensure that schools fulfill their obligations under the RTE Act.<sup>14</sup>

- b. **Infrastructure and Quality of Education:** The RTE Act mandates that schools maintain certain infrastructure standards, including classrooms, sanitation facilities, drinking water, and playgrounds. The courts have taken a firm stand in cases where schools, particularly in rural areas, lacked basic infrastructure. Judicial interventions have compelled the government to allocate resources for the construction and renovation of school buildings and ensure compliance with the prescribed standards. In some cases, courts have directed local authorities to submit reports on the status of school infrastructure and take immediate remedial actions where necessary.<sup>15</sup>
- c. **Teacher-Student Ratio:** The RTE Act mandates a student-teacher ratio of 30:1 in primary schools and 35:1 in upper primary schools. Courts have taken action in cases where this ratio has not been met, particularly in underfunded and rural schools in Maharashtra. These judicial interventions have compelled the government to recruit additional qualified teachers and reduce the student-teacher ratio to ensure effective teaching and learning.<sup>16</sup>

## ii. Legal Protection for Education in Maharashtra

The Maharashtra government, in collaboration with the judiciary and other stakeholders, has taken several steps to strengthen legal protections for children's education rights under the RTE Act. These initiatives are designed to address gaps in implementation and ensure that children's right to education is upheld at every level.<sup>17</sup>

- a. **Maharashtra State Commission for Protection of Child Rights (MSCPCR):** The MSCPCR plays a crucial role in monitoring and safeguarding the rights of children in Maharashtra, including the right to education. This statutory body is empowered to take suo moto cognizance of cases where children's educational rights are violated. The MSCPCR works closely with the state government and educational authorities to

---

<sup>14</sup> (No date a) *MECHANISMS FOR IMPLEMENTATION OF 25% RESERVATION IN PRIVATE SCHOOLS*. Available at: <https://www.schoolchoice.in/campaigns/analysis/25pc-reservation-mechanism.pdf> (Accessed: 12 October 2025).

<sup>15</sup> (No date a) *The impact of school infrastructure on learning*. Available at: <https://files.eric.ed.gov/fulltext/ED604388.pdf> (Accessed: 12 October 2025).

<sup>16</sup> Amandeep Shukla, *New Education Policy 2020: NEP Focus on Healthy Pupil-Teacher Ratio*, HINDUSTAN TIMES, July 30, 2020, <https://www.hindustantimes.com/education/new-education-policy-2020-nep-focus-on-healthy-pupil-teacher-ratio/story-2ut28s1sobYpKHMY5wcQuK.html>.

<sup>17</sup> Rajesh Ranjan, *Bombay High Court Judgement Celebrates The Purpose Of Right To Education*, Aug. 6, 2024, <https://www.livelaw.in/articles/bombay-high-court-judgement-celebrates-purpose-right-education-265797>.

address grievances related to admissions, discrimination, and denial of access to education. The commission has been instrumental in creating awareness about the RTE Act and ensuring that schools comply with its provisions.

- b. **Grievance Redressal Mechanisms:** Maharashtra has established special grievance redressal mechanisms for parents and guardians whose children face difficulties in accessing education. These mechanisms allow parents to lodge complaints regarding denial of admission, violation of the 25% EWS quota, poor infrastructure, or any other issues related to the RTE Act. The government has set up dedicated helplines and online portals to address grievances swiftly. Additionally, District Education Officers (DEOs) and local education bodies are empowered to resolve disputes and ensure that children's rights are protected.

## V. FOUNDATIONAL LITERACY IN MAHARASHTRA: CHALLENGES AND PROGRESS

Foundational literacy, which refers to the ability of children to read, write, and perform basic mathematical operations by the early primary school years, is critical to a child's educational development. In Maharashtra, efforts to improve foundational literacy rates have shown some progress, but substantial challenges remain. The 2022 Annual Status of Education Report (ASER) highlighted key issues related to literacy levels, revealing a mixed picture of advancements and enduring gaps.<sup>18</sup>

### i. Current Status of Foundational Literacy in Maharashtra

According to the 2022 ASER findings, Maharashtra is making strides in improving literacy and numeracy skills among young children, yet a large portion still struggles with basic competencies:<sup>19</sup>

- a. Approximately 50% of children in Grade 3 were unable to read a Grade 2-level text.
- b. Foundational numeracy skills also lag, with many children unable to perform basic arithmetic operations appropriate for their grade level.

These findings indicate that while there has been progress, a significant proportion of children are not acquiring the foundational skills necessary for further educational success. The reasons for these gaps include both structural and socio-economic factors.

---

<sup>18</sup> *Ensuring foundational literacy and numeracy in the ...* Available at: [https://education.gov.in/sites/upload\\_files/mhrd/files/The Report - G20 @ Pune.pdf](https://education.gov.in/sites/upload_files/mhrd/files/The Report - G20 @ Pune.pdf) (Accessed: 12 October 2025).

<sup>19</sup> *New Guidelines after ASER 2023 Report: Surprise Inspection, Random Tests to Check Learning of Students in Govt Schools*, THE INDIAN EXPRESS, Feb. 5, 2024, <https://indianexpress.com/article/cities/mumbai/new-guidelines-aser-report-inspection-learning-students-govt-schools-9137543/>.

## ii. Learning Loss in Maharashtra: Causes, Reports, and Impacts

The learning loss has significantly affected educational outcomes in Maharashtra, limited access to digital resources, and socioeconomic disparities have exacerbated the issue, leading to a notable decline in foundational literacy and numeracy. Multiple reports, such as the Annual Status of Education Report (ASER) 2022, the UNICEF Learning Loss Report 2022, and the National Achievement Survey (NAS) 2021, have documented this educational setback in the state.

### Reports Highlighting Learning Loss in Maharashtra

1. **Annual Status of Education Report (ASER) 2022:** The ASER 2022 report, published by Pratham, is a comprehensive analysis of learning outcomes across India, including Maharashtra. The report presents data on foundational literacy and numeracy, showing a substantial decline in performance due to school closures during the pandemic. Findings from Maharashtra include:<sup>20</sup>
  - a. A significant portion of children in Grade 3 were unable to read basic texts appropriate for Grade 2, indicating a severe loss in foundational literacy.
  - b. A similar pattern emerged in mathematics, where students struggled with basic arithmetic operations that were once part of their grade-level competencies.
  - c. Children in rural areas faced more severe learning loss compared to their urban counterparts due to poor access to digital learning tools and a lack of educational resources at home.

The ASER report underscores that learning loss has been particularly high among disadvantaged children, highlighting the challenges faced by students from low-income families in accessing remote education.

2. **UNICEF Learning Loss Report (2022):** The UNICEF Learning Loss Report (2022) offers a global perspective on the educational setbacks, with insights into how the crisis unfolded in Maharashtra. Key points related to Maharashtra include:<sup>21</sup>
  - a. The worsened educational inequalities, had limited access to remote learning platforms, further deepening the existing digital divide.
  - b. School closures disproportionately impacted economically disadvantaged

---

<sup>20</sup> *Aser 2023: Beyond basics - ASER: Annual status of education report* (no date) ASER. Available at: <https://asercentre.org/aser-2023-beyond-basics/> (Accessed: 12 October 2025).

<sup>21</sup> (No date a) *Global annual results report 2022: Goal area 2 | unicef*. Available at: <https://www.unicef.org/reports/global-annual-results-report-2022-goal-area-2> (Accessed: 12 October 2025).

students, as many lacked the necessary infrastructure—such as stable internet, devices, or even electricity—to participate in online learning.

- c. The report emphasized that Maharashtra’s educational recovery will require targeted interventions for marginalized students to bridge the widened learning gap.

UNICEF stressed the need for remedial education programs and teacher training to mitigate the long-term effects of learning loss.

3. **National Achievement Survey (NAS) 2021:** The **NAS 2021**, conducted by the Ministry of Education, assessed the learning levels of students across India, including Maharashtra. The survey covered multiple subjects and grades, providing detailed insights into the scale of learning loss in the state. It include:<sup>22</sup>

- a. A noticeable decline in student performance across language and mathematics. The NAS results reflected a drop in the ability to comprehend texts and perform basic math tasks.
- b. Primary school students exhibited the most pronounced learning loss, especially in literacy skills, with many failing to meet pre-pandemic benchmarks.
- c. Rural students and those from economically weaker sections were the most affected, as they faced disruptions in both access to education and the quality of teaching.

The NAS report recommends that states like Maharashtra prioritize the rebuilding of foundational skills and implement accelerated learning programs to compensate for lost learning time.

### iii. **Impacts of Learning Loss on Maharashtra's Educational Goals**

a. **Compromised Quality of Education:** The Right to Education (RTE) Act, which operationalizes Article 21-A of the Indian Constitution, mandates not just access to education but also quality education. The learning loss significantly impacted the quality of education provided in Maharashtra, particularly in the areas of foundational literacy and numeracy. The ASER 2022 and NAS 2021 both indicate a failure to meet the educational standards set under Article 21-A during the pandemic, undermining the progress made towards universal access to quality education.<sup>23</sup>

---

<sup>22</sup> <https://nas.gov.in/report-card/2021>

<sup>23</sup> Diganth Raj Sehgal, *Legal Position and Interpretation of Article 21A*, iPLEADERS (Mar. 23, 2021),

1. **Increased Educational Inequality:** Learning loss has widened educational inequalities in Maharashtra, especially between rural and urban areas, and between economically weaker sections and more affluent students. Children from marginalized backgrounds faced the brunt of the digital divide, lack of resources, and absence of remedial programs, which exacerbated pre-existing disparities. This inequality in access and learning outcomes is in direct violation of the RTE's principle of equitable education for all.<sup>24</sup>
2. **Delayed Progress in Foundational Literacy and Numeracy:** The pandemic-induced learning loss has delayed the achievement of foundational literacy and numeracy goals, which are critical for the future educational success of students. Programs like NIPUN Bharat, which aim to achieve universal foundational literacy by 2025, have been slowed by the need to address learning loss first. The decline in reading and math skills observed in the ASER 2022 report and NAS 2021 suggests that Maharashtra will need to intensify its efforts to meet these targets.<sup>25</sup>

#### IV. CHALLENGES IN THE IMPLEMENTATION OF RTE IN MAHARASHTRA

The Right to Education (RTE) Act, enacted in 2009, aimed to provide free and compulsory education to children aged 6-14 years across India. While Maharashtra, one of India's more developed states, has made strides in improving access to education, the state faces numerous challenges in fully realizing the goals of the RTE Act. The quality of education and equitable access, especially in rural and underserved areas, remain areas of concern. These are the challenges impeding the effective implementation of the RTE in Maharashtra.<sup>26</sup>

##### 1. Teacher Quality and Training

**a. Inadequate Teacher Training:** One of the critical challenges is the lack of proper teacher training, especially in rural and remote areas. Many teachers lack exposure to modern pedagogical methods, which hampers their ability to address diverse learning needs. This results in poor teaching methods, affecting the overall quality of education.<sup>27</sup>

---

<https://blog.ipleaders.in/legal-position-and-interpretation-of-article-21a/>.

<sup>24</sup> Carla Haelermans et al., *Sharp Increase in Inequality in Education in Times of the COVID-19-Pandemic*, 17 PLOS ONE e0261114 (2022).

<sup>25</sup> (No date a) *Foundational literacy and numeracy report*. Available at: <https://eacpm.gov.in/wp-content/uploads/2023/02/FLN-report-For-Web.pdf> (Accessed: 12 October 2025).

<sup>26</sup> Admin (2016) *RTE Act implementation in Maharashtra - shiksha adalat, Students Islamic Organisation of India: SIO India*. Available at: <https://sio-india.org/rte-act-implementation-in-maharashtra-shiksha-adalat/> (Accessed: 12 October 2025).

<sup>27</sup> Lukmaan IAS (2024) *How state governments have undermined right to education - Lukmaan IAS Mains Focus, Lukmaan IAS*. Available at: <https://blog.lukmaanias.com/2024/08/17/how-state-governments-have-undermined-right-to-education> (Accessed: 12 October 2025).

**b. Vacancies in Teaching Positions:** The shortage of teachers is particularly acute in rural and tribal areas. Many schools operate with fewer teachers than the mandated student-to-teacher ratio (30:1 for primary and 35:1 for upper primary), leading to overcrowded classrooms and a lack of personalized attention for students. The teacher shortage directly impacts the learning outcomes, especially in marginalized communities where the need for individual attention is higher.<sup>28</sup>

**c. Teacher Shortage and Quality:** The shortage of qualified teachers further exacerbates the issue. In many schools, particularly in rural Maharashtra, the RTE-mandated student-teacher ratio is not followed due to inadequate staffing. Moreover, teacher training programs remain insufficient, leading to poor pedagogical quality and ineffective teaching methods.<sup>29</sup>

## 2. The Digital Divide

**a. Unequal Access to Digital Tools:** Maharashtra's urban areas have made greater strides in adopting digital learning compared to rural areas. The COVID-19 pandemic exposed the stark digital divide, with students in rural regions having limited access to digital devices and the internet. This unequal access hindered students from benefiting from online learning, further exacerbating educational inequalities.

**b. Government Initiatives and Limitations:** Although the government has launched initiatives like e-learning platforms and technology-driven education, their successful implementation remains confined to urban and well-equipped schools. In rural areas, many students remain without the tools necessary for digital learning, highlighting a critical gap in educational infrastructure.<sup>30</sup>

## 3. Assessment and Accountability

**a. Ineffective Assessment Methods:** The current assessment system focuses heavily on rote learning rather than fostering critical thinking and problem-solving skills. The Continuous and Comprehensive Evaluation (CCE) system, while implemented in theory, has not been effectively enforced. As a result, students often memorize content without understanding core concepts, leading to poor learning outcomes.

---

<sup>28</sup> Roshan Melwyn Lobo & Roshan Melwyn Lobo, *RTE ACT 2009 AND ISSUES IN ITS IMPLEMENTATION*, IJCRT - INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT) (2022), [https://ijcrt.org/viewfull.php?&p\\_id=IJCRT2204577](https://ijcrt.org/viewfull.php?&p_id=IJCRT2204577).

<sup>29</sup> *Teacher shortage – the tip of the iceberg – teacher plus*. Available at: <https://teacherplus.org/2011/cover-story/teacher-shortage---the-tip-of-the-iceberg/> (Accessed: 12 October 2025).

<sup>30</sup> *Digital Divide in schools in India: Challenges and solutions | education for all in India*. Available at: <https://educationforallinindia.com/digital-divide-in-schools-in-india-challenges-and-solutions/> (Accessed: 12 October 2025).

**b. Lack of Accountability:** Effective monitoring of school performance is lacking. There is insufficient accountability when it comes to ensuring compliance with the RTE Act, and the mechanisms for tracking student progress or teacher effectiveness are weak. This leads to a lack of motivation for improvement and affects the overall quality of education provided.<sup>31</sup>

#### 4. Low Enrollment in Private Schools Under the RTE Quota

The RTE Act mandates that 25% of seats in private schools be reserved for children from economically weaker sections (EWS) and disadvantaged groups. However, in Maharashtra, the implementation of this provision has been inconsistent. Many private schools either resist admitting students under this quota or create procedural hurdles that prevent parents from securing these admissions.<sup>32</sup>

**a. Challenges in Enforcement:** Private schools often cite financial difficulties or operational challenges as reasons for not adhering to the RTE quota. Inadequate monitoring by the government allows these schools to bypass their obligations, depriving many children of the opportunity to access quality education.<sup>33</sup>

#### 5. Budget Constraints

Although Maharashtra allocates a significant portion of its budget to education, the resources are insufficient to meet the growing demands of RTE implementation. Insufficient funding hampers the construction of new schools, the recruitment of qualified teachers, the provision of necessary learning materials, and the upgrading of existing infrastructure.

**a. Rural and Semi-Urban Disparities:** Budgetary constraints are particularly visible in rural and semi-urban areas, where educational needs are high, but resources are limited. Schools in these areas often face shortages in infrastructure, trained staff, and modern teaching tools, further widening the gap between rural and urban education systems.<sup>34</sup>

#### 6. Monitoring and Accountability Issues

Effective implementation of the RTE Act requires robust monitoring mechanisms. However, in Maharashtra, there are significant gaps in this area. Local education authorities lack the capacity

---

<sup>31</sup> Vajiram Editor, *Right to Education (RTE) Act*, (Feb. 6, 2025), <https://vajiramandravi.com/upsc-exam/rte-act/>.

<sup>32</sup> *RTE Quota: HC Junks Maharashtra Govt Notification Giving Conditional Exemption to Private Schools*, THE ECONOMIC TIMES, July 19, 2024, <https://economictimes.indiatimes.com/news/india/rte-quota-hc-junks-maharashtra-govt-notification-giving-conditional-exemption-to-private-schools/articleshow/111864365.cms>.

<sup>33</sup> *District Struggles to Fill up RTE Seats, like Rest of State*, THE TIMES OF INDIA, Aug. 11, 2024, <https://timesofindia.indiatimes.com/city/pune/struggles-in-filling-rte-seats-in-maharashtra/articleshow/112436005.cms>.

<sup>34</sup> *Performance budget*. Available at: [https://mahades.maharashtra.gov.in/files/publication/pb\\_english\\_2024-25.pdf](https://mahades.maharashtra.gov.in/files/publication/pb_english_2024-25.pdf) (Accessed: 12 October 2025).

to thoroughly inspect schools and enforce corrective measures when violations of the RTE Act are found.

**a. Mismanagement and Transparency:** Additionally, the management of allocated funds is often inefficient, and there is a lack of transparency in the usage of resources. This mismanagement affects the overall execution of policies aimed at improving education in the state.

## 7. Dropout Rates

Despite the provisions of the RTE Act, dropout rates in Maharashtra remain high, particularly in marginalized communities.

**a. Child Labor and Poverty:** Many children from economically weaker sections are forced to drop out of school to work and support their families. Financial pressures and the need for immediate income push families to prioritize work over education.<sup>35</sup>

**b. Migration:** Seasonal migration of laborers further disrupts children's education, leading to irregular attendance and learning gaps. Children from migrant families are particularly vulnerable to high dropout rates, as they frequently change schools or drop out entirely.<sup>36</sup>

## 9. Infrastructure Deficiencies

Poor school infrastructure is another major challenge to the effective implementation of RTE in Maharashtra. Many schools, particularly in rural areas, lack basic facilities like proper classrooms, drinking water, and sanitation, directly impacting students' ability to learn in a conducive environment.<sup>37</sup>

**a. Lack of Basic Facilities:** A large number of schools lack separate toilets for girls, clean drinking water, and adequate classroom space. These infrastructure deficiencies discourage attendance and hinder the learning process.<sup>38</sup>

## 10. Curriculum and Language Barriers

**a. Rigid Curriculum:** The curriculum in many schools does not cater to the local context or practical learning needs. This leads to disengagement among students, who find the curriculum

---

<sup>35</sup> eduadmin, *Dropout Rates in Schools in India | Education for All in India*, (Apr. 3, 2023), <https://educationforallinindia.com/dropout-rates-in-schools-in-india/>.

<sup>36</sup> *Directorate of Education Wants Schools to Provide Data on Dropouts Due to Outmigration*, THE TIMES OF INDIA, Aug. 3, 2022, <https://timesofindia.indiatimes.com/city/goa/doe-wants-schools-to-provide-data-on-dropouts-due-to-outmigration/articleshow/93307621.cms>.

<sup>37</sup> *Performance budget*. Available at: [https://mahades.maharashtra.gov.in/files/publication/pb\\_english\\_2024-25.pdf](https://mahades.maharashtra.gov.in/files/publication/pb_english_2024-25.pdf) (Accessed: 12 October 2025).

<sup>38</sup> *Performance budget*. Available at: [https://mahades.maharashtra.gov.in/files/publication/pb\\_english\\_2024-25.pdf](https://mahades.maharashtra.gov.in/files/publication/pb_english_2024-25.pdf) (Accessed: 12 October 2025).

irrelevant to their everyday lives.

**b. Language Barriers:** Language issues further compound the problem, especially for children from tribal or non-Marathi-speaking backgrounds. Teaching in languages other than the child's mother tongue can result in comprehension difficulties, affecting learning outcomes.

## 11. Learning Poverty

**a. Foundational Literacy and Numeracy Deficit:** A significant portion of children in Maharashtra, particularly in early grades, struggle with basic literacy and numeracy skills. This "learning poverty" creates long-term gaps in their education, which are difficult to bridge later.<sup>39</sup>

**b. Inadequate Early Childhood Education:** The lack of access to pre-primary education, especially in rural areas, contributes to weaker early learning outcomes, leaving children less prepared for formal schooling.<sup>40</sup>

## 12. Policy Implementation Issues

**a. Delayed or Inefficient Implementation:** While various government schemes like the Mid-Day Meal Program and RTE itself aim to improve student outcomes, their implementation often faces delays and corruption. This affects student motivation, attendance, and overall learning outcomes.<sup>41</sup>

**b. Insufficient Inclusive Education:** There is a lack of targeted support for students with disabilities or from marginalized communities, making it difficult to bridge the learning gap for these groups.

The Maharashtra government has undertaken a series of progressive initiatives to enhance the implementation of the RTE Act and improve the overall quality of education in the state. These programs focus on incorporating digital learning, improving infrastructure, and addressing foundational literacy and numeracy skills in primary education. The implementation of the **Right to Education (RTE) Act** in Maharashtra, faces several challenges. The RTE Act, which mandates free and compulsory education for children aged 6-14, has noble objectives, but its ground-level implementation in Maharashtra encounters difficulties, including administrative, infrastructural, and societal barriers. Despite the challenges, the proper implementation of RTE in Maharashtra is critical to ensuring access to quality education for all children, particularly

---

<sup>39</sup>[https://education.maharashtra.gov.in/nfsshare/admin/circulars/1507267151\\_learning\\_outcome\\_booklet\\_\(eng.language\).pdf](https://education.maharashtra.gov.in/nfsshare/admin/circulars/1507267151_learning_outcome_booklet_(eng.language).pdf)

<sup>40</sup> Jyoti Punwani, *Excuses to Keep Poor Students out of RTE*, DECCAN HERALD, Aug. 8, 2024, <https://www.deccanherald.com/opinion/excuses-to-keep-poor-students-out-of-rte-3141693>.

<sup>41</sup> Shireen Yachu, *Maharashtra Scraps the No-Detention Policy: Uncovering the Problem Solution Mismatch*, VIDHI CENTRE FOR LEGAL POLICY (Nov. 22, 2023), <https://vidhilegalpolicy.in/blog/maharashtra-scraps-the-no-detention-policy-uncovering-the-problem-solution-mismatch/>.

those from disadvantaged backgrounds. Improved efforts from all stakeholders—government, private schools, and civil society—are essential to meet the objectives of the Act.

## **V. CONCLUSION**

Maharashtra has made commendable strides in improving access to education through government schemes like the RTE Act, mid-day meals, and free educational materials for underprivileged children. However, the state faces persistent challenges in realizing the full potential of the Right to Education. Systemic issues such as inadequate infrastructure, teacher shortages, and social barriers continue to hinder learning outcomes, particularly in rural and marginalized communities.

To address these challenges, there is a need for strengthened legal frameworks, enhanced accountability mechanisms, and better implementation of existing policies. Furthermore, bridging the gap between vocational education and market demands is crucial for improving students' readiness for the workforce.

The effective realization of educational goals will depend on sustained political will, community engagement, and the efficient allocation of resources. By addressing these issues, Maharashtra can move closer to fulfilling its constitutional promise of providing universal, quality education, ensuring that every child in the state receives not just access to education but meaningful learning outcomes.

\*\*\*\*\*