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New Education Policy 2020 and Right to Education Act 2009: Issues, Critical Analysis & Way forward

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Education is the sine qua non for accomplishing one's best extent, fostering a fair and enlightened society, and advancing one's country's progress. After the passing of the 86th constitutional amendment and article 21A in the year 2002, which made the Right to Education a fundamental right, it led to the enactment of the "Right to Free and Compulsory Education Act, 2009," which was perceived by many as a cogent step towards the radical egalitarianism of the education system in India. The RTE Act's objective is to educate everyone. It articulates the importance of a substantial, participatory, and high-quality educational system. The New Education Policy envisages holistic learning, which puts the impetus on creating synergy between education and skills. The NEP addresses underlying issues consistent with the current educational system, scilicet pedagogy, structural disparities, accessibility, and gross engagement. It equally envisions India's goal of becoming a world-knowledge superpower. This paper emphasizes the foundational challenges and problems between the RTE Act 2009 and NEP 2020 and their status quo. Additionally, an initiative has been taken to define the challenges with the RTE Act 2009 that led to the emergence of NEP 2020. A critical evaluation has also been made of the NEP 2020s that highlights its implementation, implications, and improvements. The methodology entails a conceptual discussion and critical analysis as a heterogeneous approach to the highlights of NEP 2020, and the focus of the paper is to define the drawbacks of the RTE Act 2009 that led to the emergence of NEP 2020. This paper exclusively relies on secondary data. NEP 2020 is one of the most promising policies to date, so the answer to this issue depends on how well the Policy's goals will be accomplished.

Keywords: *new education policy, challenges, education, heterogeneous approach, data.*

INTRODUCTION

The subject of "Education" has always been of continuous global significance because it lays down the unshakeable foundation of any politically organized civilization. Indeed, it is perhaps the most formidable weapon that enables the state to realize its public policies by modifying and even integrating the understanding of its citizens. Regarding the public domain, one is inclined to use a single word from Tony Blair's speech at the Labor Party Conference in 1996, in which he raised and answered the question, "What are the three most important government priorities?" by stating, "Education, education, and education." In India, the issue of children's right to free and compulsory education is of the utmost importance¹. Undoubtedly, it is the essential foundation for the meaningful operation of our democratic political system. Altamas Kabir, CJI, also spoke at a conference titled "The Role of Youth in Protecting the Rights of Women, Children, and Senior Citizens." The CJI stated emphatically, in response to the numerous references made at the seminar to government programs for the benefit of society, that the advantages of these programs will not reach the grassroots level until all children up to the age of fourteen receive free and mandatory education.

After several revisions, the Right of Children to Free and Compulsory Education Act of 2009 was passed 2009, which was intended to be a powerful tool for any child to demand their fundamental rights, in this regard, the allusion was to the constitutional commandment found in Article 21-A, which was added to the Constitution on April 1, 2010, by the 86th Amendment Act. It establishes the right to education as a fundamental right by stating, "The State shall offer free and compulsory education to all children between the ages of six and fourteen in such a way as the State may specify by law." However, a closer examination of the provisions reveals unsettling elements.

¹ K Kumar, *Quality of Education at the Beginning of the 21st Century: Lessons from India. The Indian Educational Review* (UNESCO 2005)

The RTE Act, 2009's objective is to educate everyone². The New Education Policy envisages holistic learning, which puts the impetus on creating synergy between education and skills. The NEP addresses underlying issues that are consistent with the current educational system. It equally envisions India's goal of becoming a world-knowledge superpower. The government approved the NEP 2020 on July 29, bringing it into effect. This document was finally accepted after a 34-year delay. As COVID-19 has brought numerous difficulties for educational institutions, it has to be seen to what extent this new Policy will shape national requirements. Teaching and learning techniques have evolved. Now, offline instruction occurs online. Popularity has increased for new tools and courses, providing new possibilities for exploration. This NEP has evolved at a time when the global GDP is shrinking, which is the reason for concern.

RTE ACT OF 2009: CRITICAL SHORTCOMINGS AND CHALLENGES

It is widely understood in contemporary discourse that access to primary education of sufficient quality must be regarded as a fundamental right. In recent years, the guardians of public Policy in India appear to have exhibited a degree of urgency and seriousness concerning an issue so crucial to the country's well-being, despite having done little about it for over fifty years. The enactment of the Right of Children to Free and Compulsory Education (henceforth RTE) 2009 Act was a positive development. The path ahead appears arduous, given that the "how" and "were to" remain unclear in crucial areas in this otherwise substantial legislation.

Children between the ages of six and fourteen have a constitutional right to an education that is both free and mandatory thanks to the 86th Amendment Act of 2002, which adds three specific clauses to the constitution to enhance its implementation. In particular, (i) Article 21a was added to Part I (fundamental rights), (ii) Article 45³ was revised, and (iii) a new clause (k)⁴ was added to Article 51A (fundamental duties), stating that it is the responsibility of the parent or guardian to ensure that children between the ages of six and fourteen have access to appropriate

² Draft National Education Policy 2019

³ Constitution of India, art 45

⁴ Constitution of India, art 51A(k)

educational opportunities⁵. After nearly seven years of dithering after the 86th Amendment⁶ to the Constitution, the RTE Act 2009 obtained presidential assent on August 26, 2009, furthering the objective of free and universal primary education, but the central government has yet to notify the public. The delay in notification is partly because the "model rules" essential to execute the Act have not yet been created, and a committee has been constituted by the Ministry of Human Resource Development (method), Government of India, to produce the requisite regulations. While this assignment is rather sticky and slippery in many aspects, and we empathize with the committee members on this issue, we worry that the central government would continue to drag its feet or water down the important regulations, mostly owing to the financial ramifications. Remember that the RTE Bill was passed by Parliament with no connected executive? Particularly contentious have been the financial agreement and the question of how the federal government and individual states would divide up the costs of the necessary sites.

In September 2004, the Central Advisory Board of Education (CABE) Committee was formed as a first step in writing the RTE Bill. In June 2005, the legislation was brought to the government, although there were no open debates about it. A few of its numerous flaws include its definition of a "child" (ages 6-14) and its failure to take into account the federal government's financial obligations. In addition, the bill did not propose any changes to the Child Labor (Prohibition and Regulation) Act of 1986 and did not incorporate the Common School System (ess) concepts that would have made high-quality, mandatory education available to all children.

Despite the draft RTE Bill's 2005⁷ recommendations, the government was hesitant to put them into action due to a lack of resources. Instead, it drafted the Model Right to Education Bill in 2006 and proposed offering incentives to states who adopted it. The draft Model Bill's enactment was conditioned on the federal government shouldering 75% of the cost of the Sarva Shiksha Abhiyan for the states. Elementary education is the first charge on the revenue of state/UT

⁵ Dr. Saroj Malik 'National Education Policy 2020 and Its Comparative Analysis with RTE' (2021) 7(1) American Research Journal of Humanities and Social Sciences 1-7

⁶ Constitution (Eighty-Sixth Amendment) Act 2002

⁷ Right to Education Bill 2005

governments, and the states and Union Territories are financially responsible for making it free and mandatory. This was an attempt to undo the effects of the 86th Amendment, which had been passed in 2002. It was a slap in the face to Article 21a of the Constitution, which guarantees all citizens the right to an education, and it misconstrued what that meant. The proposal of central legislation during Parliament's 2008 budget session was motivated by several factors, including popular demand. The capitation fee was reinstated in August 2005. The MHRD convened a task force to consider the many comments submitted by state governments and members of the public, and their findings were reflected in a new draft of the legislation. Although the redrafted RTE Law 2008 was not made public or open to comments, the union cabinet accepted the draft law on October 31, 2008; this was implemented as the RTE Act 2009 with some revisions.⁸

After so many iterations of drafting and revising the legislation, one would expect the final result to be a useful instrument for any youngster in this country to seek their fundamental entitlement. Yet, a deeper examination of the Act's provisions continues to show distinguishing characteristics, as the following points demonstrate. The legislation reinforces the existing multitiered and uneven education structure instead of an overhaul. Regarding the expense of providing free and required education, there is a major difference between the different types of schools. While government schools would be responsible for the expenditures associated with all of their pupils, government-aided schools would be responsible for 25% of their yearly funds. The Act mandates that 25% of students at special category schools (i.e. Kendriya Vidyalayas, Navodaya Vidyalayas, and Sainik Schools) and unaided schools come from economically disadvantaged backgrounds, although the Government guarantees reimbursement to these privately funded schools for the per-pupil costs paid to accept these kids. One may see why the government might temporarily subsidize the education costs of private schools to expedite the Act's implementation. However, this is not the case, as the government does not provide a timeline for when it will continue compensating private schools for educational expenses.

⁸ Pankaj Jain & Ravindra Dholakia, 'Feasibility of Implementation of Right to Education Act' [June 2009] *Economic and Political Weekly* 38-43

HISTORY OF RTE

1993: Unnikrishnan vs State of Andhra Pradesh,⁹ the Supreme Court ruled that the right to education is a fundamental right resulting from Article 21¹⁰ of the Constitution on the right to life.

2002: The 86th Constitution Amendment Act added Article 21A, affirming that every child aged 6-14 has the right to free and compulsory education.

2004: CABE Committee constituted to draft RTE Bill, resulting in Free and Compulsory Education Bill 2004 Bill being withdrawn.

2005: CABE Committee redrafts, resulting in the Right to Education Bill, 2005.

2006: Model Right to Education Bill, 2006¹¹ drafted Disputes citing lack of funds and reservations in private schools, RTE Threatened to be shelved.

2008: Working group of Ministry of Human Resource Development redrafts resulting in RTE Bill, 2008 cleared by the Union Cabinet in October 2008.

2009: Modifications made to the RTE Act were ratified in August 2009.

2010: RTE Act comes into effect in April 2010.

2012: Supreme Court declares the validity of the RTE Act and provisions in an April 2012 ruling in a case by private school lobbies that it is unconstitutional.¹²

GAPS AND CHALLENGES

- Who is a child?

⁹ *Unnikrishnan v State of Andhra Pradesh* 1993 AIR 2178

¹⁰ Constitution of India, art 21

¹¹ Model Right to Education Bill 2006

¹² Arun C Mehta, *Elementary Education in India, Analytical Report 2004* (NIEPA 2005)

Even the fundamental idea of what comprises a child lacks clarity. Anyone under the age of eighteen is considered a kid by the United Nations Convention on the Rights of the Child. The RTE Act of 2009 limits the definition of "child" to those between the ages of 6 and 14, however the Juvenile Justice Act of our country defines "child" as anybody under the age of 18. However, it is troubling that this important subset of children is left out of the law, even though it expresses a willingness to take the necessary measures to offer free preschool education for children older than three. Not only are certain children left out, but it also lacks specific timetables for implementing several sections.

- Flexible or Ambiguous?

The government has failed to establish a timetable for the legislation to become a legally enforceable duty, even though it has been in effect for five months. This is not the only cause for concern over the Act's deadlines. Several clauses provide the government with the latitude to postpone implementation. A case in point is the topic of constructing a neighbourhood school when none exists within three years of the Act's enactment. As an indication of the degree of ambiguity, the Act does not stipulate the area or constraints for the establishment of a community school, leaving this to be set by the government at a later date through regulations it may feel fit to change. This ambiguity is also visible when establishing a teacher's eligibility. As a crucial factor influencing outcomes, the eligibility of instructors would be based on the minimal requirements established by an academic body. However, due to a dearth of educated teachers, the Act permits untrained instructors to remain in the classroom for five years following its implementation. It also allows for the relaxing of regulations and the appointment of untrained instructors for five years until the Act is officially notified. This demonstrates the government's lackadaisical approach to executing the law and its disdain for the quality of its results.

- The 25% free seats Provision?

The inclusion of social deprivation as a qualifying criterion and the intended gradual implementation of the provision within schools are two notable characteristics of the evolution

of the accessible seat provision in the RTE Act. When first specified in the 2004 Bill, it referred to "the entire strength of the school in any class" and was capped at 20% of available seats (Government of India 2004, Section 35(1)¹³). It applied only to schools that had been operational for at least five years, and only to children who came from "families below the poverty line," as defined by the federal poverty threshold.

The Government of India's 2005 RTE Bill (Section 14)¹⁴ phased in the first implementation by gradually increasing the minimum requirement from ten to twenty-five percent, with the minimum requirement being maintained in the 2009 Act and applying to students beginning at the Class 1 level through elementary school graduation. In this case, the criteria for qualifying were broadened to "a child who "needs care and protection" (ibid: Section 2010)(es), as well as "children belonging to weaker sections," who are those whose household income is below a federally mandated minimum level (Ibid: Section 14).¹⁵ The exclusion of orphaned and vulnerable children in the earlier clause has been criticized, leading to its removal from the 2008 Bill and the RTE Act. Preschool programs in public schools were already mandated by the RTE Act, but the 2008 Bill enhanced this obligation.

The final provision, Section 12(1)(c) of the 2009 Act,¹⁶ is nearly word-for-word identical to the corresponding provision of the 2008 RTE Bill, which established a quota of at least 25% of the strength in Class 1 (and in pre-primary sections, where applicable) for children from "weaker sections," with the addition of a substantial quota for children from "disadvantaged" groups, until completion.¹⁷ Definition of "Belonging Child" "a child is considered to be part of a vulnerable group (i.e., the Scheduled Caste or Scheduled Tribe) if his or her parent's or guardian's annual household income is less than the minimum amount established by the

¹³ Government of India 2004, s 35(1)

¹⁴ Rao Premrajan & L Gurunathan, *A Study of Estimating Cost to Government for a Government Employee, XLRI study sponsored by the Sixth CPC* (National Portal of India 2007)

¹⁵ *Ibid*

¹⁶ Right to Education Act, s 12(1)(c)

¹⁷ *Ibid*

government in question (*ibid*: Section 2(e)). As defined by the Ministry of Finance, this usually means an annual income of less than Rs 1 lakh.¹⁸

- Financial Responsibility.

It was not obvious who would shoulder the primary financial burden of the Act. Due to the poor status of most state budgets, this responsibility should ideally fall on the federal government. In light of this, the Act provides that the federal government must provide grants-in-aid to the states for a certain proportion of expenditures, with the exact amount being determined by the financial commission's recommendations based on the number of additional resources each state requires. On the one hand, the Act appears to indicate that both the federal and state governments share responsibility for financing the Act, with the federal government generating estimates of capital and ongoing expenditures under the Act. On the other side, it places all financial responsibility for the Act's execution on the individual states.

The federal government, in keeping with its refusal to fund sufficiently the social sector, tries to avoid bearing the main financial responsibility for implementing the Act. According to estimates made for the Eleventh Plan, spending on education was expected to account for almost 20% of the total. SSA and the Mid-day Meal Scheme are two of the most important elements of the Eleventh Plan's basic education sector, but a cursory examination of the union government's budgetary outlays during those three years indicates that expenditure has not followed the expected trend. The 2009-10 budget estimate (be) for education from the central government was Rs 44,528 crore (about 0.76 percent of GDP), whereas the 2008-09 budget from the states was Rs 1,300,000 crore (about 2.3 percent of GDP) (be). Although union and state expenditures remained at 3.7% of GDP, the same aim as for the preceding four decades was reaffirmed: to grow government investment in education to 6% of GDP (2007-08).

The Central Advisory Board of Education (cabe) Committee estimated that between 2006-07 and 2011-12, an additional Rs 4.36 lakh crore would be needed to universalize elementary education

¹⁸ Prachi Srivastava & Claire Noronh, 'Institutional Framing of the Right to Education Act Contestation, Controversy and Concessions' [2014] *Economic and Political Weekly* 51-58

(with teachers' salaries at Kendriya Vidyalaya norms) and Rs 3.93 lakh crore would be needed with teachers' salaries at the previous scales. The increased funding requirements over the next five years, using the baseline CABE predictions, total Rs 3.93 lakh crore. The Ministry of Human Resource Development (MHRD) predicts that over the course of five years, extra expenditures of Rs 1.78 lakh billion will be required to fully execute the RTE Act of 2009. These rumours are quite unsettling, if not outright puzzling. ²⁵ The RTE Act of 2009 offers a great chance to fix the anomaly of low education performance and make good on the country's long-standing pledge to give primary and high-quality education to its so-called "demographic dividend," but only if the right adjustments are made and adequate funding is allocated.¹⁹ The unfortunate reality is that politicians and policymakers may sabotage their efforts to attain this vital goal in pursuit of short-term political gain.²⁰

CRITICAL ANALYSIS OF RTE 2009

Recent studies indicate that the proportion of students choosing private schools has been continuously rising and that the most marginalized kids, including females, continue to enroll in and attend public schools. If this trend continues and individuals who can pay opt out of government schools for some reason, the case for boosting per-child spending in government primary schools (and, subsequently, middle and high schools) becomes more persuasive. To proactively "neutralize the accumulated distortions of the past," we must spend more on the most underprivileged individuals and guarantee they have access to the highest quality education (National Policy on Education, 1986²¹: GOI). Yes, this may be a formidable obstacle for educational planners. Given the steady growth of the gross domestic product (despite the hiccups of 2008 and 2009), the government must make resources available and establish a robust and autonomous quality assurance mechanism that holds all schools - private and public - accountable for ensuring that children learn and are provided with a nurturing environment for growth. The right to education is not about allocating finances optimally across different

¹⁹ Srikrishna B N & Ors, 'Report of the Sixth Central Pay Commission (New Delhi: Government of India), March' (CG Staff News, 2008) <<https://cgstaffnews.com/?p=4615>> accessed 18 August 2022

²⁰ *Ibid*

²¹ National Policy Education 1986

education sectors; instead, it is about guaranteeing that every kid has access to an education of similar quality at all levels. Enhancing investment at other levels by relegating the poor to as would be contrary to the spirit of this right.²²

Reforms to the primary level of education are required under the RTE Act.²³ Authorities and implementers have often emphasized that the essential significance of the Act is that, taken as a whole, it requires a fundamental reorientation of conceptualizing education as a right, which cannot be overlooked, despite the Act's focus on free seats for 25% of students and the role of private schools. Ideals for securing universal primary education include the removal of access barriers (such as extending the period of admission, relaxing documentary requirements, and eliminating admission tests), access to a formal school with minimal teacher and infrastructure requirements, child-centered pedagogy, and joyful learning. In the early stages of the Act's implementation, however, respondents said that the public's attention was diverted by private school lobbyists, hindering their comprehension of the Act's full effects.²⁴ Some of these additional features, notably pedagogical implications, are beginning to be discussed.²⁵

Our research revealed that contestation and controversy were equally present in policy backrooms and public discussions during the formulation and passage of the Act. This resulted in crucial compromises being included in the final law. They may have guessed at some of the factors that will go into deciding on educational policies. However, their distinct forms are essential to appreciating the substance, rationale, and remedial potential of individual education programs. The RTE Act is a step in a multi-step process, and its passing heralds not the end but the beginning of a new era of institutional progress in education in India. The process of putting it into action will certainly be fraught with debate and controversy. Considering the prevalence of volunteerism in favour of worthwhile causes, this shouldn't come as a surprise.

²² Tooley James & Ors, 'Private Schools and the Millennium Development Goal of Universal Primary Education: A Census and Comparative Survey in Hyderabad, India' (2007) 33(5) Oxford Review of Education 539-560

²³ *Ibid*

²⁴ Praveen Jha & Pooja Parvati, 'Right to Education Act 2009: Critical Gaps and Challenges' [March 2010] Economic and Political Weekly 20-23

²⁵ *Ibid*

NEED OF NEP 2020: IT'S BACKGROUND

There are over 845 universities in India, a rising liberal nation for educational reforms, with an associated total of nearly 40,000 higher education institutions (HIEs), demonstrating the general high fragmentation and numerous minor HEIs related to these universities. Contrary to the shift toward a diversified approach to higher education that is a necessity for the changes being implemented in the country for the twenty-first century, more than forty percent of these little colleges only provide one program. More than 20% of schools are noted to have annual enrollments of fewer than 100 pupils, making them unfeasible in terms of raising overall educational standards. Because of geographical disparity and the quality of education they offer, just 4% of schools yearly enroll more than 3,000 pupils. The following have been cited as causes of India's higher education (HE) system's disintegration:

By 2032-2033, it is expected that India's economy would have a GDP of \$10 trillion, making it the third biggest in the world. Instead of relying on the country's natural resources, the \$10 trillion economy would be driven by information resources. The present government of India has decided to implement a comprehensive National Education Policy for 2020 to encourage the growth of the country's education sector. It's in line with the Prime Minister's recent call for India to take advantage of the Fourth Industrial Revolution. The newly announced National Education Policy 2020 aims to create an education system in India that is focused on providing high-quality education to all citizens and thereby aids in transforming our country into a more democratic and prosperous knowledge society.

The National Education Policy 2020 takes a hard look at the educational practices important to the Indian ethos and so makes a direct contribution to the modernization of India (or Bharat). Its goal is to ensure that everyone has the same opportunities to learn and grow to maintain the current prosperous knowledge society. This is an important milestone on the path to India's status as a leading knowledge economy on a global scale. Our standard curriculum and methodology must instill in pupils deep respect for the Fundamental Duties, constitutional ideals, patriotism, and a knowledge of one's roles and obligations in an ever-changing global world, as mandated by the Policy. The goal of the policy is to help students become responsible

global citizens who care about issues like human rights, sustainable development, and the well-being of their communities and the planet. This includes helping students develop a strong sense of national pride and a love for India in all aspects of their beings: mind, body, and spirit.

BACKGROUND

NEP 2020 is the new national education policy, replacing the National Education Policy from 1986. Former Cabinet Secretary T. S. R. Subramanian's committee began discussions on the New Education Policy in January 2015. Based on their June 2017 research, a team led by former ISRO director Krishnaswamy Kasturirangan proposed a draft NEP in 2019. After public consultations, the Ministry of Human Resource Development released the Draft New Education Policy (DNEP) for 2019. The Ministry conducted an extensive round of stakeholder interviews²⁶: More than two million suggestions were sent in by more than two and a half million-gram panchayats, six thousand blocks, six thousand urban local bodies (ULBs), and six hundred seventy-six districts.²⁷

India has a rich history of educational institutes like Taxila and Nalanda. Indian history is rife with respected monks and sages who contributed greatly to the country's educational system. There did, however, appear to be a single weakness in the initial approach. The educational system was based on the principle that "King Son becomes a King," and on the four strata of society. There were four social castes in ancient India: the Brahmins, who guarded Vedic knowledge, the Kshatriyas, who ruled, the Vaishyas, who ran businesses, and the Shudras, who did manual work. Children from higher classes received an education regardless of their family background, whereas those from the Shudra class were denied one entirely. Although this strategy may have worked in the past, India's lack of an educated workforce and advanced culture meant that the country was unable to develop. An increasing number of people were having trouble reading.

²⁶ Jha Praveen & Ors, *Public Provisioning for Elementary Education in India* (Sage India 2008)

²⁷ *Ibid*

The newly independent administration realized the need of planning for the country's future in 1968. Prime Minister Indira Gandhi spearheaded the implementation of the National Policy on Education. The goal of the new plan is to ensure that all children under the age of 14 have the same educational opportunities. Awareness-raising and information sharing were prioritized in this strategy. This tactic was a watershed moment in the evolution of the Indian schooling system. A 10+2 system was used. The plan was revised in 1986 to encourage more people to apply for financial aid to go to school. This included expanding access to continuing education opportunities for working adults, hiring more teachers from the Scheduled Caste, providing financial incentives to low-income families so that they could afford to send their children to school, and building more schools.²⁸ The 86th Amendment to the United States Constitution guaranteed all citizens the opportunity to get a free and appropriate public education. Even while this improved the literacy rate, it did little to improve the productivity of the workforce.²⁹ Efficiency in the higher education system is affected by its geographic spread. Reasons for this disintegration include:

- Early specialization in academic fields is common among students;
- limited access to higher education in remote communities;
- teachers' and institutions' inability to make their own decisions;
- Aims to improve higher education to boost participation.
- A lack of competent and relevant career management resources;
- Lack of advancement for academic staff and administration;
- A decline in research and innovation possibilities at the majority of educational institutions;
- An absence of a shared goal for higher education.

By 2030, India will have the third-largest GDP among the world's youngest nations, and its growth will be driven not by the country's abundant natural resources but by its rapidly

²⁸ Pankaj Jain, 'Program Success and Management of Primary Education Programs in Developing Countries' (1997) 24(3) World Development 349-58

²⁹ *Ibid*

developing intellectual resources. The government's National Education Policy 2020 appears to be the best approach for assisting the burgeoning intellect.

MOTIVE AND SCOPE OF NEP

NEP-1981's unrealized promise serves as the jumping-off point for the New Education Policy. The first NEP was established in a separate India in 1986. Progress has been achieved throughout the years in several important areas, including access and equality. Enrollment in basic and secondary schools is now nearly universal, while enrollment in higher education is on the rise (GER: 26.3%). But the quality of education provided by public schools has declined, and the middle and upper classes have begun to leave as a result. This factored into the breakdown of responsibility structures as well.³⁰ Wages in public sectors have been rising steadily despite low returns on investment in education.³¹

SCHOOL EDUCATION

- Redesign the 10+2 structure as 5+3+3+4 Include pre-primary years in the new pedagogical and curriculum structure. This was formerly disregarded in education policy texts and only alluded to informally.
- NCERT will prioritize the creation of a new curriculum and pedagogical framework for ECCE. Through short-term and long-term initiatives, the policy also emphasizes the creation and training of Anganwadi trainers. A positive push toward formalizing the structure and delivery of ECCE programs.
- A positive push toward formalizing the structure and delivery of ECCE programs.
- Focus on acquiring fundamental numeracy and reading skills by third grade. This will be bolstered by the Ministry of Education (MoE) and managed as a separate national mission.

³⁰ Kaur S, 'Progress of IBSA Countries Towards Universal Primary Education: A Comparative Analysis' [2020] MIER Journal of Educational Studies Trends & Practices

³¹ *Ibid*

- There should be a unified national book policy to increase access to libraries and encourage reading among young people. There is a dearth of public libraries in India. If this could be supplemented by the public education plan, that would be great.
- The nutrition component of midday meals will be upgraded, and if feasible, local alternatives will be supplied. Eggs remain a sensitive policy topic, so the strategy avoids unneeded debate by steering clear.
- In collaboration with the Ministry of Social Justice and Empowerment, design programs and initiatives to address the dropout problem.
- The medium of instruction segment has gotten a disproportionate amount of attention. However, the clause remains somewhat flexible to prevent conflict of any kind. This flexibility may have resulted from a lack of comprehension, commercial pressure toward English, and a paternal concept of "quality." Additionally, the policy does not favour one language over another and supports the study of various tongues. It also suggests teaching Korean, Japanese, Thai, French, German, Spanish, Portuguese, and Russian at the secondary level.
- The policy introduced the term Socio-Economically Disadvantaged Groups. This has not been previously utilized as a social category in technical texts. Though the following parts stress groups such as caste, tribe, handicap, and transgenders, and make brief allusions to the word minority, the phrase minority is highlighted in later sections. Aside from technical criticisms, the strategy envisions other programs aimed at these populations to boost enrollment and retention.
- PAREKH is a new organization that will concentrate on evaluations like National Achievement Survey and State Achievement Survey). PAREKH might be an essential tool for identifying learning gaps and supporting the targeting of various government objectives and initiatives.

Curriculum and Pedagogy of Schooling in NEP 2020: NEP 2020 replaces the 10+2 system with a 5+3+3+4 curriculum³², which is what was used before. The Primary Level (Pre-K through

³² MR Shubhada MR & Niranth MR, 'New Education Policy 2020: A Comparative Analysis with Existing National Policy of Education 1986' (2021) 8 IJRAR

Grade 2), the Intermediate Level (Grades 3–5), the Secondary Level (Grades 6–8), and the Upper Level (Grades 9–12) make up the Educational System's Four Structural Levels. Grade-specific lessons will look like the ones shown below.³³

Foundation Stage: Preschool to Grade 2: Early Childhood Education and Care is the focus of the Primary Level of Education. NEP 2020 is a developmental, multi-tiered, play-participate-discover-based method for teaching children their mother tongue and other languages throughout their formative years. The children are prepared for school by learning the alphabet, numbers, shapes, and colours; playing games; learning the components of art; and developing social and emotional skills like curiosity, patience, collaboration, and better teamwork, interaction, and empathy.

Preparatory Stage: Grade 3 - Grade 5: It has been shown statistically that many students' failures in upper-level courses may be traced back to their lack of proficiency in basic reading and math (FLN). Students who are falling behind or not doing well in school are more likely to maintain the status quo in higher education. The next three years of school focus on developing kids' literacy, language, and numeracy skills, as well as their comprehension of PE, art, language, science, and math.

Middle Stage: Grade 6 - Grade 8: The intermediate level of schooling, which lasts for three years, is all about putting in place a more regimented approach to learning. In this phase, children will be introduced to subject teachers who will impart a deeper theoretical grasp of disciplines like Science, Mathematics, Social Sciences, the Arts, and Humanities. Learning, conversations, and the pursuit of cross-disciplinary links are at the heart of this approach to education.

Secondary Stage: Grade 9 - Grade 12: Secondary school lasts for four years and focuses on certain subjects. The goal of this stage is to give the student some agency over his or her education by enabling him or her to pick five or six areas of study from the integrated curriculum. At this point, students need to start thinking about what they want out of life and

³³ *Ibid*

putting more effort into topics that will help them get there. Students will have more leeway in choosing electives, which will expand to include the arts, vocational training, and physical education. Students are allowed to extend their horizons and develop critical thinking skills in preparation for college.

HIGHER EDUCATION

It is critical to reevaluate the Policy in light of the recent scandal at prestigious universities and the ongoing problems at public institutions. There has been recurrent state interference in academic freedom. In the distant past, state-sanctioned violence did not occur at one of the greatest public colleges in India. University administrators are appointed for political reasons and serve primarily as state agents rather than advancing education, research, or administration. It is troubling that the statement only mentions regulatory autonomy and not financial independence.

- This "imagined" autonomy is envisioned by replacing the University Grants Commission and the All India Council for Technical Education (All India Council for Technical Education) (All India Council for Technical Education). Founded on the idea that different functions should be kept separate, the Higher Education Commission of India can function effectively.
- The commercialization of schools is also discouraged by policymakers. The same degree of freedom, however, allows Indian colleges to host students from outside. The number of independent Indian colleges has grown substantially in recent years. If the goal was to boost competition, this strategy makes sense. This statement's inclusion, however, does not.
- Under-graduation Education: Undergraduate degrees will be either three or four years in length. Multiple entrances and exit points are available during these years, including a certificate at the end of the first year, a diploma at the end of the second year, and a Bachelor's degree at the end of the third year. The four-year bachelor's degree course offers specializations, minors, and research projects.

- **Post-Graduate Education:** Students have the option of pursuing a Master's degree in one or two years, depending on the length of their Bachelor's program, or a five-year degree program whose focus is on rigorous research in the capstone sixth year. The master's degree will emphasize the research component to strengthen students' professionalism and prepare them for a research doctorate.
- **Research:** The research stage consists of completing high-quality research leading to a Ph.D. in any core topic, multidisciplinary issue, or interdisciplinary subject; full-time and part-time study is authorized. Students will take 8 credits worth of courses in education, pedagogy, or teaching methodology related to their dissertation topic throughout their doctoral study. There will be no more opportunities to get an MPhil in only a single calendar year. Based on the aforementioned curricular framework, the HIEs will be split as follows:
 - **Research Institutions:** With a concentration on research, the curriculum of these universities will be based on cutting-edge research and will stimulate new studies. The universities will provide undergraduate courses through doctorate programs. The objective is to have research universities of world-class excellence and global competitiveness.
 - **Teaching Universities:** The purpose here is to give a high-quality education for all HIE courses, including undergraduate, master's, and doctorate degrees, as well as professional, vocational, certificate, and degree programs.
 - **Colleges:** These institutions will focus on giving education to the people with courses covering themes and areas, including diploma and certificate programs, including vocational and professional ones.

MERITS OF NEP

With a strong emphasis on transdisciplinary workshops, this program is anticipated to transform the Indian education system by 2030. The implementation of the strategy in June 2020 is anticipated to result in changes to the educational system within the next two to three years. The advantages of NEP 2020 are enumerated below:

- New thinkers are expected to emerge from the 5 + 3 + 3 + 4 system throughout the next decade as a result of developments in teaching methods and course offerings.³⁴ And these young individuals are considered India's greatest asset.³⁵
- The adult education system has undergone reforms in recent years that make it easier for people to enroll and resume or complete their education.
- The all-encompassing curriculum design ensures that students will succeed in their preferred fields of study.
- Students can gauge their progress by completing courses offered through SWAYAM, MOOCs (Massive Open Online Courses), or ODLs since the policy is student-centric and uses a competency-based credit system (Online Distance Learning).
- The growth of the country's history is a direct outcome of the inclusion of vocational topics in the school curriculum. It also helps cultivate an educated and capable workforce.
- To boost student learning, more and more schools are opening their doors to community members interested in teaching.
- The establishment of RSA will restore order to the tainted regulatory system.
- Including research projects in classwork motivates students to learn more about the topics that interest them.
- When a government allows foreign universities to set up shops within its borders, its citizens benefit from more contact with the rest of the world.
- The cultural development of a nation is facilitated by the introduction of the arts and music at an early age.
- The variety of HIEs supports the idea of a constrained, lightweight, and productive curriculum. Students may tailor their preparation for college success.
- Integrated courses lessen students' workloads without compromising their academic progress.
- Retaining programming like Midday Meals continues to draw youngsters.

³⁴ Aithal P S & Aithal S, 'Implementation Strategies of Higher Education Part of National Education Policy 2020 of India towards Achieving its Objectives' (2020) 5(2) International Journal of Management, Technology, and Social Sciences

³⁵ *Ibid*

- As a result of the expansion of preschools and primary schools near Anganwadis and closer to habitats, the proportion of enrolled kids is predicted to grow as the strain of commuting is relieved.
- The reform to the education system, known as the 5 + 3 + 3 + 4 system, will increase the number of schools and HIEs, hence minimizing the privatization of education.
- The quality of instruction at HIEs is evaluated by periodic obligatory accreditation inspections conducted once every five years.
- By making all HIEs available online, we can help bring quality education to previously underserved areas.
- By making it easier for students to find and apply for funding, the National Scholarship Portal improves academic motivation and encourages more people to enroll in college.
- Better prepared workers will be available on the market by 2045 thanks to investments in higher levels of education.

CRITICISM OF NEP

The following is a list of criticisms that may be levied against NEP 2020:

- The NEP was not subjected to legislative review, debate, or inquiry. This seems like a somewhat hasty attempt to make a political point, given that it was proposed when Parliament was not in session because of COVID-19. Further, this is not the first time something like this has happened. In the previous six years, members of Parliament have been excluded from vital talks on many occasions, preventing them from critically evaluating policies or expressing their opinions and proposing modifications.
- The Policy is a long-term strategy that provides negligible benefits to the poor, women, and caste and religious minorities while excluding them entirely. Since it glosses over long-standing problems over access to education. For the execution of this broad goal, there is no detailed road map and coordinated implementation plan in place.
- Numerous milestones and financial commitments required to accomplish this strategy are not specified. Take, for instance, the statement, "The Center and the States will

collaborate to expand public investment in the Education sector to 6% of GDP as soon as possible." There is no concrete pledge to which the government can be held accountable.

- The Policy does not need a trilingual language formula, but it is written in a way that leaves students/teachers/schools with little option and freedom. It is also in blatant violation of a Supreme Court decision. How this is presented evokes the 1965 anti-Hindi protest, which opposed the federal government's aim to make Hindi an official language. Political groups in the South interpret this as a ploy by the Modi administration to impose Hindi on non-Hindi-speaking states even though the centre has stressed that it would not impose a language on any state and that the state will make the ultimate choice on this matter.
- NEP 2020 does not contain the RTE Act, even though achieving universal education will be impossible without it. No mechanism exists to connect fundamental and secondary education to the RTE. This is not legally binding on the centre/state. As stated in a statement from the RTE forum: "The final Policy discusses the universalization of school education from ages 3 to 18 without making it a legal entitlement.³⁶ Therefore, there is no mechanism obligating the federal and state governments to make it a reality. Without the RTE Act, universalization would be extremely challenging."³⁷
- The weekly opening of institutions is a tremendous job. There are over 1,000 universities in India now. One of the declared aims of the program is to double the Gross Enrollment Ratio in higher education by 2035, which will require opening one new institution each week for the following 15 years. Unquestionably, opening a new university every week is an enormous challenge.
- Budgetary costs connected with reorganizing the school system are almost as daunting. Planned under the National Education Policy 2020 is the re-enrollment of two crore youngsters who are not currently enrolled. No matter how you slice it, if you want to do this in 15 years, you'll need to open over 50 new schools per week.

³⁶ Aithal P S & Aithal S, 'Analysis of Higher Education in Indian National Education Policy Proposal 2019 and its Implementation Challenges' (2019) 3(2) International Journal of Applied Engineering and Management Letters

³⁷ *Ibid*

- Lack of financial resources is a major challenge in the Covid era. No one without a strong financial background should attempt this. The National Education Policy 2020 proposes increasing yearly education spending from 4.6% of GDP to 6% of GDP, or around INR 2.5 lakh crores. The funds will be put to good use in building schools and institutions around the country, paying for faculty salaries and other operating expenses like providing free breakfast to students.³⁸ As the economy was devastated by lockdowns connected to Covid-19, government tax collections were pitiful, and the budget deficit was already huge. This method was implemented.³⁹
- Healthcare reform and economic revival have taken precedence, delaying implementation. Even though it would put a strain on government finances, some economists have pushed for massive stimulus packages up to double-digit percentages of GDP.
- Diversify the pool of available teachers that are up to par In school education, the approach asks for a major structural overhaul of the curriculum, which is a highly beneficial development. To fully apply this curriculum, however, we need instructors who are trained in and appreciate the pedagogical needs. Numerous modifications to the curriculum necessitate considerable mental adjustments by teachers and parents.
- University education that draws from several disciplines requires a cultural upheaval. It is encouraging to see the National Education Policy 2020 promote interdisciplinary study at the university level. For many years, universities, especially those in India, have been heavily segregated and specialized. To improve the depth and breadth of India's educational system, the government has outlined several plans in its National Education Policy 2020. The following are some of the goals of this research on the National Education Policy 2020:
 - To highlight and summarize the recently adopted higher education policy (NEP 2020).

³⁸ B Venkateshwarlu, 'A Critical Study of NEP 2020: Issues, Approaches, Challenges, Opportunities and Criticism' (2021) 10(2) IJMER 191-196

³⁹ *Ibid*

- It is the purpose of this study to evaluate the National Education Policy 2020 against the existing education framework in India.
- See what forward-thinking measures the government has incorporated into its new higher education program for 2020.
- Determine how you think NEP 2020 will influence the Indian university system.
- Discuss the merits of NEP 2020's Higher Education Policies.
- Suggestions for additional enhancements to the proper execution of NEP 2020 to achieve its objective.

IMPROVEMENTS TO BE INTRODUCED TO NEP

It seems that every excellent item has problems. Although NEP 2020 appears to be flawlessly written, it needs refinement. The recommended changes are listed below:

- Academics in retirement should be allowed to work with students of any age who are engaged in research.
- To encourage more research, post-graduate programs should be required to publish or file patents on their students' work.
- Vocational training programs must include work-study opportunities.
- HIE students in secondary school should be encouraged to try out online learning environments like SWAYAM (Study Webs of Active-Learning for Young Aspiring Minds), MOOCs (Massive Open Online Courses), and ODLs (Innovation in Open and Distance Learning).
- The patent application and review procedure must be enhanced. Rather than 3 to 6 years, the period should be shortened.
- Teachers must be assessed periodically based on their teaching qualities, and underperformers must be dismissed.
- Although unavoidable, lobbying and favoritism must be restrained during the nomination and certification process.
- Beneficiaries of scholarships should have access to modern tools for learning and growth.

- All students enrolled in HIEs must have open access to online resources including books, journals, papers, patents, etc.
- Students who enter and leave the undergraduate system several times may misuse it, thus they must retake examinations covering material from their first semester.
- If a student or prospective student does not finish high school for any reason, they should nevertheless be able to take an exam equivalent to the grade 12 exam at the end of their schooling. Students must be accepted to HIEs based on the results of this test in addition to their NTA scores.
- The secondary school curriculum should include health education.

CONCLUSION

Despite its many promising features, this approach needs refinement. If NEP 2020 is continually updated, it has the potential to become the best Policy in the domains of education and human resources. According to the proverb, "A mad monarch abuses his power and pulls his kingdom into the sewers," mishandling the Policy might prove catastrophic. Policy abuse is inevitable in a nation plagued by concerns such as favouritism, corruption, and lobbying. Additionally, this Policy provides enormous optimism to those in need. With the implementation of NEP 2020's student-centered ideology, the education system and labour force are anticipated to improve by 2030.

Literacy rates in India are expected to rise, not only among the young but across all age groups as a result of a renewed emphasis on adult education. With a varied curriculum, students can focus their studies on areas of particular interest to them. It was expected that the enrollment rate would grow as a result of the attractive scholarship offers, study techniques, credit-based system, and curriculum. We may hope that the children's quality of life would increase if the curriculum included more lessons in aesthetics, music, and vocational training. From this, it appears that hopes for a prosperous nation are within reach.

The prosperity, social status, technical advancement, and morality of a nation are all dependent on its level of higher education. The government's education department is responsible for

boosting GER to guarantee all residents have access to higher education options. The National Education Policy of India 2020 is working toward this objective by introducing novel policies to enhance the quality, attractiveness, and affordability of higher education, and by expanding the supply by making higher education available to the private sector and imposing stringent quality controls on all higher education institutions. It is anticipated that NEP-2020 will succeed by 2030 if it promotes merit-based admissions with free scholarships, merit-based & research-based continuous performers as faculty members, and merit-based proven leaders in regulatory bodies; and if the quality is strictly monitored through biennial accreditation based on self-declaration of progress via technology-based monitoring.

Eventually, every college, university, and other higher education institution with the current nomenclature of associated colleges will either expand into a multidisciplinary autonomous college with degree-granting authority in its name or become a constituent college of its affiliated university. The National Research Foundation is an independent agency that will fund innovative projects throughout the key research domains of basic sciences, applied sciences, social sciences, and the humanities. Students will be given more autonomy in their academic pursuits, both inside and between fields. In addition, within the bounds of the policy framework, instructors can choose whichever curriculum, methodology, pedagogy, and assessment methods they choose. These adjustments were planned to start in the 2021–22 school year and last until the first stage of the shift became evident in 2030.