

## NATIONAL EDUCATION POLICY (NEP) 2020: Measures to combat commercialization and ensure an equitable education system

### Abstract

The National Education Policy (NEP) 2020 is independent India's third Education Policy and the first in quarter of a century. Its effectiveness must be assessed based on the extent to which it contributes to the realization of article 21A of the Constitution, addresses its segregated education system, is gender transformative and closes the gap between the education for India's elites and its poor and historically marginalized groups including Dalits, Adivasis, Muslims. Its implementation must contribute to improved realization of the RTE Act, lead to the strengthening the public education system and stem the rising commercialization of education.

This policy brief makes seven recommendations for its implementation. State and national governments should push the envelope on ensuring educational equity and non-discrimination, address the needs of children below six and above 14, confront privatization and commercialization of education, tackle the NEP's inbuilt risk of informalization of education and operate with a more critical analysis of use of digital/IT tools. They must put in place a change management process for the upcoming governance reforms and strengthen the administrative backbone of the education system. Further, the government must ensure adequate resources for its implementation and amplifying mechanisms for citizen participation.

### Introduction

The National Education Policy (NEP), 2020 is the third in the series of National Education Policies (1968 and 1986 modified in 1992) in India. Its stated five guiding pillars are Access, Equity, Quality, Affordability and Accountability. The NEP 2020 envisions an ambitious transformation in India's school education through "an education system rooted in Indian ethos that contributes directly to transforming India, that is Bharat, sustainably into an equitable and vibrant knowledge society, by providing high quality education to all, thereby making India a global knowledge superpower."

Some of its provisions in school education include universalization of pre-primary and secondary education, curriculum and examination reform including a move to a 5+3+3+4 design covering children aged 3-18 years, enhanced flexibility in the choices of courses for students in schools, revamping of teachers' education, governance and regulation reforms, enhanced use of technology for education and a push towards greater vocationalisation of education.

The NEP includes several positive suggestions, including but not limited to, recognition of the continuum of learning from early childhood and secondary education, introduction of school breakfast, introduction of a range of staff at the complex (social workers, counsellors, health personnel, support staff, special educators), the focus on liberal education and the intention of removing silos of academic/non-academic, vocational/academic, freeing teachers from non-teaching work and providing a career path and continuous professional development for teachers. The policy's intent that private schools are not run by commercial operators is appreciated. The idea of School Complexes offers intriguing possibilities in terms of both pedagogic renewal and as an alternative of closure of schools. It also commits to a gradual enhancement in the allocation to

education, especially by the union government. The positive features are, however, counterbalanced by some limitations which would need to be addressed during the course of its implementation.

The Ministry of Education has developed a detailed action plan for its implementation named ‘Students’ and Teachers’ Holistic Advancement through Quality Education’ (SARTHAQ)<sup>1</sup>. Most state governments have started rolling it out<sup>2</sup> and the development of the National Curriculum Framework in line with the NEP is underway<sup>3</sup>.

Its finalization was preceded by a range of grassroots and online consultations, discussions with thematic experts and presentations and dialogues with elected representatives, state governments and other official stakeholders, even if the absence of Parliamentary debate on the text is disappointing. Oxfam India was engaged in this process and this brief draws on those submissions. This brief provides Oxfam India’s perspective on the NEP from a governance lens. It highlights seven issues on which action is needed to amplify the NEP’s positive features, address its potential weaknesses or shortcomings, or address the educational rights of students over its period of operationalization. Broad and specific recommendations are also made.

---

<sup>1</sup> [https://www.education.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/SARTHAQ\\_Part-1\\_updated.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/upload_document/SARTHAQ_Part-1_updated.pdf)

<sup>2</sup> [https://www.education.gov.in/sites/upload\\_files/mhrd/files/nep\\_achievement.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/nep_achievement.pdf)

<sup>3</sup> <https://www.livemint.com/education/news/meet-the-12-member-kasturirangan-committee-that-will-design-ncfs-11632297489007.html>

## 1. Addressing educational inequality

The commitments made as part of the policy to ensure universalization of early childhood and secondary education, build additional schools in disadvantaged areas, have a more robust focus on children with disabilities and introduce Gender and Inclusion funds are appreciated. The focus on instruction in children's mother tongues opens new opportunities for constructive engagement with the government on issues of multi-lingual education.

However, the policy lacks overarching framing of educational inequality and exclusion as arising from centuries old discrimination and exclusion. India's education system is segregated on class lines as a result of rising commercialization of education<sup>4</sup> with the rich attending private schools and those from poor families moving into an underfunded public education system. Gender, class and caste tend to compound each other resulting in children having a grossly unequal start in life. Girls belonging to rich families (top 20%) get on an average nine years of education, girls from poor families (bottom 20%) get none at all<sup>5</sup>. The NEP fails to address instead following the well-trodden policy path of reiterating existing policies.

More concrete actions are needed to address social, geographical and structural inequalities based on familial wealth or caste status ascribed at birth. A social inclusion lens must be used for all processes, including curriculum and teacher training, instead of considering social inclusion to be a standalone activity. More cutting-edge measures like universal fees waiver of girls, introduction of regular equity audits in the education system and a zero-tolerance approach to instances of discrimination need to be built into the approach. The enrolment of the children with disabilities at secondary level of school education is almost half of the total number of children with disabilities enrolled in the elementary level<sup>6</sup>. Ensuring universal enrolment and retention calls for a more robust focus on ensuring the return of out of school children into formal education through provision of special training programmes and regular tracking of attendance.

A starting point as suggested by the National Human Rights Commission's (NHRC) Advisory for Protection of Rights of Children during the pandemic<sup>7</sup> would be to revise out of school children data. This information would also need to be kept updated and, for migrant children, steps taken to ensure enrolment and attendance data is accessible to destination schools/states through putting in place mechanisms for interoperable data exchange across states. At the same time, systemic reform is needed of the existing special training courses by strengthening alignment with schools and complexes and improving course systems.

It is crucial to ensure that the focus on vocational education does not result in premature sorting effects with children from poor and marginalized communities being explicitly or implicitly pushed into vocational education while children from upper caste and financially better off backgrounds opt for academic education.

This calls for significant enhancement of resources. We hope that the proposed 'Gender inclusion fund' would offer funds which are truly additional. Further, a similar 'Social inclusion fund' is also needed to

---

<sup>4</sup> <https://infonomics-society.org/wp-content/uploads/ijibs/published-papers/volume-2-2016/Turning-the-Tide-of-School-Segregation%E2%80%93Indias-Attempt-to-Make-Its-Private-Schools-Inclusive.pdf>

<sup>5</sup> NFHS-4

<sup>6</sup> [https://ncpedp.org/wp-content/uploads/2021/10/WHITE-PAPER\\_FINAL-1.pdf](https://ncpedp.org/wp-content/uploads/2021/10/WHITE-PAPER_FINAL-1.pdf)

<sup>7</sup> [https://nhrc.nic.in/sites/default/files/NHRC%20Advisory%20on%20Children\\_0.pdf](https://nhrc.nic.in/sites/default/files/NHRC%20Advisory%20on%20Children_0.pdf)

provide additional financing to improve outcomes of all children from Socially and Economically Disadvantaged Groups.

We are also concerned that the policy focuses excessively on residential schools as a measure of increasing equity in education. These schools are poorly monitored and often function in isolation and outside the mainstream governance mechanisms. Further, expansion of residential schools should not be at the cost of expanding neighborhood schools, which should remain first choice in expanding access. Expansion of residential schools risks an increased imposition of the dominant language and customs of the state on children from marginalized communities.

### Specific Recommendations

1. Apply lens of social inclusion and sensitivity to all processes, including curriculum, teacher training, recruitment, and decentralized support mechanisms. Introduce social and equity community audits in the education system in an ongoing basis to ensure system becomes discrimination free; this would, in turn, entail financial allocation for the same under SMSA. Parliamentary standing committee on education should review progress on reduction of inequalities in terms of gender, disability status, social class and caste, tribal and religious minority status. Set up a grievance redressal system to report discriminatory behavior, and take adequate punitive action when complaints arise.
2. All schools need to gradually move towards the same levels of spending in line with Kendriya Vidyalaya schools to address existing educational inequalities and segregation in the education system.
3. Prioritize development of policies and programmes to support mother tongue based multi-lingual education for tribal languages, particularly for the early grades, that ensure availability of teachers speaking said languages, adequate and timely availability of materials in all tribal languages and mechanisms to promote the use of these languages. This, in turn, calls for operationalizing a unit of SCERTs with states with high tribal population to develop and support implementation of dedicated modules for delivery of mother tongue based multilingual education interventions in tribal languages.
4. Institutionalize a bi-weekly process of tracking and review of attendance and identification of children whose attendance is irregular followed by a mechanism of counselling of those found to be irregular by teachers and social workers to be appointed.
5. Put in place mechanisms for accelerated learning/special training for out of school children, including those under 14 years of age. This is particularly critical in the post COVID context with a specific focus on girls. It would also be critical to review the performance of accelerated programmes already underway to improve delivery of existing interventions.
6. Take concrete steps to promote completion of the school education cycle, particularly for girls, by taking cutting edge measures like making secondary education free for girls and Socially and Economically Disadvantaged Groups, radically expanding the number of government secondary schools and early childhood centres, strengthening school safety and addressing negative stereotypes in the curriculum. Girls' participation in Science and Technology and Maths education should be encouraged to break stereotypes and give them an equal start in life.

7. Take steps to ensure education is gender transformational<sup>8</sup>, fosters social inclusion and contributes to building an equal society. This entails including a focus on gender in teacher training, curriculum. Initiate the Gender Inclusion Fund at the earliest and ensure that the allocations are truly additional and not replace existing work and resources on gender.
8. Institute the 'Social Inclusion Fund' to provide additional financing for improving educational outcomes of children from Socially and Economically Disadvantaged Groups and ensure that it is adequately financed and delivers interventions with deliberate focus on addressing India's Dalit, Adivasi, religious minorities, persons with disability and other marginalized groups. Enhance existing scholarship allocations and link them to the inflation index.
9. Prioritize setting up of seasonal hostels for migrant children. Strengthen quality mainstream neighborhood schools instead of expanding residential schools for Scheduled Caste and Tribe students (SARTHAQ Task 194) to avoid segregation of students based on social identity.
10. Extend provisions of reservation of seats for poor and marginalized communities in private schools in line with the provisions of section 12-1c of the RTE Act to include secondary education.
11. The positive measures for persons with disability need to be backed by robust mechanism for standard setting and commitment to implementation. All existing special schools need to be formalized and included within the education system. Standard setting is required for home based education including the number of days and hours of instruction, assessment and examinations, transportation to facilities to resource centres and schools. Systems have to be created within the system at the state level to provide reasonable accommodations and to do individual support planning for students with disabilities<sup>9</sup>.
12. Concrete steps are needed to address the consequences of the COVID-19 pandemic which are likely to have integrational impact. A robust commitment on the part of the state to address the psychological, economic, health and learning impact of the pandemic on children is critical. India needs a long-term policy on Education in Emergencies to ensure readiness for future crises<sup>10</sup>.

---

<sup>8</sup> Gender-transformative education refers to the system of designing, delivering and monitoring education in a way that empowers communities to question and challenge social structures and norms, particularly harmful gender stereotypes and unequal gender and power relations. It builds on an understanding that education has a transformative potential to contribute to gender justice and women's leadership, which in turn helps tackle the root causes of gender inequality and decrease sexual and gender-based violence (SGBV). This definition is based on: Oxfam IBIS.(2017). Concept Note: Transformative education. [https://oxfamibis.dk/sites/default/files/media/pdf\\_global/ny\\_transformative\\_education\\_oxfam\\_ibis\\_concept\\_paper\\_eng.pdf](https://oxfamibis.dk/sites/default/files/media/pdf_global/ny_transformative_education_oxfam_ibis_concept_paper_eng.pdf)

<sup>9</sup> [https://ncpedp.org/wp-content/uploads/2021/10/WHITE-PAPER\\_FINAL-1.pdf](https://ncpedp.org/wp-content/uploads/2021/10/WHITE-PAPER_FINAL-1.pdf)

<sup>10</sup> <http://rteforumindia.org/wp-content/uploads/2021/08/Time-to-UnlockEducation-RTE-Forum.pdf>

## 2. Fulfilling the educational needs of children below six and above 14

The NEP is pathbreaking in its focus on the educational continuum including early childhood and secondary education in its purview. The enhanced focus on the young child is long overdue, especially the stated focus on the Anganwadi network and the intention to develop an 'excellent curricular and pedagogical framework' for ECCE for children up to the age of 8. It also aims to provide 'equitable and quality education until Grade 12 to all children up to the age of 18'.

However, some gaps exist in the provisions as they apply to both younger and older children. With the respect to the young child, if the stage of 3-8 is to function as a single unit, children in this age group should be physically located together and all their needs met in an integrated manner to ensure upward continuity of curriculum from preschool to early primary grades. The Preparatory Class/Balvatika must be seen only as an interim measure until the foundational stage education is universalised. Furthermore, more focus is needed to the needs of children under 3 years. A dedicated mechanism for provision of early childhood care and education for under-threes must be conceptualized and detailed to be delivered within the aegis of Integrated Child Development Services (ICDS), which is operationalized by Ministry of Women and Child Development.

There is a clear risk that existing inequities will be perpetuated due to the proposed four different pathways for delivering Early Childhood Care and Education. For the Anganwadi worker preschool education is only one of the six services she is mandated to deliver and the preschool component has consistently been ranked as the weakest component of the program. The absence of a dedicated and trained preschool educator will continue to affect the regularity and quality of the preschool education available to children. The NEP's roll out must include provision of a second Early Childhood Care and Education trained Anganwadi Worker solely devoted to preschool education. Furthermore, a training programme of 6 months for Anganwadi workers cannot be considered equivalent to a professionally qualified Early Childhood Care and Education educators; comprehensive steps are needed to ensure India has fully qualified early childhood educators for all of its children.

Similarly, India needs more secondary schools to ensure every child has a chance to be educated in a quality public school near their place of residence. Doing so is critical given that a significant share of the population is yet to complete even eight years of compulsory education, especially in the context of the pandemic. Dropout rate at the secondary level in India is 17% as compared to 1.8% (UDISE, 2019-20<sup>11</sup>). Critical gaps, likewise, remain in terms of availability of teachers; 21.6% of sanctioned posts for grades IX and X and 26.5% of posts for grades XI and XII are vacant (according to the All India Survey of Higher Education (AISHE, 2019)<sup>12</sup>.

### Specific Recommendations:

1. Extend the Right to Education Act to include children under six and up to 18 years of age in its purview
2. A second Early Childhood Care and Education trained Anganwadi Worker solely devoted to preschool education must be added in all Anganwadis. All preschool teachers and Anganwadi workers' capacities need to be enhanced to enable them to become professionally qualified Early Childhood Care and Education educators

---

<sup>11</sup> <https://news.abplive.com/education/dropout-rate-at-secondary-school-level-in-india-is-more-than-17-claims-study-1466998>

<sup>12</sup> <https://www.news18.com/news/india/even-as-parl-passes-teachers-quota-bill-too-many-vacancies-continue-to-plague-secondary-higher-education-2215787.html>

3. Significantly enhance the government secondary and higher secondary schooling net (and resource it adequately to ensure availability of adequate numbers of trained, professionally qualified and motivated teachers equipped with necessary tools) to enable all children to complete 12 years of schooling in line with India's SDG 4 obligations.

### 3. Addressing the risks of privatization and commercialization of education

The NEP recognizes commercialization of education as an issue (Para 8.3) while also noting that the current regulatory regime has been unsuccessful in protecting parents from exploitation by private schools. There is also an effort to create systems aimed at ensuring more effective regulation including flagging the need for social audit of private schools.

Unfortunately, while acknowledging the weaknesses of the current regulatory regime, it encourages states to create guidelines to further *incentivize* private/philanthropic activity in education (SARTHAQ Task 288), developing Public Private Partnership policies (SARTHAQ Task 292) at state level and proposes a ‘light but tight regulatory’ that risks lowering the bar in terms of regulation of a sector lacking adequate safeguards to protect parents from abuse.

The distinction between private vs philanthropic private schools is dangerous and should be avoided to not legitimize the notion of for-profit education. Stronger mechanisms for monitoring of private schools and grievance redress in cases of violations by private providers are urgently needed. A study by Oxfam India found that despite the visible collective hardship caused by the pandemic, 40% private schools across the country hiked their fees in direct contravention of existing government orders<sup>13</sup>.

The tasks for NEP implementation proposed by the Ministry of Education, instead of regulating private involvement and addressing commercialization of education in line with the NEP’s stated objectives, goes further than even the original policy by talking about promoting ‘ease of doing business’ in education, encouraging NGOs to build schools, among other measures. This, coupled with the mention of exploring opportunities for higher cost recovery (NEP section 26.7), adds to the fear that education might no longer be a not-for-profit domain.

Care must be taken to ensure that involvement of private actors in provision of education<sup>14</sup> does not create or reinforce discrimination, inequality, and segregation or undermine access to free quality public schools for everyone. Furthermore, private actors (those running schools, delivering key services or operating in public private partnership with the government) should be adequately regulated, in law and in practice and the government must ensure that they operate transparently and with adequate citizen participation. The Supreme Court has recommended framing of national guidelines for coaching centres<sup>15</sup>.

#### Specific Recommendations:

1. No compromise must be made on the existing legal principle that school education is a not-for-profit domain.
2. The regulatory structures being setup for both private and public schools should be vested with adequate resources and human capacities to enforce the regulatory framework given the past track record of private schools failing to comply with regulatory frameworks. The State Schools Standard

---

<sup>13</sup> <https://www.oxfamindia.org/sites/default/files/2020-09/Status%20report%20Government%20and%20private%20schools%20during%20COVID%20-%202019.pdf>

<sup>14</sup> In line with the resolution of the [UN Human Rights Council](#), the report of the [UN Special Rapporteur on the Right to Education](#) and the [Abidjan Principles](#)

<sup>15</sup> <https://www.hindustantimes.com/education/private-coaching-centres-need-to-be-regulated-supreme-court/story-00uw6oNr3ZbNrlTp9hESuJ.html>



Authority must be vested with the resources of the Department of education to enable it to enforce its directives.

3. This should be seen as an opportunity to create a comprehensive regulatory framework that looks at all aspects of private school functioning.
4. Design a consultative process involving parents, civil society organisations, academicians to develop an effective grievance and response mechanism at district and state levels related to regulation and malpractices of any school imparting school education. Give parents a formal say in fixation of school fees by creating fee regulation committees at school and district level, make complaint processes easier and protect complaints' children from harassment. Ensure involvement of parents and children in all decisions that concern children's wellbeing.
5. Make private school finances more transparent by giving parents access to audited accounts of the school.
6. Where fees regulatory structures already exist under pre-NEP state legislations, these need to be notified as the regulatory bodies under the Policy to avoid duplication of efforts and structures. Where these bodies do not exist, past experiences of regulation need to be studied to ensure new architecture draws on the past experience.
7. Ensure regulation of the market of private tutoring including teacher qualifications, instructional hours, fees and other provisions.
8. Any partnerships with non-state actors should approximate the concept of Multi-stakeholder Partnerships in Education<sup>16 17</sup> involving civil society organisations, UN agencies and other stakeholders in public education under arrangements that are non-contractual and non-commercial. Such participation will be based on the condition that the partnership does not initiate or legitimize privatization or commercialization of education, or erode public responsibility for governance and for curriculum development.
9. A careful screening of all private partners engaged in for-profit businesses and pursuing private interest, should be ensured prior to entry into any PPPs. At the same time, in line with the Abidjan Principles<sup>18</sup>, funding must be withheld from those actors that abuse the rights of equality and non-discrimination by being selective and expelling or sorting learners, directly or indirectly, based on socio-economic disadvantage or other grounds or charging fees that substantially undermine access to education. Set up committees at state, district and block level to monitor and review activities undertaken as part of PPPs being envisaged under this project or working closely with the public education system. Ensure that teachers, SMC members and civil society members are represented on all such committees.

---

<sup>16</sup> [https://www.ei-ie.org/media\\_gallery/Policybrief\\_10\\_PPP\\_eng.pdf](https://www.ei-ie.org/media_gallery/Policybrief_10_PPP_eng.pdf)

<sup>17</sup> <https://sustainabledevelopment.un.org/index.php?page=view&type=400&nr=1741&menu=1515>

<sup>18</sup> <https://www.abidjanprinciples.org/>

## 4. The new risk of informalization of education

The NEP proposes creation of alternative and innovative education centres (after amending Section 2 (n) of the RTE) to ensure that children who have dropped out of schools are brought back into mainstream education. The focus on out of school children is appreciated, but treating these centres as alternatives to formal schooling risks informalization of education and institutionalization of a separate type of school (possibly one that doesn't meet existing RTE norms) for the most marginalized children, particularly those belonging to Dalit, Adivasi and Muslim communities, particularly girls. In addition, it is proposed to involve civil society to run and setup these centres, effectively outsourcing the responsibility of the state to get children to school.

The proposed expansion and strengthening of the National Institute of Open Schooling and State Open School systems would be useful but this should not be seen as an alternative to enrolling children in formal day schools. In line with provisions of the Child Labour (Prohibition and Regulation) Act, the emphasis should be on completion of universal formal education till age 14. Only post this age, can open schooling be encouraged as an alternative for students who have dropped out or have practical difficulties in attending regular day school.

At the same time, the NEP proposing to adjust and loosen quality standards “leaving suitable flexibility for each school to make its own decisions based on local needs and constraints, while ensuring safety, security, and a pleasant and productive learning space.” This flexibility should not retrogress from existing commitments under the RTE Act 2009 and RPWD Act 2016.

### Specific Recommendations:

1. There should not be retrogression of existing RTE norms in terms of quality and equity.
2. The Ministry/ Department for education should be the primary/nodal agency for all educational programmes for all children.
3. Alternative education centres should be seen as supporting transition of out of school children into formal education rather than being treated as alternatives to mainstream school; the proposal to amend Section 2(n) of the RTE should be reconsidered.
4. In line with the provisions of the Child Labour (Prohibition and Regulation) Act, emphasis should be on formal, in-person education till age 14 with open schooling being seen as an option, only post that age.
5. Stringent child protection norms and processes should be set up prior to getting outsiders to interact with children in and outside classroom settings.

## 5. Need for a more critical analysis of use of digital/IT tools

The NEP emphasizes use of technology for learning within and outside the classroom, for teacher professional development and for easing administration of education. It calls for investment in the digital infrastructure, development of online teaching platforms and tools, creation of digital repositories and training teachers.

In so doing, the policy is correct in flagging the potential of technology, but does not adequately address the mechanisms for building the infrastructure and capabilities needed for engaging meaningfully with it. It does acknowledge the existence of the digital divide with digital access being an issue for a substantial part of the population. Furthermore, the activities place an excessive focus on individual digital learning instead of facilitating this at the classroom level. This shifts the burden and responsibility of digital access to learning spaces on the household rather than the state, contributing to social and economic exclusion of India's population. Only 15% of India's rural population has access to the internet<sup>19</sup>, while the figure is even lower for girls and children from marginalized social groups such as Dalits, Adivasis and Muslims.

Education technology, despite its potential, has the potential to exacerbate inequities (in relation to access, capacities and costs), therefore, concrete efforts need to be taken to ensure all interventions do not inadvertently further discrimination and inequality. All materials need to be age appropriate, be in the students' mother tongue (including for tribal languages) and avoid gender and social stereotypes. Use of technology for teaching should include a two-way interface to enable interaction between teachers and students. Steps must be taken to ensure safety of children online, including protection from cyberbullying, in line with the NHRC Advisory for Protection of Rights of Children<sup>20</sup> and to ensure protection of all data pertaining to children in view of incidents of sale of children's data<sup>21</sup>. Furthermore, many of the education apps used for transaction teaching online do not follow accessibility protocols by NIC<sup>22</sup>.

It must be emphasised that teachers would also need extensive capacity building to use technology effectively for learning. In a study<sup>23</sup> by Oxfam India, over 80% government teachers reported struggling with teaching online when digital modes were introduced during the pandemic. With the current level of teacher capacity in use of technology, it might be ineffective to use online teacher training for building capacity in learner-centric pedagogy (SARTHAQ Task 278), which can be better learnt through real-life practice and observation rather than through online lessons. The NEP proposes to leverage existing platforms such as DIKSHA and SWAYAM to create virtual labs (SARTHAQ Task 280). It is crucial that the content be thoroughly vetted and an extensive review of the platform's effectiveness be conducted prior to moving ahead with the proposal. Community members need to have space to participate safely, without discrimination in the analysis, design and implementation of new distance learning responses.

All distance learning materials and activities must follow the Principles for Digital Development<sup>24</sup> which have been designed to help integrate best practices into technology-enabled programs and are intended to be updated and refined over time. Steps need to be taken to promote Free Open Source resources and technology for delivery of digital interventions.

---

<sup>19</sup> National Sample Survey on Education 2017-18

<sup>20</sup> [https://nhrc.nic.in/sites/default/files/NHRC%20Advisory%20on%20Children\\_0.pdf](https://nhrc.nic.in/sites/default/files/NHRC%20Advisory%20on%20Children_0.pdf)

<sup>21</sup> [https://www.instagram.com/p/CRyKpXgj3\\_s/?utm\\_source=ig\\_web\\_copy\\_link%20](https://www.instagram.com/p/CRyKpXgj3_s/?utm_source=ig_web_copy_link%20)

<sup>22</sup> <https://nicsi.com/accessibility-statement.html>

<sup>23</sup> <https://www.oxfamindia.org/knowledgehub/oxfamianaction/status-report-government-and-private-schools-during-covid-19>

<sup>24</sup> <https://digitalprinciples.org/>

Stronger regulation is needed for the EdTech sector which currently lacks adequate regulation. The Personal Data Protection Bill, 2019 provides some obligations on EdTech companies, but this has been pending with the Parliamentary standing committee<sup>25</sup>. In the interim, several massive data breaches in EdTech companies have been reported<sup>26 27</sup>. Focus needs to be taken to ensure data privacy, particularly to ensure that personally identifiable data pertaining to minors is not shared with other players by service providers, vendors, schools or education functionaries. Clear mechanisms are also needed for the regulation of private publishers and ICT providers in education (in line with the existing ICT Policy in education) must be strengthened and services kept not-for profit.

There is an overall need to regulate the EdTech sector which has flourished despite the absence of real transparency and evidence of outcomes claimed by EdTech start-ups. According to Datalabs by Inc42, between January 2014 and September 2019, more than 4,450 EdTech start-ups were launched in India; of this, 25 percent have shut shop while only 4.17 percent have raised funds<sup>28</sup> India is now the second largest market for e-learning in the world after the US and is projected to be worth over USD 3/5 billion by 2022<sup>29</sup>. 88% of the total capital inflow to EdTech was for entrance exam preparation and online certification<sup>30</sup> and much of the content is in English<sup>31</sup> and without any mechanisms for oversight of the contents being imparted.

### Specific Recommendations:

1. India needs to adopt an EdTech policy addressing issues of infrastructure, ecosystem development, assessment, learning, and teaching—alongside the systemic issues of access, affordability, and collaborative outcomes<sup>32</sup>.
2. Pilots for use of technology should prioritize models that rely on in-school infrastructure over provision of education online which relies on household digital infrastructure.
3. Emphasis should be placed on developing content in children's mother tongues including tribal languages, for which teachers, parents and community members should be involved.
4. Steps should be taken to ensure content is inclusive, doesn't promote stereotypes and includes adequate representation of Socially and Economically Disadvantaged groups
5. Conduct an expert review of existing platforms such as DIKSHA and SWAYAM before expanding their scope and usage, including seeking feedback from teachers and students on the content and usability of the platforms.
6. All software used in the classroom must be Free Open Source<sup>33</sup>. Steps need to be taken to ensure that services providers are not for profit.
7. Prioritize consultation around and eventual passage of the Personal Data Protection Bill, 2019 to put in place mechanisms to safeguard children's data. Ensure data privacy, particularly to avoid personally identifiable data pertaining to minors being shared with other players by service providers, vendors, schools or education functionaries. Develop clear data protection and privacy guidelines

<sup>25</sup> <https://timesofindia.indiatimes.com/blogs/voices/need-for-data-protection-framework-for-edtech-sector/>

<sup>26</sup> <https://economictimes.indiatimes.com/small-biz/startups/newsbuzz/unacademy-database-of-22-million-users-hacked-up-for-sale/articleshow/75594089.cms?from=mdr>

<sup>27</sup> <https://inc42.com/buzz/vedantu-confirms-hack-that-compromised-data-of-687k-users/>

<sup>28</sup> <https://inc42.com/features/why-do-edtech-startups-fail-in-india-heres-what-investors-think/>

<sup>29</sup> <https://kr-asia.com/indias-edtech-market-to-grow-5x-to-reach-usd-3-5-billion-by-2022-blinc-invest>

<sup>30</sup> <https://inc42.com/datalab/test-prep-online-certification-startups-dominate-vc-funding-india-edtech-market/>

<sup>31</sup> <http://www.businessworld.in/article/EdTech-Evolution-Recap-Of-Top-2019-Trends-And-Those-Expected-To-Rule-2020/14-01-2020-182013/>

<sup>32</sup> <https://idronline.org/india-urgently-needs-an-edtech-policy/>

<sup>33</sup> <https://www.gnu.org/philosophy/free-sw.en.html>

along with guidelines to curb cyberbullying. Data pertaining to children must be stored only on Indian servers.

8. Support teachers, parents and other caregivers for digital delivery. This includes equipping them with necessary devices, ensuring availability of data and capacity building on the use of this technology. Specific efforts would also be made to ensure safe use of technology.

## 6. Strengthen the administrative backbone of the education system and institutionalize change management process for proposed reforms

The changes proposed under the NEP are far sweeping and leaves no aspect of the sector untouched. It does offer a decade long process of change assigning clearly defined responsibilities and including a mechanism for monitoring progress along this roadmap. However, what management science tells us is that about 70% of all change initiatives fail<sup>34</sup>. It is critical to focus not just on what has to be done as part of the change process, but how the change is to be brought about.

Its implementation, thus, calls for a change management process across the education administration to internalize the expectations from the NEP and the changes being considered before its roll out on the ground. The transition needs to be gradual (not across the entire state at once), done in a manner that is sensitive and bottom up, reflecting the aspirations and needs of teachers and other education workers, parents, local governance structures empowered by the 73rd and 74th Amendments and other stakeholders including the administrative cadres at the cluster, block and district levels. Similarly, a process of change management needs to be undertaken within District Institutes of Education and Training and Block and Cluster Resource Centres (CRCs) including filling vacancies, creating new roles, revision of job descriptions and revision of roles. Some of the resulting new hiring would need to be undertaken through identification of talent within the existing pool of teachers in the system.

The idea of school complexes as laid down in the NEP holds potential for systemic reform of the education system provided concrete steps are taken to ensure their adequate staffing (including a full time leader) and resourcing and adequate space is provided for citizen participation. However, the creation of complexes should not undermine the autonomy of individual member schools and Anganwadi centres and should add and not subtract from the resources available to the individual units/schools. If done properly, the creation of school complexes is an opportunity to reinvigorate CRCs by reducing their non-academic work and transferring administrative responsibilities to the Complex. This separation of roles can also avoid duplication of work between CRCs and the Complex. The creation of these bodies would necessitate restructuring of existing structures and bodies including CRCs, School Management Committees, Anganwadi Centres and Panchayati Raj Institutions but it is important that this be implemented in a phase-wise manner that is sensitive and bottom up, reflecting the aspirations and needs of parents, including local governance structures.

Care should be taken to integrate low enrolment schools with the complex rather than closing them, which would result in dropout of children from marginalised groups. School closures have also proven to be highly politically controversial in the states that introduced them like Rajasthan<sup>35</sup>, Odisha<sup>36</sup>, Karnataka<sup>37</sup> and Jharkhand<sup>38</sup>. In Rajasthan, one of the first states to merge low-enrolment schools, enrolment reduced in two-

---

<sup>34</sup> <https://hbr.org/2000/05/cracking-the-code-of-change#:~:text=The%20brutal%20fact%20is%20that,an%20alphabet%20soup%20of%20initiatives.>

<sup>35</sup> <https://timesofindia.indiatimes.com/city/jaipur/Merger-of-schools-rocks-Rajasthan-assembly-again/articleshow/38504684.cms>

<sup>36</sup> <https://www.jagranjosh.com/news/odisha-govts-decision-to-merge-over-7000-schools-met-with-protests-156692>

<sup>37</sup> <https://www.newindianexpress.com/cities/bengaluru/2018/aug/17/karnataka-education-minister-n-mahesh-makes-u-turn-on-school-merger-says-budget-information-incorre-1858910.html>

<sup>38</sup> <https://scroll.in/article/891982/school-mergers-jharkhands-bjp-mps-believe-the-rajasthan-model-will-not-work-in-their-state>

thirds of the affected schools<sup>39</sup>. Evidence<sup>40</sup> also shows that increased distance due to school closure has led to a rise in drop-outs, particularly among girls. Prior to any decision around the complex, its consequences on the poor, marginalized communities and girls must be taken into account. Ironically, while closure of schools has been introduced with the stated intention to improve quality of education by creating bigger schools, research shows no difference in learning levels in small and high enrolment schools<sup>41</sup>.

The NEP's implementation calls for stronger involvement of communities through enhanced empowerment of existing mechanisms for involvement like school management committees and Panchayati Raj institutions. School Management Committees need to be extended for all grades, having similar powers as given in the RTE Act. They would need to be established in private schools and vested with decision-making power to give parents enhanced voice and agency with regard to their children's education. Similarly, empowered and resourced structures for community participation would be needed for Anganwadi Centres (possibly through a review of the roles of the Anganwadi Centre Monitoring Committee) and residential institutions (where regular meetings of parents may not be feasible).

The role of other line departments with a role in delivering education (e.g. MWCD, Social Justice and Empowerment, Tribal Affairs etc.) with respect to the delivery of this policy needs further consideration and representation of concerned officials must be built in the structures proposed. At the same time, sensitization of District Magistrates, Collectors and other Administrative Services Cadre officers on the policy would be needed to enable them to better support its implementation. The proposal for weeding out sub-standard teacher training institutions is welcome and should be supported.

The NEP has been criticized by many states for over-centralization of the education system<sup>42</sup> and India saw widescale protests in the southern states against the NEP for allegedly promoting the hegemony of Hindi<sup>43</sup>. Some states continue to resist implementation of the policy. Processes are needed to address these concerns and win over sceptics.

Some provisions under the policy currently appear to have limited chance of success. Thus, the proposed creation of a 5+3+3+4 system is not explained in the policy. The full implementation of the current 10+2 system that dates back to the Kothari Commission has still not been completed and many states have recently completed realigning their systems with the RTE Act. Another change will cause dislocation and disruption of the system without a clear benefit. This should be avoided to the extent possible.

### Specific Recommendations:

1. Introduce the NEP's implementation must be gradual (not across the entire state at once), sensitive and bottom up, reflect the aspirations and needs of teachers and other education workers, parents, local governance structures and other stakeholders.
2. Change management processes in District Institutes of Education and Block and Cluster Resource Centres including creating new roles and revision of job descriptions must be undertaken in a way

---

<sup>39</sup> Bordoloi, M and Shukla, R. (2019). School Consolidation in Rajasthan: Implementation and Short Term Effects. New Delhi: Accountability Initiative, Centre for Policy Research.

<sup>40</sup> Rao, S., Ganguly, S., Singh, J., & Dash, R. R. (2016). School Closures and Mergers: A Multi-state Study of Policy and its Impact on Public Education System in Telangana, Odisha and Rajasthan.

<sup>41</sup> <https://ideas.repec.org/a/eee/injoed/v72y2020ics0738059318307909.html>

<sup>42</sup> <https://www.indiatoday.in/education-today/news/story/centralised-national-education-policy-against-federal-structure-west-bengal-education-minister-1719471-2020-09-07>

<sup>43</sup> <https://www.deccanherald.com/national/south/tamil-nadu-boycotts-centres-meet-on-nep-2020-says-opposed-to-three-language-policy-986918.html>

that empowers these structures and is driven by talent within the existing pool of teachers in the system. DIETs be supported to develop individual missions and given more freedom to hire additional staff; State-level support units should be created to support DIETs when they request specific modules or IT support.

3. The autonomy of individual member schools and Anganwadi centres should continue to be respected and creation of the complex should add and not subtract from the resources available to the individual units/schools.
4. There should be clear designation of roles and responsibilities to avoid duplication – CRCs should be vested with academic support and the Complex with administrative responsibilities.
5. Put on hold the process of closure/merger of existing low enrolment schools to allow for their integration in the complex as an alternative to closure in line with the provisions of the policy.
6. Ensure adequate resourcing and staffing of the complex to undertake the new responsibilities. Clear staff roles need to be developed to free teachers from non-teaching, but school related work like distribution of entitlements/DBT and facilitate other administrative tasks. Support children to access the complex, including provision of transport, escort etc. to travel to the complex to access the newly established resources.
7. Develop a comprehensive framework for the functioning of the School Complex Management Committees to allow for community participation while also respecting the autonomy of the individual school forming the cluster.



## 7. Resource the policy and institutionalize mechanisms to monitor progress of its implementation

The NEP looks at financing for education is not ‘expenditure’ but an investment for the future of India’s children implementation of the policy is predicated on availability of adequate resources. It acknowledges the need for additional investment in education and calls enhancing public expenditure from the current 10% to 20% over a 10 year period. The committee has made this recommendation anticipating a rapid pace of economic growth and an increase in tax-GDP ratio, resulting in an enhanced resource envelope of the government and hence the education sector.

However, these assumptions are unlikely to materialize in a post-pandemic context. Furthermore, high economic growth or enhanced tax collection do not automatically translate in higher spending on education. The draft NEP has suggested alternative avenues of investment through Corporate Social Responsibility (CSR) efforts and philanthropic initiatives by individuals, corporations and communities. While any additional revenues would be welcome, it is critical to take this in context; in 2016-17, the total fund flow through CSR activities in education was 7% of the total MHRD expenditure and a negligible 0.033% of the country’s GDP<sup>44</sup>. This is unlikely to raise significant additional revenue.

Spending should be progressive, with greatest investment in elementary education. Gross inequalities in spending within the government’s own education system needs to be addressed. It is difficult to explain why per child spending for elementary education in AP should be 6398 which is almost thrice that of INR 2584 that is spent in adjoining Telangana. It is even more difficult to explain why the per student expenditure of Kendriya Vidyalayas is about INR 27,000<sup>45</sup>, which is four times the per capita education expenditure in Delhi and six times of the average India figure. This will call for major changes in funding to prioritize financing of education in lagging states. The NEP recommends leveraging funding from non-state actors; this extra revenue should be aligned with State plans to ensure the integrity of the planning process and not replace existing public funding.

Civil society and teachers should be involved in the process of tracking the progress of the policy to ensure that the policy’s implementation is participative and bottom-up and not top-down. Steps need to be taken to strengthen grievance redress mechanisms to ensure that parents children and citizens at large have space to voice and find resolution for their complaints regarding the functioning of both government and private schools.

The policy places considerable emphasis on strengthening information about learning. This needs to be anonymized, and no learning data of individual schools should be disclosed; using learning data to rank individual schools has been highly criticised where this has been introduced like the United States<sup>46</sup> Simplistic comparison of data for public and private schools avoided since doing so risks feeding sorting effects. One may consider disclosure of learning data for complexes as a whole (including both public and private schools in the catchment area) to provide an incentive for schools to cooperate. With the NEP having a comprehensive focus, it would be critical to develop more innovative metrics of quality like teacher collaboration and peer learning apart from the need to prioritize retention, enrolment and equity indicators.

---

<sup>44</sup> <https://www.cbgaindia.org/blog/education-corporate-social-responsibility-csr-hype-hope/>

<sup>45</sup> <https://www.oxfamindia.org/sites/default/files/2019-02/Davos%20India%20Supplement.pdf>

<sup>46</sup> Strauss, V. The problems with 2017 national rankings of America’s high schools. *The Washington Post*. Retrieved from <https://www.washingtonpost.com/news/answer-sheet/wp/2017/05/21/the-problems-with-2017-national-rankings-of-americas-high-schools/>

### Specific Recommendations:

1. Increase spending on education to 6% GDP over the coming five years. Spending should be progressive and funding formulas must recognize and address inequalities in spending and overall development indicators.
2. Any non-State funding leveraged needs to be additional to the state commitment to spend 20% of its budget for education and be aligned with State plans to ensure the integrity of the planning process.
3. Proposed RTE amendments should be done without destroying its core character and in consultation with civil society actors working on its implementation.
4. Do not rely on learning outcomes as the dominant metric of impact of education and quality. Develop innovative metrics of policy impact and quality like teacher collaboration and peer learning and a comprehensive list of indicators that include enrolment and equity indicators. Learning data must be anonymized, and no learning data of individual schools be disclosed to avoid sorting effects.
5. Provide for enhanced citizen and teacher participation in the review and auditing of both the functioning of the education system and also the roll out of the policy as a whole. Strengthen grievance redress mechanisms in education to give citizens voice in decisions related to the functioning of schools- both government and private.

## Broad Recommendations:

The National Education Policy (NEP) 2020 is independent India's third Education Policy and the first in quarter of a century. Its effectiveness must be assessed based on the extent to which it contributes to the realization of article 21A of the Constitution, addresses its segregated education system, is gender transformative and closes the gap between the education for India's elites and its poor and historically marginalized groups including Dalits, Adivasis, Muslims. Its implementation must contribute to improved realization of the RTE Act, lead to the strengthening the public education system and stem the rising commercialization of education.

## Acknowledgments

Written: Anjela Taneja and Ankit Vyas

Contributions from: Akshay Tarfe, Martin Haus, Aheli Chaudhary and Archana Mehendale

The brief is based on earlier focused group discussions with OIN partners and allies at the stage of the adoption of NEP at state and union level of the governments in India.