

DIFFICULTIES IN APPLYING THE 2009 RIGHT TO FREE AND COMPULSORY EDUCATION ACT IN RURAL ODISHA

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ABSTRACT

The Right of Children to Free and Compulsory Education Act, 2009 establishes free primary education for children ages 6 to 14 while advancing social justice, equality, and inclusive social development. The Act enforcement in rural Odisha faces major difficulties because of problems which exist in social economic factors and infrastructure and administrative systems despite the protection which The constitution stipulates under Article 21A. The study looks at how the RTE Act works in rural Odisha, particularly for members of marginalized populations and tribal tribes. The research utilizes both doctrinal and empirical socio-legal methodologies through constitutional research and judicial analysis and evaluation of government documents and field research and interview and questionnaire data which was collected from 200 study participants. The research study found that major obstacles which restrict access to education include poverty and child labor and teacher deficiencies and insufficient school facilities and gender bias and lack of parental knowledge and ineffective supervision systems and digital access limitations. The study shows that remote rural areas experience a significant gap which exists between their legal rights and their actual living conditions. The study shows that educational rights in rural India require better governance and improved school facilities and better trained teaching staff and active community involvement and educational programs which support all students.

Keywords: Right to Education Act, Rural Odisha, Educational Rights, Elementary Education, Socio-Legal Challenges, School Infrastructure, Child Rights, Rural Education, Educational Policy, Inclusive Educatio.

1. INTRODUCTION

1.1 Background of the Study

Education is a basic human right that allows people to develop as individuals, achieve social justice, and participate in democratic processes. Thanks to the 86th Constitutional Amendment Act of 2002, which established Article 21A, Indian children between the ages of 6 and 14 now have a fundamental right to free compulsory education. The Right of Children to Free and Compulsory Education (RTE) Act of 2009 establishes a framework for primary education that meets quality and equality standards. Due to a lack of adequate facilities and funding, teacher shortages, tribal discrimination, and children quitting school before completing their education, rural Odisha has educational hurdles.

1.2 Concept of Free and Compulsory Education

Regulations pertaining to free and compulsory education mandate that the State give all children, without exception, free elementary education. This concept is established as a fundamental right under Article 21A of the Indian Constitution, which was implemented by the Right of Children to Free and Compulsory Education Act of 2009. By promoting equality, literacy, social justice, and national development in rural and underprivileged communities, the program fulfills its mission. Giving every child between the ages of six and fourteen a

top-notch education while creating equal developmental pathways is the aim of the universal primary education system. The rights-based approach sees education as a fundamental human right rather than as a welfare benefit.

1.3 Rural Education in India: An Overview

After India acquired independence through constitutional amendments and the Right to Education Act of 2009, the country's rural educational system evolved from the traditional Gurukul educational system to its current form of government-supported schools. The educational system in rural areas continues to suffer from fundamental problems which include insufficient infrastructure, a lack of qualified teachers, existing poverty and caste bias, and restricted internet access despite multiple educational policies and programs designed to improve education. The 2011 Census showed that rural literacy rates were much lower than urban literacy rates because women and marginalized groups had the lowest literacy rates in both areas. The educational gap between rural and urban areas shows itself through differences in student enrollment and academic performance and access to technology and school resources, which create barriers to equal educational access and social progress.

1.4 Educational Scenario in Rural Odisha

The educational situation in rural Odisha has not improved since the Right to Education Act, 2009 brought educational improvements to the region. According to Census 2011, the literacy rate in Odisha reached approximately 72.9% while rural and tribal districts such as Malkangiri, Nabarangpur, Koraput, and Rayagada displayed significantly lower literacy rates. The combination of Samagra Shiksha and Mid-Day Meal programs has raised primary school enrollment numbers, but students from Scheduled Tribes and girls and students from economically disadvantaged families still drop out at high rates. Educational continuity experiences disruption because of gender inequality and poverty and child labour and seasonal migration and inadequate parental awareness. Educational institutions in rural areas of Odisha face severe obstacles because their schools lack essential resources such as classrooms and sanitation and electricity and digital materials and qualified instructors and transportation and educational facilities which prevents equitable access to educational resources and hinders proper learning for students who live in remote parts of Odisha.

1.5 Statement of the Problem

The Right of Children to Free and Compulsory Education Act of 2009, which provides free educational access to children aged 6 to 14, is inadequately implemented in rural Odisha due to significant social and economic problems as well as administrative difficulties. The villages still experience shortages of essential resources which include schools and trained teachers and sanitation facilities and electricity and digital resources. The combination of high poverty rates and child labour and seasonal migration and gender discrimination and low parental awareness leads to increased dropout rates among children in tribal and backward districts. The educational system in rural Odisha suffers from major deficiencies because of weak monitoring systems and delayed fund distribution and the lack of proper coordination between government agencies and local institutions.

1.6 Research Questions

1. What are the major challenges in enforcing the RTE Act, 2009 in rural Odisha?
2. How far has the Act succeeded in ensuring free and compulsory education?
3. What socio-economic and institutional factors hinder effective implementation?

1.7 Objectives of the Study

1. To examine the legal framework of the RTE Act, 2009
2. To analyse the status of implementation in rural Odisha
3. To identify socio-economic, administrative, and infrastructural challenges

1.9 Research Methodology

The current study examines how the Right of Children to Free and Compulsory Education Act 2009 functions in rural Odisha using doctrinal and empirical socio-legal research approaches. The doctrinal method requires researchers to study constitutional documents and legal statutes and court rulings and official government documents and educational policies which govern the right to education. The empirical method uses field surveys and interviews and questionnaires and observational techniques to study 200 participants who include teachers and students and parents and local authorities from designated rural locations. The primary sources of the study consist of the Constitution of India and the RTE Act and government notifications and case laws while the secondary sources of the study contain books and journals and research articles and policy papers and educational surveys.

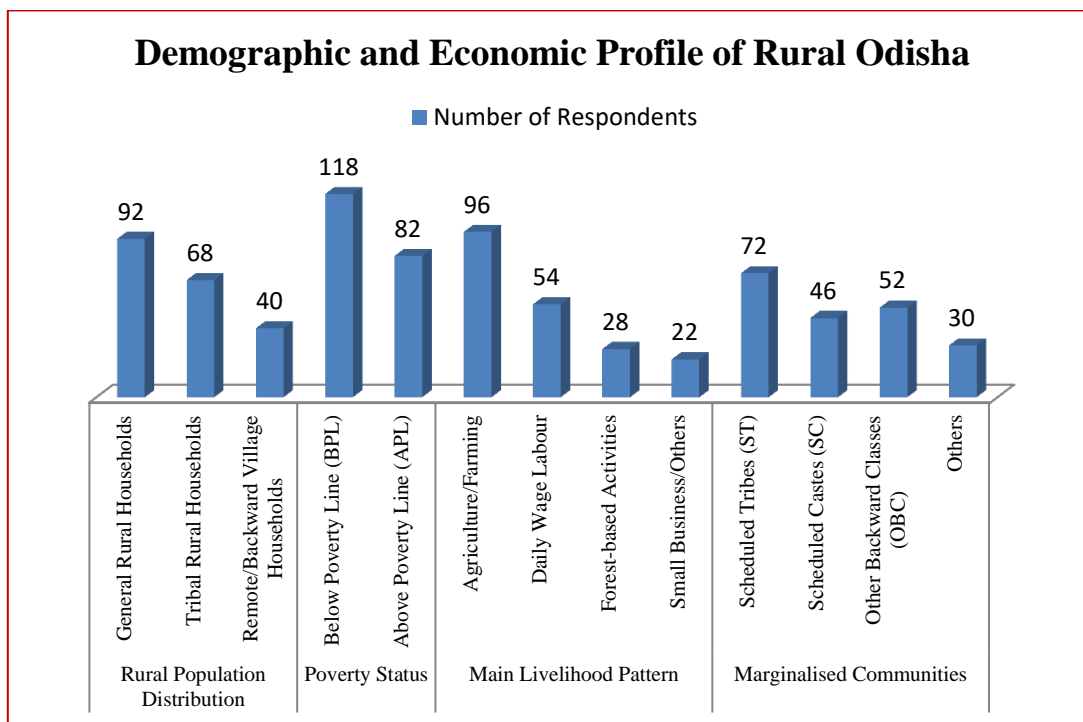
1.10 Scope and Limitations of the Study

The study looks at how members of socially and economically disadvantaged groups in rural Odisha are affected by the Right of Children to Free and Compulsory Education Act of 2009. The study is limited to basic education for students aged 6 to 14, as mandated by the RTE framework. The study looks at how administrative, legal, social, and infrastructure elements affect the standard and accessibility of education in rural areas. The study faces several obstacles, such as difficulties in gathering accurate field data, variations among different districts, issues with linguistic and cultural diversity, and the lack of up-to-date educational data from remote rural areas.

2. SOCIO-ECONOMIC AND EDUCATIONAL CONTEXT OF RURAL ODISHA

2.1 Demographic and Economic Profile of Rural Odisha

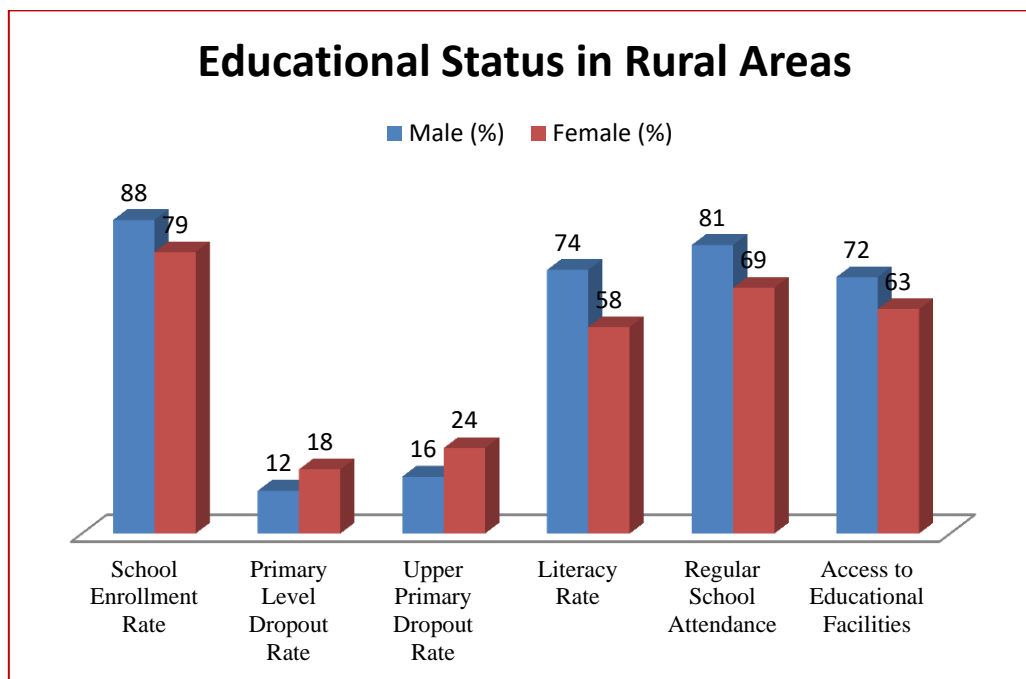
Variables	Category	Number of Respondents	Percentage (%)
Rural Population Distribution	General Rural Households	92	46%
	Tribal Rural Households	68	34%
	Remote/Backward Village Households	40	20%
Poverty Status	Below Poverty Line (BPL)	118	59%
	Above Poverty Line (APL)	82	41%
Main Livelihood Pattern	Agriculture/Farming	96	48%
	Daily Wage Labour	54	27%
	Forest-based Activities	28	14%
	Small Business/Others	22	11%
Marginalised Communities	Scheduled Tribes (ST)	72	36%
	Scheduled Castes (SC)	46	23%
	Other Backward Classes (OBC)	52	26%
	Others	30	15%



The above sample survey data collected from 200 respondents through questionnaires and field interviews shows the demographic and economic conditions of rural Odisha. The study area has a majority of respondents who belong to tribal and backward rural communities because these groups represent socially and economically vulnerable populations. The data further shows that 59% of households fall below the poverty line which demonstrates widespread economic deprivation. Tribal communities use agriculture and daily wage labour as their main sources of work because they also need to engage in activities that come from forests. The educational needs of marginalized groups show through their high representation in Scheduled Tribes and Scheduled Castes because they need proper execution of the Right of Children to Free and Compulsory Education Act 2009.

2.2 Educational Status in Rural Areas

Educational Indicators	Male (%)	Female (%)	Total (%)
School Enrollment Rate	88	79	83.5
Primary Level Dropout Rate	12	18	15
Upper Primary Dropout Rate	16	24	20
Literacy Rate	74	58	66
Regular School Attendance	81	69	75
Access to Educational Facilities	72	63	67.5

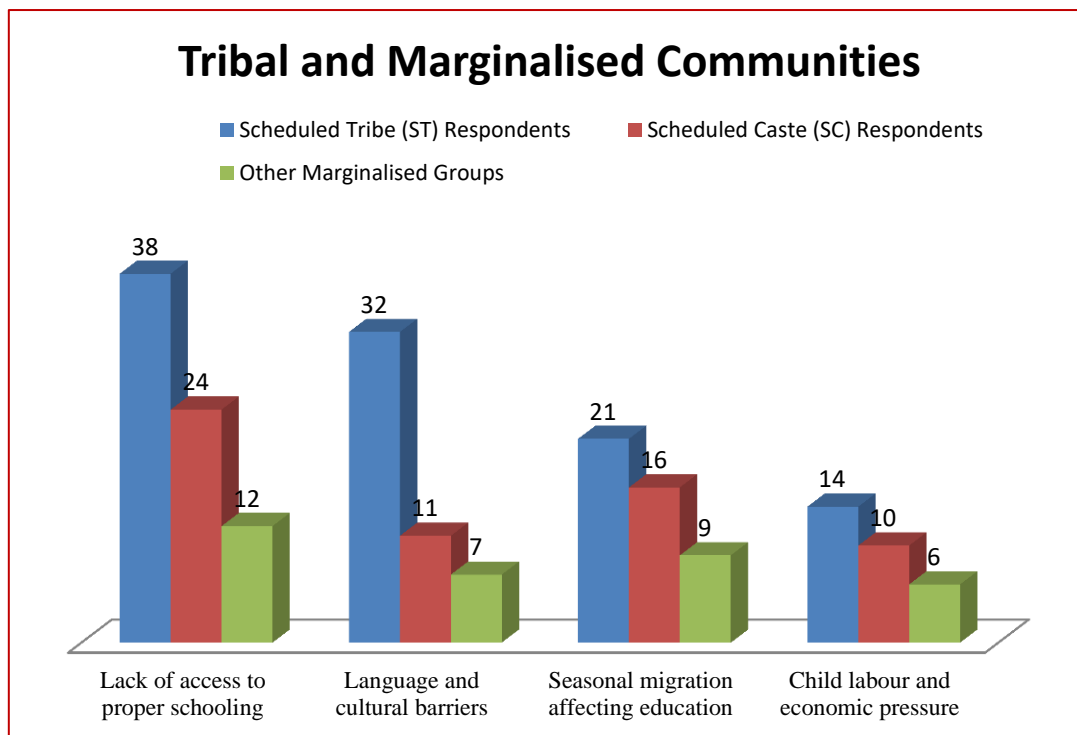


The sample data collected from 200 respondents through field surveys and questionnaires demonstrates that educational disparities continue to exist in rural areas of Odisha. The enrollment rate for males reaches 88% which exceeds the 79% enrollment rate for females thus showing that educational access between genders remains unequal. Female students demonstrate increased dropout rates at primary and upper primary levels because of poverty and early marriage and household duties and the lack of parental knowledge. The literacy rate among females (58%) remains substantially lower than males (74%) which demonstrates that educational access remains unequal between genders. The Right of Children to Free and Compulsory Education Act 2009 in Odisha cannot be effectively implemented in rural regions due to social and infrastructure barriers caused by children's inconsistent attendance and restricted access to educational facilities.

2.3 Tribal and Marginalised Communities

Challenges Identified	Scheduled Tribe (ST) Respondents	Scheduled Caste (SC) Respondents	Other Marginalised Groups	Total Respondents	Percentage (%)
Lack of access to proper schooling	38	24	12	74	37%
Language and cultural barriers	32	11	7	50	25%
Seasonal migration affecting education	21	16	9	46	23%
Child labour and economic	14	10	6	30	15%

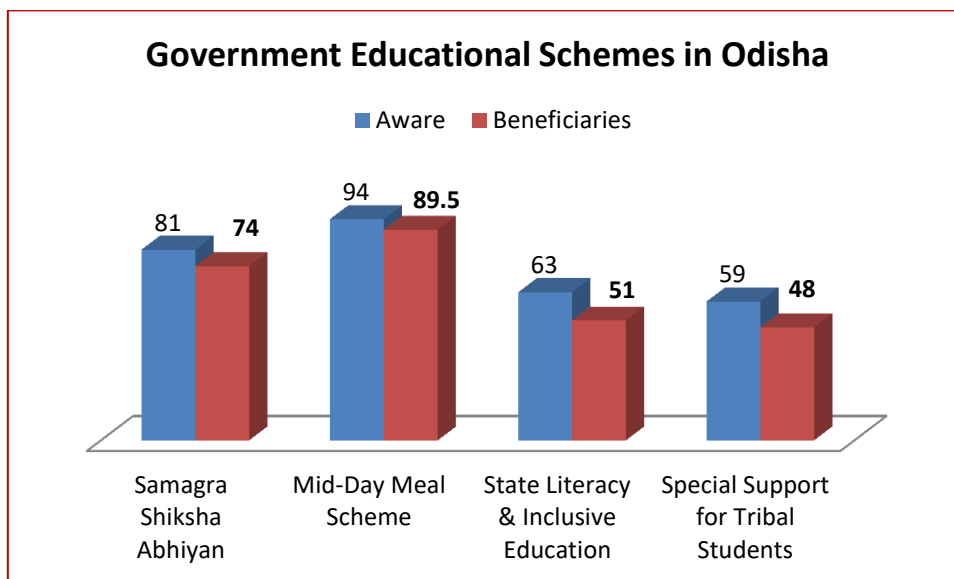
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Total	105	61	34	200	100%



The above sample data collected from 200 respondents during the empirical socio-legal survey highlights major educational challenges faced by tribal and marginalised communities in rural Odisha. The study found that 37% of respondents selected lack of access to proper schooling as their main concern which demonstrated how remote villages suffered from insufficient educational infrastructure. Approximately 25% of respondents experienced language and cultural barriers which affected Scheduled Tribe children who encountered difficulties with Odia-medium instruction. The study found that 23% of respondents experienced school dropouts and irregular attendance because they encountered seasonal migration and economic instability. The study found that 15% of respondents said child labour and poverty blocked educational access which revealed how socio-economic factors prevented proper enforcement of the Right of Children to Free and Compulsory Education Act 2009.

2.4 Government Educational Schemes in Odisha

Scheme	Aware	Beneficiaries	Satisfied
Samagra Shiksha Abhiyan	81	74	58
Mid-Day Meal Scheme	94	89.5	77
State Literacy & Inclusive Education	63	51	44
Special Support for Tribal Students	59	48	39.5



The table above displays survey results which researchers gathered from 200 participants during their socio-legal research in rural Odisha. The Mid-Day Meal Scheme shows its greatest impact through its dual effects which increase student attendance and decrease hunger during classes according to the survey results. The respondents expressed their worries about both the quality of the food and the inconsistent delivery of meals. The Samagra Shiksha Abhiyan shows moderate results because its implementation suffers from both infrastructure problems and teacher shortages. The public shows less knowledge about literacy and inclusive education programs which operate in tribal areas because language differences and poverty together with administrative barriers stop them from accessing educational programs.

3. CONSTITUTIONAL AND LEGAL FRAMEWORK OF THE RIGHT TO EDUCATION

3.1 Constitutional Provisions Relating to Education

The Indian Constitution establishes a comprehensive legal framework that safeguards the right to education through its Directive Principles of State Policy and Fundamental Rights. Education was made a fundamental right by Article 21A of the 86th Constitutional Amendment Act of 2002, which mandated free education for all children between the ages of 6 and 14. Since discrimination of any type is prohibited by Articles 14 and 15 of the law, all students must have equal access to the educational system. Article 21 protects the right to a dignified life, which includes the right to education. According to Articles 38, 39, 41, 45, and 46, the State must promote social justice and child protection while granting educational access to all people, particularly those from Scheduled Castes, Scheduled Tribes, and economically disadvantaged communities.

Constitutional Provision	Subject Matter	Educational Significance
Article 21A	Right to Education	Guarantees free and compulsory education for children aged 6–14 years
Article 14	Right to Equality	Ensures equal educational opportunities
Article 15	Prohibition of Discrimination	Prevents discrimination based on caste, religion, sex, or place of birth

Article 21	Right to Life and Personal Liberty	Includes dignified life through education
Article 38	Social Justice	Promotes welfare and reduction of inequalities
Article 39	Child Development	Protects children from exploitation and neglect
Article 41	Right to Education and Assistance	Directs the State to provide educational support
Article 45	Early Childhood Care	Encourages education for young children
Article 46	Promotion of Weaker Sections	Supports education of SCs, STs, and weaker groups
Directive Principles of State Policy	Welfare Objectives	Guides the State in developing educational policies

3.2 Evolution of the Right to Education in India

The Right to Education in India has undergone three stages of development, moving from a Directive Principle to a Fundamental Right. Through its landmark decisions, the judiciary established educational rights prior to the government's incorporation of Article 21A into the constitution. According to Article 21, the Supreme Court recognized education as a fundamental human right that people need in order to exercise their right to life in the Mohini Jain v. State of Karnataka decision. In the Unni Krishnan v. State of Andhra Pradesh case, the Court upheld the right of children aged six to fourteen to access free education. Article 21A of the 86th Constitutional Amendment Act of 2002 established free and compulsory education as a fundamental right for Indian children between the ages of six and fourteen.

Year	Development	Significance
1950	Directive Principles under Article 45	State directed to provide free education to children
1992	Mohini Jain Case	Education recognized as part of Right to Life
1993	Unni Krishnan Case	Free education up to 14 years emphasized
2002	86th Constitutional Amendment	Article 21A inserted into Constitution
2009	RTE Act Passed	Legal framework for compulsory elementary education
2010	RTE Act Implemented	Free and compulsory education became enforceable nationwide

3.3 Landmark Judicial Decisions

The Indian court played a key role in defining education as a fundamental right prior to the addition of Article 21A to the constitution. The Supreme Court held in Mohini Jain v. State of Karnataka that education is a basic right since it is a component of everyone's right to life under Article 21. Every child has a fundamental right to free education up until the age of fourteen, according to the court's decision in Unni Krishnan v. State of Andhra Pradesh. The Supreme Court's decision in the Society for Unaided Private Schools of Rajasthan v. Union of India case states that the RTE Act meets constitutional requirements to protect educational rights while enhancing educational opportunities for impoverished children in India.

Landmark Case	Year	Major Contribution to Educational Rights
Mohini Jain v. State of Karnataka	1992	Declared education as part of Article 21 (Right to Life)
Unni Krishnan v. State of Andhra Pradesh	1993	Recognized free education for children up to 14 years
M.C. Mehta v. State of Tamil Nadu	1996	Focused on child labour and children's education
Society for Unaided Private Schools v. Union of India	2012	Upheld constitutional validity of the RTE Act, 2009
Pramati Educational Trust v. Union of India	2014	Clarified applicability of RTE provisions to minority institutions

3.4 International Legal Framework

The right to education is recognized as a fundamental human right by international legal instruments, which also influence India's educational policy and direct the implementation of the Right of Children to Free and Compulsory Education Act 2009. Article 26 of the 1948 Universal Declaration of Human Rights states that primary education is a fundamental human right that must be offered at no cost and with required attendance. The Convention on the Rights of the Child (1989) establishes that all children must receive equal educational access together with safeguards that protect them from any form of discrimination. Education establishes itself as a fundamental human right according to Article 13 of the International Covenant on Economic Social and Cultural Rights because it serves as a vital element for both human dignity and social progress. UNESCO advances worldwide educational initiatives which provide inclusive and equitable educational access together with high-quality education through its worldwide educational commitments and its sustainable development goals.

3.5 Salient Features of the RTE Act, 2009

All children between the ages of six and fourteen must get free and compulsory education, according to the Right of Children to Free and Compulsory Education Act, 2009, which India ratified through Article 21A of its Constitution. On April 1, 2010, the Act went into effect, establishing education as a basic right that individuals can legally enforce. The law mandates that schools be constructed nearby, which will facilitate access for residents of rural and impoverished areas. By outlawing admission denials based on caste, gender, disability, religion, or economic background, the Act encourages inclusive and nondiscriminatory education. According to the law, educational facilities must have playgrounds, drinking water, restrooms, and classrooms that meet basic infrastructure requirements. The Act totally prohibits physical punishment and mental abuse of children, sets student-teacher ratios, and encourages community involvement through School Management Committees (SMCs).

4. ENFORCEMENT OF THE RTE ACT, 2009 IN RURAL ODISHA

The 2009 Right of Children to Free and Compulsory Education Act remains unimplemented in rural Odisha because of various institutional and infrastructural and socio-economic obstacles which the Central Government and the Odisha Department of School and Mass Education and the Panchayati Raj Institutions attempt to overcome. The rural and tribal villages continue to experience school shortages and their transportation systems remain inadequate while disadvantaged children face difficulties in enrolling for education. Government schools lack essential facilities because they do not possess sufficient classroom

space or proper toilets or drinking water systems or electricity or digital learning materials which results in decreased educational outcomes and student attendance. The classroom instruction process gets disrupted because of teacher shortages and absenteeism rates and insufficient professional training and the need to teach multiple grade levels. Financial limitations together with delayed educational funding release and insufficient monitoring systems result in reduced successful educational implementation. Rural Odisha faces various obstacles which prevent schools from achieving inclusive and equitable education because of various factors which include inadequate understanding of School Management Committees and gender discrimination and caste discrimination and insufficient assistance for children with disabilities.

5. MAJOR CHALLENGES IN THE ENFORCEMENT OF THE RTE ACT

The Right of Children to Free and Compulsory Education Act 2009 faces multiple socio-economic and infrastructural and administrative problems which hinder its implementation in rural areas of Odisha. The tribal and agricultural regions which experience seasonal migration face more school dropouts because their families need their children to work for income. The educational participation of girls decreases because social barriers include gender discrimination and early marriage and low parental awareness. Rural schools lack sufficient classrooms and proper sanitation facilities and electricity and digital resources and transportation facilities. The implementation of policies suffers because weak governance and corruption and teacher shortages and ineffective monitoring mechanisms exist. The COVID-19 pandemic worsened educational inequality because schools closed for extended periods while students from economically disadvantaged rural areas faced restricted internet access and increased dropout rates and experienced major learning losses.

6. COMPARATIVE AND ANALYTICAL PERSPECTIVES

The Children's Right to Free and Compulsory Education Act 2009 reveals varying implementation outcomes among Indian states. Public schooling systems of Kerala, Tamil Nadu, and Himachal Pradesh enable their students to achieve higher literacy rates and enrollment numbers through their superior teacher provision and operational monitoring systems and community involvement. The rural areas of Odisha face ongoing difficulties because they lack basic infrastructure, face teacher shortages, and experience tribal communities existence in poverty. The RTE framework has increased school enrollment rates and educational rights awareness, yet implementation practices still fall short of actual policy requirements. Educational accessibility experiences limitations because socio-legal factors such as caste discrimination and gender inequality and seasonal migration and low parental literacy rates persist. The study demonstrates that a rights-based approach which emphasizes equality and accountability and inclusive governance proves better than an educational system that depends only on welfare.

Table 6.1: Comparative Analysis of Educational Indicators among Selected Indian States

State	Literacy Rate (%)	School Dropout Rate (%)	Teacher Availability	Infrastructure Status	Key Best Practices
Kerala	96.2	2.1	High	Excellent	Community participation and digital education
Tamil Nadu	82.9	4.5	Moderate to High	Good	Mid-Day Meal Scheme and

					inclusive policies
Himachal Pradesh	86.6	3.8	High	Good	Strong rural school connectivity
Odisha	77.3	8.9	Moderate	Developing	Tribal education initiatives and scholarship support

The table demonstrates that Kerala, Tamil Nadu, and Himachal Pradesh perform better than Odisha in terms of literacy, infrastructure, and educational accessibility. Kerala maintains the highest literacy rate because its effective governance system and social awareness programs help reduce student dropout rates. Odisha continues to struggle with higher dropout levels and infrastructural limitations which affect its tribal and remote rural areas. The comparison shows that better teacher assignment and community engagement and digital learning resources and local educational administration can enhance educational rights enforcement in rural areas of Odisha.

7. FINDINGS AND DISCUSSION

The study claims that a number of legal issues prevent rural Odisha from fully implementing the Right of Children to Free and Compulsory Education Act of 2009, administrative, and socioeconomic challenges. The research shows that schools in tribal and remote districts face problems because they lack proper infrastructure and qualified teachers and their monitoring systems do not function effectively and the funding process takes too long and their educational standards do not meet proper enforcement requirements. The combination of poverty and child labour and gender discrimination and seasonal migration creates major obstacles for students who want to attend school and remain enrolled. The developed districts and backward districts display ongoing regional disparities which affect their ability to access schools and digital facilities and receive high-quality education. The study shows that weak governance together with restricted public involvement and poor institutional collaboration results in ineffective enforcement systems which prevents compliance with constitutional obligations described in Article 21A and associated educational regulations.

8. SUGGESTIONS AND RECOMMENDATIONS

For rural Odisha to effectively implement the Right of Children to Free and Compulsory Education Act of 2009, comprehensive legislative, administrative, and social changes are needed. The government needs to create stronger enforcement measures which will require schools to hold their staff accountable while developing educational policies that serve the specific needs of rural areas and tribal communities and remote locations. The implementation process will benefit from transparent monitoring systems and active School Management Committees (SMCs) which enable decentralized governance. Infrastructure development should prioritize constructing high-quality school buildings and sanitation systems and electricity supplies and digital learning materials and transportation solutions for remote village areas. The educational system requires qualified teachers to become teachers who will work in rural areas through training programs which will provide them special benefits. Public awareness campaigns and parental involvement and gender-sensitive programs and educational funding with effective utilization and public-private partnerships will decrease educational inequalities and dropout rates.

9. CONCLUSION

The study concludes that the Mid-Day Meal Program and the Samagra Shiksha Abhiyan system are two important educational endeavors, have partially improved school enrollment in rural Odisha through the implementation of the Right of Children to Free and Compulsory Education Act, 2009. The implementation process faces major obstacles because of ongoing issues which include poverty, child labor, insufficient educational resources, lack of teachers, exclusion of tribal communities, gender inequality, and ineffective administrative oversight. The research shows that rural communities experience a major difference between the constitutional protections which Article 21A provides and the actual conditions which exist on the ground. The study uses a socio-legal approach to demonstrate that educational justice requires both legal frameworks and active community engagement with responsible governance. The educational rights of rural India will experience significant improvements through the implementation of better educational infrastructure and policies which support inclusivity and digital resources and transparent governance.

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