

Universal Primary Education In Delhi: The Role Of Section 12(1)(C) Of The Right To Education Act

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Abstract

This literature review examines the role of Section 12(1)(c) of the Right to Education Act in advancing universal primary education in Delhi. The provision mandates that private unaided schools reserve 25% of entry-level seats for children from economically weaker sections and disadvantaged groups. Through a critical synthesis of scholarly articles, policy documents, and government reports, the review assesses the policy's implementation, challenges, and outcomes within Delhi's context. The broad finding of this paper is that Delhi demonstrates high rates of school compliance and has established sufficient infrastructure to facilitate the act. However, issues persist with regard to monitoring mechanisms and student integration. This review highlights the importance of changes in school and administrative policies to rectify the same.

Keywords: *Right to Education Act, Section 12(1)(c), Delhi education policy, school inclusion, economically weaker sections*

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I. Introduction

Universal Primary Education¹ (UPE) refers to the global goal of ensuring that all children, regardless of gender, socio-economic status, or geographical location, have access to and complete a full course of primary schooling. Around the world, governments have adopted a range of policies that are in line with this broad goal. This paper will focus specifically on the Right to Education Act in India.

The Government of India passed the landmark Right to Education (RTE) Act in 2009, ensuring free and compulsory education for children aged 6 to 14. A key provision instituted to achieve this goal was the establishment of a 25% reservation in private unaided schools, for students from Economically Weaker Sections and Disadvantaged Groups under Section 12(1)(c). Colloquially known as the RTE Quota, this policy aims to reduce educational inequalities by providing quality education to marginalized pupils.

In India, private schools function autonomously. However, those that receive government financial assistance to cover salaries and other miscellaneous expenditures are classified as aided public schools. On the other hand, unaided private schools operate without any dependence on government funding and are thus entirely reliant on private revenue sources like tuition fees to fund their operations (Gandhi & Kingdon, 2017).

Under RTE Section 12(1)(c), private unaided schools are mandated to allocate 25% of their entry-level seats, typically in Kindergarten or Grade 1, to children from Economically Weaker Sections (EWS) and Disadvantaged Groups (DG). The EWS category includes families with an annual income below a state-specified threshold. Delhi recently raised the maximum threshold of income from ₹300,000 to ₹500,000². Meanwhile, the DG category encompasses Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), orphans, children with disabilities, and those affected by HIV/AIDS.

Importantly, even before the enactment of Section 12(1)(c) of the RTE Act, many private, unaided schools in Delhi already had reserved seats for students from Economically Weaker sections, ranging from 15%-25%. Under this system, known as the "freeship quota," private schools were granted land at concessional rates by the state government in return for reserving seats. (Sarin et al., 2014)

¹ Martin. (2023, October 19). *Education - United Nations Sustainable development*. United Nations Sustainable Development. <https://www.un.org/sustainabledevelopment/education/>

² Government of National Capital Territory of Delhi Directorate of Education: Private School Branch. (2025, January 3). *Circular: Guidelines for admission under EWS/DG and Children with Disabilities Category as defined in the Right of Persons with Disability (RPWD) Act, 2016 at Entry Level Classes (Preschool/Nursery, Pre-primary/KG and Primary/Class-1 in Private Unaided Recognized Schools (except Minority Schools) of Delhi for the academic session 2025-2026.*

To support this initiative, respective State Governments reimburse private schools for the tuition fees of students admitted under the quota. However, this reimbursement is capped at the per-child expenditure incurred in government schools, varying from state to state. For instance, the per-child expenditure in Chhattisgarh is capped at Rs. 7000 (Romero & Singh, 2022) while in relatively wealthier regions, particularly urban cities, the expenditure is higher. For instance, in Delhi, the yearly reimbursement given to unaided private schools for the admission of RTE quota students was Rs 26908³ in the academic year 2020-21⁴. To facilitate the reimbursement needed to implement the RTE mandate, State Governments can seek funds from the Central Government. However, as of 2017, only 1 Union territory and 11 state governments have done so (Dongre et al., 2017). This raises the question of the delta between the cost to private schools per child and the reimbursement provided to unaided schools by the government, which will be discussed later in the paper.

In this paper, I intend to examine the extent to which the RTE Quota has been successful. There are three components to achieving this: enrollment, retention rates and quality education (Mukherjee, 2018). This paper follows a similar tripartite structure, examining each of the components and evaluating Delhi's successes and failures.

II. Access, Applications And Enrollment

Application is prior to any other steps in achieving universal primary education, as it is the first determinant of enrollment. This first section intends to explore the application process for Section 12(1)(c) seats and the ease with which parents can avail the provisions of the act. Furthermore, it will argue that Delhi has seen success here in three areas: clarity of criteria, documentation requirements and information availability.

Clarity of Criteria

The definition, or eligibility criteria, for the EWS and DG quotas in Delhi are clear. As discussed in the background section, the maximum parental income threshold to fall under the EWS criteria is Rs. 500,000. Meanwhile, the DG category is identified as students belonging to Scheduled Castes (SC), Scheduled Tribes (ST), Other Backwards Classes (OBC), children with special needs, children suffering from disabilities, orphans and transgender students. Furthermore, Delhi also clarifies the neighbourhood criteria to better guide parents on which schools to apply to. Schools are instructed to first fill seats with students residing within 1km of the school, and then subsequently expand seats to students living within 3 and 6 km radii. Clear definitions make it simpler for parents to determine whether their child is eligible for Quota seats or not. However, it is unclear the extent to which this can be argued as a unique success of Delhi's implementation, given that eligibility criteria are relatively clearly defined across most states. As per the 2015 edition of the "State of the Nation: RTE Section 12(1)(c)" report, 23 States and Union territories were rated green⁵ in the metric of having a clear definition of the EWS and DG categories.

Documentation Requirements

Delhi also eases the application process in terms of required documentation. DG applicants are not required to submit any income certificates. For EWS applicants, Below Poverty Line (BPL) ration cards or their Antyodaya Anna Yojana (AAY) ration card issued by a revenue officer of the rank of 'Tehsildar' or above suffice as proof of income. Given that the acquisition of documents is a common challenge, this reduces the burden on potential beneficiaries of the RTE quota.

Just as important to the application process as document requirements is the verification of submitted documents. In April 2015, the Central Government directed private, unaided schools to verify the EWS certificates of students enrolled under the RTE quota (Sharma & Wankadia, 2020). As a result, it was discovered that in some private schools, admission was granted based on counterfeited income certification. This is not to suggest that more stringent documentation is required but rather that schools in Delhi need to take further steps to ensure the validity of admitted students. Current Delhi Education Minister Ashish Sood has announced a

³Government of NCT of Delhi Directorate of Education: Planning Branch. (2020). *Order: Extension of Per Child Expenditure Rate for Reimbursement Purpose up to Academic Session 2020-21 under RTE Act, 2009*.

⁴ Figures for academic years after 2021 are not available in print or on the Delhi Directorate of Education website.

⁵ The report allocates a green rating on the basis of the existence and clarity of the state mechanism that allowed a beneficiary to pursue Section 12 (1) (c) benefits. Thus, a green rating in any criteria indicates that the report finds the state mechanism in place to meet that criteria to be satisfactory.

program to verify the documentation of EWS applicants⁶. As of March 11, 2025, the Delhi DoE claims that 6,196⁷ records have been verified. In summation, Delhi has clear and low documentation requirements, but efforts to curb documentation fraud have been too recently implemented for their success to be holistically evaluated.

Access to Information

The effect of clear criteria and low documentation requirements can only manifest when information regarding them is accessible. This makes access to information an important factor to consider when discussing the application process. Delhi differentiates itself in this regard. While 19 States and Union Territories have red ratings on the metric of information dissemination⁸ Delhi performs significantly better in this regard.

Delhi mandates private, unaided schools to display essential pieces of information on the Directorate of Education (DoE) website as well as on noticeboards. This information includes “total number of seats, free seats available at entry level, date of submission of applications, the date(s) of display of list of eligible candidates for draw, date(s) of draw, date(s) of display of list of successful candidates, date(s) of display of waiting list, date(s) of deposition fees, last date of admission.” All of this information must also be made available by schools on application receipts.

Furthermore, unaided schools have been made to disclose information in instances of non-disclosure by both court decisions and penalties. For instance, after 2015’s *Justice for All vs Directorate of Education*, the Delhi High Court ruled that the DoE must take action to ensure full transparency about the details of the RTE Quota application. As a result,⁹ over 285 private schools were audited and the DoE tasked Deputy Directors of Education (DDE) to mandate schools to release data about vacant and filled seats online. To ensure that these mandates are followed, the Delhi Government has threatened fines and other punitive action in many instances. Notably, in 2018,¹⁰ The DoE threatened to suspend land leases for private unaided schools operating on land leased to them by the Delhi Development Authority (DDA) and derecognize them if they did not admit 25% of their class from EWS or DG backgrounds. Both enforcement mechanisms serve as evidence to show that Delhi has seen successes in holding private schools to account.

In summation, Delhi has been consistently clear in its definition of EWS and DG categories and has maintained minimal requirements for documentation. This has made Section 12(1)(c) a feasible option for parents seeking for access to educational opportunities for their children. However, unlike most other Indian states, Delhi stands out as an example of transparency and widespread access to information, facilitating the ease with which parents can navigate the application process.

The Enrollment Process

The process of enrollment into an RTE Quota seat can be broken down into four major steps. First, vacancies are identified, wherein Education Officers create and verify profiles for unaided, private, non-minority schools that encapsulate information regarding their intake capacity, location, reimbursement details and entry criteria. Second, vacancies are allocated to applicants on the basis of state guidelines regarding quota seats. Third, allocation of seats is done via an RTE lottery, which will be discussed further in this section. Finally, seats are assigned with parents being notified via SMS. Parents are given a prescribed period to approach schools and enroll their children.

⁶ Government of National Capital Territory of Delhi Directorate of Education: Private School Branch. (2025, March 5). *Circular: Guidelines for verification of documents & admission under EWS/DG Category students at entry level (i.e. Nursery/KG/Class-1st) in Private Un-aided Recognized School of Delhi under RTE Act, 2009 & DSEAR, 1973 by DoE, MCD NDMC for the academic session 2025-26 selected through Computerized Draw of lots*.

⁷ Bansal, S. (2025, March 11). Delhi government verifies 6,192 EWS admissions, assures fair, transparent process. *India Today*. <https://www.indiatoday.in/education-today/news/story/delhi-government-verifies-6192-ews-admissions-assures-fair-transparent-process-2692020-2025-03-11>

⁸ The red rating was assigned by the 2015 “State of the Nation: RTE Section 12(1) (c)” report referenced earlier. The red rating indicates the absence of any mechanism in the criteria the rating pertains to

⁹ Directorate of Education, Government of NCT of Delhi. (2015). *2nd round of admissions in respect of EWS and Disadvantaged Group Category from 18.05.2015 to 05.06.2015 – Help Desks to facilitate parents* [PDF]. <http://it.delhigovt.nic.in/writereaddata/Odr2015521090.pdf>

¹⁰ Directorate of Education, Government of NCT of Delhi. (2018). *Instructions for admission of EWS/DG category students in private unaided recognized schools for the academic session 2018-19* [PDF]. https://www.edudel.nic.in/upload/upload_2017_18/27093_99_dt_27072018.pdf

The proceeding sub-sections intend to examine the mechanisms instituted by the Delhi Government to ensure transparency within the student enrollment system, how effective they are, and the correlation they have with seat fill rates.

Accountability and Transparency Mechanisms

The reason an accountable and transparent system of enrollment is of value to this paper is that it correlates with a smooth enrollment process. Therefore, analyzing the enrollment process not only gives us an insight into the successes of these mechanisms but also serves to highlight any alternative factors that might constitute a difficult enrollment process.

Delhi transitioned from an offline to an online lottery system in 2011. As per a circular from the DoE, filling vacant seats allocated for the EWS Quota was to be exclusively carried out via a computerized draw of lots after receiving online applications. This applied both to admissions at the entry level, as well as vacancies that opened in later classes. The circular also required schools to upload relevant information regarding vacancies created because of transfers or dropping out of the school, to facilitate the online lottery for new applicants. Now, the drawing of the lottery to determine which students receive seats is subject to video surveillance.

To supplement transparency mechanisms, several provisions for redress have been established by the Delhi government. The first of these is the online complaint portal where parents can lodge complaints related to the EWS and DG admissions process. Complaints here range from wrongful application rejections, lottery draw discrepancies, non-disclosure of information by schools or denial of admissions even after successful allotment. Second, each district has district-level grievance officers called Grievance Redressal Officers (GROs) to handle complaints received and ensure compliance.

Further steps to address grievances in the enrollment process include redraws and court action. A redraw can be called to correct for errors and discrepancies in the initial draw. Broadly, they are conducted when significant errors are found, large volumes of complaints are made, or it is mandated by courts.¹¹ Complainants can also file individual cases against private schools in the case that they resist admitting a child under the EWS Quota, despite their name being drawn in the lottery.

Effectiveness of Accountability and Transparency Mechanisms

This subsection examines the seat fill rate,¹² an indicator of how well the enrollment process functions post admission.

Currently, we lack accurate figures regarding how many students study in private schools in Delhi under the RTE Quota because there is limited publicly available data. However, year-on-year admissions data is available. Data from the year 2013-14 shows that of the 38,297 seats available, 35,264 were allotted to students who fell under the EWS category. This puts Delhi at a seat fill rate of 92.08% (Sarin et al., 2015), which was the highest nationwide at the time. Even now, Delhi has maintained similarly high rates. For the academic year 2025-26, from a total pool of 44,045 seats, 42,000¹³ were allotted for students under the EWS and DG categories. This gives Delhi an impressive 95.36 seat fill rate. A high seat fill rate indicates that the post-lottery enrollment process functions smoothly, as the majority of those who were allotted seats in the lottery ended up attending their respective schools.

The implication of this is that it can be reasonably argued that Delhi has seen success in developing a smooth process for enrollment. Delhi has also repeatedly outperformed other states in terms of the seat fill rate. The Indian Express reported that in the academic year 2023-2024, 82,879 students were admitted out of 94,700 RTE seats in Maharashtra, giving it a seat fill rate of 87.52%,¹⁴ lower than that of Delhi right now. This indicates that the primary challenge students face during enrollment is not related to any issues regarding the application process.

¹¹ In 2019, the DoE was directed by the High Court to conduct a redraw for a subset of EWS Quota admissions in Delhi schools.

¹² Seat fill rate is calculated by taking the number of allotted/filled seats as a percentage of the total pool of seats for the RTE quota.

¹³ The Hindu Bureau. (2025, March 5). *42,000 seats allotted in first draw for admission of EWS, DG students to private schools*. The Hindu. <https://www.thehindu.com/news/cities/Delhi/42000-seats-allotted-in-the-first-draw-for-admission-of-ews-dg-students-to-private-schools/article69296013.ece>

¹⁴ Express News Service. (2025, January 24). *Parents' body urge education department to complete school admission under RTE by May*. The Indian Express. <https://indianexpress.com/article/cities/mumbai/rte-admissions-maharashtra-2025-process-delayed-9797634/>

Unavailability of seats

Given the above subsections, it can be concluded that there are sufficient mechanisms in place to check the enrollment process. This would indicate that issues regarding access do not largely stem from the enrollment process itself, rather from the unavailability of seats. As such, a discussion of the availability of seats is critical to determining the ease with which students can enroll in unaided schools.

The unavailability of seats could be attributed to a variety of factors. The first of which is the exclusion of certain private, unaided schools from RTE Quota requirements. After the Supreme Court's 2010 verdict in *Society for Unaided Schools of Rajasthan vs. Union of India*, minority schools were exempted from meeting RTE requirements. This excluded many 'convent' schools, which are typically considered to be coveted institutions. In addition, this ruling created room for ambiguity, with many schools attempting to claim minority status on the basis of language. While it is difficult to precisely estimate what percentage of private, unaided schools are exempted from RTE requirements, this is nonetheless a significant reduction in vacant seats.

Furthermore, even among the remainder of schools that haven't received exemptions, many are admitting less than the 25% they are mandated to. As revealed in a survey of 651 Delhi schools (Kacker, 2022), in the academic year 2016-2017, EWS students only occupied 18% of all seats on average. Furthermore, the report showed that the trend of the share of EWS quota students increasing was slowing, increasing by 0% from the academic year 2015-2016 to the academic year 2016-2017. While Delhi now has the highest compliance rate of all states, it still remains below the ideal 25%.

This has two implications. The first is that the availability of eligible schools is a major barrier to access. Second, some private, unaided schools still fail to meet the 25% target.

Overall, Delhi's recent mechanisms to improve accountability and transparency have translated to a high seat fill rate, indicating that the post-application enrollment process runs smoothly. However, there remains ambiguity over which schools can be expected to follow the RTE mandate. This has led to the exclusion of many coveted religious schools and has decreased the size of the overall pool of seats available, making admission into an RTE Quota seat more competitive.

Student Retention Rate

The previous section analyzed the role of an easy application process and robust enrollment mechanisms in promoting access to primary education. The final consideration left is the student retention rate. While the dropout rate has reduced from the 2011 figure of 26% (Kacker, 2022), it plateaued at around 10% after 2014. Currently, we have no clear estimates of the dropout rate post-2017. This section intends to analyze the challenges Delhi faces in lowering the dropout rate.

The first challenge faced is resistance and unwillingness from school administrations. One of their primary qualms is the issue of compensation - The RTE Act mandates State Governments to reimburse schools with an amount equal to the lower of two options. The first is the actual amount charged by the school, and the second is the per-child expenditure of the government (also referred to as the notified cost). The per child expenditure of the government refers to "*total annual recurring expenditure incurred by the appropriate government from its own funds, and funds provided by the central government and by any other authority on elementary education in respect of all schools established, owned or controlled by it*"¹⁵

Improper compensation for unaided schools creates complications for students admitted under Section 12(1)(c). Primarily, unaided schools pass on a range of implicit costs to students, making education less affordable.

Calculation of Reimbursement

An obvious reason for improper compensation is the challenges faced in calculating reimbursement. This section will focus on the role different factors played in the lack of timely payment to schools.

The primary factor impacting reimbursement is the accuracy of calculations. There is no pre-defined method of calculation, and this decision is left up to the states. Delhi is one of 16 states¹⁶ that has not expressed

¹⁵ Published in The Gazette of India on Aug 29, 2009 - (Part V, Section 12(2))

¹⁶ As per govt outline of RTE rules in Delhi There is no mention of any method of cost calculation - Government of National Capital Territory of Delhi. (2011, November 25). *Delhi Right of Children to Free and Compulsory Education Rules, 2011*. Ministry of Education, Government of India. https://www.education.gov.in/sites/upload_files/mhrd/files/upload_document/delhi_rte-rules-2011_dt-25112011.pdf

intent to set up a committee to calculate expenditure, which means that it is unclear what factors into the per-child cost. This has created ambiguity over what costs would constitute recurring expenditure.

As per the 2015 State of the Nation report, Delhi has a red rating in all metrics pertaining to transparency in reimbursement and methods of calculation. As a result, costs that schools normally cover related to the provision of textbooks and uniforms, as well as mid-day meals go ignored within these calculations. Despite the law requiring that they are considered, the majority of states exclusively cover the costs of tuition. RTE Quota students are then forced to buy textbooks and uniforms directly from markets or from schools themselves.

Parents interviewed cited additional costs as one of the primary factors responsible for withdrawing their children from EWS quota seats (Kacker, 2022). One parent described expenses of Rs. 12,000 a year on books, with an additional Rs 3,100 per quarter paid to the school. This, in tandem with other expenses like uniforms and day trips amounts to a minimum of Rs. 24,400 spent per year. Delhi, at the time of the survey, defined the EWS criterion as children belonging to families with parental income under Rs. 100,000. For the parent interviewed, this would constitute a minimum of 24.4% of yearly income spent on educational costs.

While hidden costs make up a large part of parents' reasoning for their child's drop out, schools paint a different narrative. Many unaided schools cite a lack of interest from parents as the primary factor in determining dropouts. The primary way this manifests is when parents do not show interest in the admission after a seat is allotted. As a result, seats remain vacant while the student who opted for it drops out due to a range of non-cost-related concerns, such as loss of support from their immediate family or relocation back to their hometowns.

Shailaja Chandra, former Chief Secretary of Delhi, argues that parental involvement in the process is low, as is evidenced by low parental participation in School Management Committees (Sarin et al., 2015). Data in a report by the National Commission for the Protection of Child Rights could also be used to argue that schools are equally liable for a lack of interest from parents.

In particular, the report shows that schools frequently fail to send notifications to the DoE whenever a seat remains unfilled, thus letting it remain vacant rather than opening it up to a new candidate. The report claims that many schools in Delhi made no active effort to reach out to or contact parents in instances of dropouts. This indicates that to some extent, schools are unwilling to follow the mandate of Section 12(1)(c), which would reflect in their attitude towards outreach to parents.

Overall, Delhi certainly suffers from an undesirable dropout rate. The extent to which this can be considered a failure in the implementation of the policy is also clear. The average annual expenditure on private education in Delhi was estimated to be around Rs. 47,000 by Schoolnet India in 2022¹⁷, while the Delhi government reimbursed unaided schools Rs. 26,908 in the academic year 2020-21. There is a large gap between the amount reimbursed and the cost of private education, indicating that the potential for hidden costs being passed onto students is high.

Quality of Education

The final component of universal primary education is the provision of education of a sufficient quality. This section will investigate the extent to which education in RTE Quota seats shows notable improvements in educational outcomes, in contrast to government schools that these students would have otherwise attended in the absence of this policy. There is a range of factors that indicate the quality of the education students admitted under Section 12(1)(c) receive which will be discussed further in this section.

Discrepancies in Funding

The law directs governments to compensate schools with the *lower* of the notified costs (per child government expenditure) or the school fees. If the reimbursements paid are lower than the notified costs, there is reason for alarm. This would indicate that students are attending private schools that charge a lower fee and spend less per student than a government school would. This directly knifes the primary objective of granting underprivileged children access to better-funded schools. Ambrish Dongre and Avani Kapur, fellows at the Centre for Policy Research, argue that this could indicate that students are attending the same schools they would otherwise attend (low-cost private schools), without the additional tuition cost, rather than the schools parents would choose to send their children to, which are typically high-cost private schools. This could be due to a range of factors, including geographical proximity.

As outlined in the previous section, in the academic year 2020-21, schools were reimbursed Rs. 26,908. At the same time, the per child expenditure in government schools was Rs. 78,082¹⁸. This data displays an

¹⁷ Schoolnet India Ltd., & PGA Labs. (2022, May). *Understanding Indian school education spends landscape*. <https://nisaindia.org/indian-parents-spend-rs-20000-for-education-in-govt-schools-rs-47000-in-unaided/>

¹⁸ Planning Department, Government of National Capital Territory of Delhi. (2022). *Economic Survey of Delhi 2021–22*. <https://delhipanning.delhi.gov.in/planning/economic-survey-2021-22>

enormous disparity between the actual reimbursement and the per-child expenditure incurred by the government. However, there is some uncertainty in the data. The National Coalition for Education, India, instead approximates the per child expenditure (notified costs) in government schools to be Rs. 21,250¹⁹. This indicates the inverse of what the Delhi Economic Survey figure does. Thus, it is unclear whether students are attending less or more expensive schools because of the quota due to the ambiguity of data, but it is an area that necessitates further study because the potential ramifications could be severely detrimental for the program.

However, this raises the question of the importance of going to a well-funded school. The next subsection will probe the extent to which a well-funded school can be correlated with better educational outcomes.

Educational Outcomes in Better Funded Schools

In their 2014 paper, Ankur Sarin and Swati Gupta, scholars at the Indian Institute of Management, Ahmedabad, argue that an educational system that discriminates on the grounds of economic resources cannot be expected to produce results that are independent of the economic situation of students. While the previous subsection highlighted the concern that students may be attending poorly funded private schools, this sub-section aims to assess the extent to which attending a better-funded school produces better educational outcomes.

Overall, educational outcomes are noticeably better in private schools than in government schools. Government schools in Delhi are plagued by a variety of issues intrinsic to them. These range from inadequate teacher training and poor teacher-pupil ratios to resource constraints (M. N. Sarin, 2015). While paternalistic arguments have been made that students from an EWS background²⁰ thrive better outside unaided schools, there is currently no evidence beyond anecdotes that suggests that this is the case. Furthermore, interviews of East Delhi parents conducted by Sarin for his 2014 paper showed that, despite the challenges faced, the RTE quota was generally perceived as an opportunity. Considering that, this paper will not attempt to answer the question of whether a quota seat in a private school is comparatively better than a government school in terms of educational outcomes. Instead, this subsection focuses on the range of factors that act as hindrances in the delivery of quality education to RTE quota students. Thus, this subsection will examine the barriers imposed by discrimination in private schools.

Younger children express that they do not frequently feel alienated in private schools (A. Sarin et al., 2014). Whether this is due to their inability to articulate social discrimination when interviewed or the absence of discrimination is less clear. The NCPCR's 2012 report corroborates this perspective, stating that 94% of schools displayed no discrimination. However, this data may not be representative of reality. This data was obtained from monitored classrooms where students may have been forewarned to be better behaved for the purpose of the review. Furthermore, large parts of the data on discrimination were collected directly from school administrations and thus may not be entirely reliable.

On the other hand, an India-wide review on discrimination against quota students in private schools (Kumar et al., 2022) offered contrasting data. Of the 400 surveyed, there was a consensus that discrimination was prevalent, as is evidenced by the general trend of agreement with a range of statements describing discriminatory practices²¹. Furthermore, five school principals agreed that discrimination against EWS students was prevalent in their respective schools.

To assume that these two contrasting findings represent a dichotomy would be misleading. While discrimination may not be particularly widespread amongst students, Kumar's report focuses more on the institutional nature of discrimination. This raises the question of school policy and the role of schools in increasing access to quality education. Further study is needed in this area, and an analysis of policies implemented by schools that have successfully reduced discrimination could provide a workable model for schools across Delhi.

III. Conclusion

In summation, literature on Section 12(1)(c) of the RTE Act reveals that Delhi has seen successes in designing and implementing its application process and has ensured transparency in enrollment. While the dropout rate is undesirable, it still remains one of the lowest across India. However, Delhi still struggles with the unavailability of seats and institutional discrimination against students in schools.

¹⁹ National Coalition on the Education Emergency (NCEE). (2023, March). *Public spending on education in Delhi: A comparative analysis*. <https://nceindia.org.in/wp-content/uploads/2023/03/Public-Spending-Delhi.pdf>

²⁰ Principals of private, unaided schools argued that students from EWS backgrounds may fare better in their own environment. (A. Sarin et al., 2014)

²¹ The statements focused on teacher attention, severity of punishment, denial of opportunity and extracurricular participation.

This paper highlights two unique findings. First, there is a potential that students accessing the RTE quota are using it to go to worse-funded schools than they otherwise would. Second, the discrepancies in average costs of private education and government reimbursement indicate that there is a high likelihood that implicit and unaccounted costs are being passed onto EWS students and their families.

Future research should focus on the nature of schools that students availing Section 12(1)(c) attend, as well as studying the policies put into place by private schools that report high rates of integration and student cohesion.

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