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SOCIAL CHANGE THROUGH PUBLIC POLICY

National Education Policy
Compliance Profile

Jharkhand



National Education Policy Compliance Profile: Jharkhand

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Executive Summary

The National Education Policy (NEP) 2020 highlights that

“The goal of the school education regulatory system must be to continually improve educational outcomes; it must not overly restrict schools, prevent innovation, or demoralise teachers, principals, and students. All in all, regulation must aim to empower schools and teachers with trust, enabling them to strive for excellence and perform at their very best, while ensuring the integrity of the system through the enforcement of complete transparency and full public disclosure of all finances, procedures, and educational outcomes.”

At present, State Departments of Education handle all significant functions of governance and regulation of the school education system—provision of public education, regulation of education institutions, and policymaking. To avoid conflict of interests and create a level playing field, we need to set up a State School Standards Authority (SSSA) as recommended in NEP 2020.

To understand how the SSSA can take shape to address exact problems in the state, we took a deep dive into the learning progress of Jharkhand and studied the structure of the education administration, its quality of laws, and regulatory pain-points for private schools.

Some of our key findings include :

1. 15% of all schools in Jharkhand are unrecognised—the highest in the country.
2. 30% of all government schools in Jharkhand have less than 50 students enrolled.
3. Jharkhand has the highest teacher vacancy at the Secondary (81%) and Higher Secondary (84%) levels in India.
4. 70% of Primary teachers and 58% of Upper Primary teachers in government schools are underqualified.
5. Learning outcomes are abysmally low in government schools: only 11% of students in Grade 3 and 29% in Grade 5 can read a Grade II text.
6. Jharkhand has the third-largest percentage (58%) of children taking tuition while enrolled in government schools in rural India.
7. There is no grievance redressal, and dispute resolution mechanism available for staff and parents of children enrolled in government schools.

8. While all primary schools, government and private, in Jharkhand have to be recognised under the RTE Act, the Directorate of Primary Education is responsible for granting recognition to all schools. This creates a conflict of interest given the Directorate also operates its own schools.
9. Schools in Jharkhand cannot raise fees beyond 10% without approval from the District Fee Committee. In case of non-compliance, they can receive a fine of fifty thousand rupees, or worse, de-recognised.



Introduction

In India, Education is a concurrent subject, i.e. both Union and state governments regulate it. As per this structure, it needs careful planning, joint monitoring, and collaborative implementation. But there is also a deep concentration of power and conflicts of interest arising from multiple functions performed by the state Departments of Education alone. At present, state Departments of Education formulate policies, operate their own schools and through its Directorate, regulate private schools.

To correct this, the National Education Policy 2020 proposed separating these functions and constituting an independent regulatory body.

“An effective quality self-regulation or accreditation system will be instituted for all stages of education including pre-school education - private, public, and philanthropic - to ensure compliance with essential quality standards. To ensure that all schools follow certain minimal professional and quality standards, States/UTs will set up an independent, State-wide, body called the State School Standards Authority (SSSA)”.

For setting up SSSA, we need in-depth information about the schooling sector at the state level. In the first of a series on the state of school education, we look at Jharkhand. Using Niti Aayog’s School Quality Education Index (SEQI), Unified District Information System for Education (U-DISE+), National Achievement Survey (NAS), and Annual Status of Education Report (ASER), we identify red flags such as the extent of unrecognised schooling sector and percentage of qualified teachers. The state of learning also continues to be poor: In 2018, ASER data highlighted that Jharkhand learning levels have been extremely poor, with only 29% of Grade V students able to read Grade II text, and only 15% of students were able to do division much lower than the national average of 44.2% in reading and 22.7% in division.

We also study the structure of the education administration in Jharkhand and the functions of individual functionaries. We assess the quality of state laws in Jharkhand, a unique exercise that calculates the restrictiveness of laws and their ease of comprehension. Lastly, we pinpoint specific regulatory hurdles faced by private schools and their origins in state-level legislation.

1

De jure framework for Jharkhand school education

State of the administrative education structure in Jharkhand

Statutes applicable to school education in Jharkhand

1. *The Bihar High Schools (Control and Regulation Administration) Act, 1960*: It gives the state government the right to provide recognition to secondary or higher secondary private schools and make regulations for conditions of service of employees of high schools.
2. *Bihar Non-Government Elementary Schools (Taking Over of Control) Act, 1976*: It gives the state government the right to take over non-government elementary schools.
3. *Jharkhand Academic Council Act, 2002*: It states academic council in Jharkhand has to conduct examinations at the end of intermediate, secondary, Sanskrit and Madrasa education as well as prescribe courses for these examinations.
4. *Jharkhand Education Tribunal Act, 2005*: It states the regulation of fees and addresses grievances of guardians and parents of students against the management of private educational institutions regarding teaching standards, fee structure, infrastructural facilities, development, and other matters referred by the State Government.
5. *Bihar Taken over Elementary School Teachers' Promotion Rules, 1993*: This set of Rules deal with the promotions of teachers in Elementary schools. These come under The Bihar Non-Government Elementary Schools (Taking Over of Control) Act, 1976.
6. *Jharkhand Education Tribunal Rules, 2006*: Under Jharkhand Education Tribunal Act, 2005, it states the powers of chairman and about pay and allowances of members.
7. *Jharkhand Right of Children to Free and Compulsory Education Rules, 2011*: Under the Right of Children to Free and Compulsory Education Act, 2009, these Rules encapsulate many aspects of the education system in Jharkhand, such as the admission of students (especially students belonging to weaker/ disadvantaged communities), recruitment and salary of teachers, school management committee, curriculum and protection of children's rights.

Table 1: Delegation of powers in Jharkhand education sector

Function	Statutes applicable	Authority assigned to perform the function	Tasks under the function	Missing tasks
School Regulation	Jharkhand Right of Children to Free and Compulsory Education Rules, 2011 ¹	Directorate of Primary Education	Recognition & Regulation of all schools	No focus on actual learning outcomes of children
	Bihar High Schools (Control and Regulation Administration) Act, 1960	Directorate of Secondary Education	Recognition & Regulation of private schools	Directorate of Secondary education excludes regulation and recognition of government schools
	Jharkhand Education Tribunal Act, 2005 ²	Jharkhand Education Tribunal	If the proposed fee hike is not approved by the government, there is a penalty and in addition, those schools will be taken up for derecognition.	
Rule-making (Power to frame directions and rules to implement education policy mandates)		Department of School Education and Literacy (DOSEAL)	Apex policy making body to see all the functions of directorate of primary and secondary education	
Service delivery (Organisation and management of government schools)		Directorate of Primary Education	Running primary schools	
		Directorate of Secondary Education	Running secondary schools	
		Jharkhand Education Project Council (JEPC)	Implementation of Samagra Shiksha Abhiyan	
		Jharkhand Mid day Meal Authority	Provides meals to Govt. Primary & Middle Schools, Govt. Aided school, Recognised Madarsa & Sanskrit Schools, Special Training Centres	

1 Rule 12 of Jharkhand RTE Rules [2011](#), Section 19 of RTE Act [2009](#).

2 Section 4 of Bihar High Schools (Control and Regulation Administration) Act, [1960](#).

Function	Statutes applicable	Authority assigned to perform the function	Tasks under the function	Missing tasks
Examination	Jharkhand Academic Council Act, 2002	Jharkhand Academic Council	It is for holding and conducting examinations of Intermediate Education (+2), Secondary Education, Sanskrit Education and Madrasa Education and for recommending recognition of Intermediate Educational Institution, High Schools, Sanskrit Schools and Madarsa to the State Government.	
Grievance	Jharkhand Education Tribunal Act, 2005 ³	Fee Committee, District Fee Committee	Two-tier structure is for fee regulation - Fee Committee and District Fee Committee	Issues other than fees excluded, that is, teaching standards, infrastructure, punishment in government schools
	Jharkhand Right of Children to Free and Compulsory Education Rules, 2011 ⁴	State Commission for Protection of Child Rights (SCPCR)	Violation of child rights under the Right to Education Act	
Dispute resolution	Jharkhand Education Tribunal Act, 2005	Jharkhand Education Tribunal	Recruitment, service conditions of employees of private educational institutions	Recruitment, service conditions of employees of government schools not covered Disputes pertaining to grievances of guardians/parents of students in government schools are not addressed.
			Redressal of grievances of guardians and parents of students against the management of private educational institutions regarding teaching standards, fee structure, infrastructural facilities, development, and other matters referred by the State Government.	
Curriculum Design	Jharkhand Right of Children to Free and Compulsory Education Rules, 2011 ⁵	JH State Council of Educational Research and Training (JSCERT)	Academic aspects of school education: formulation of curriculum, preparation of textbooks, teachers handbooks and teacher training; advises the government on policy matters related to academics	
Quality Audit		NCERT	National Assessment Survey (NAS) in government schools	NAS not conducted in private schools except for Grade 10 in 2018.

3 Section 7A of Jharkhand Education Tribunal Act, [2005](#).

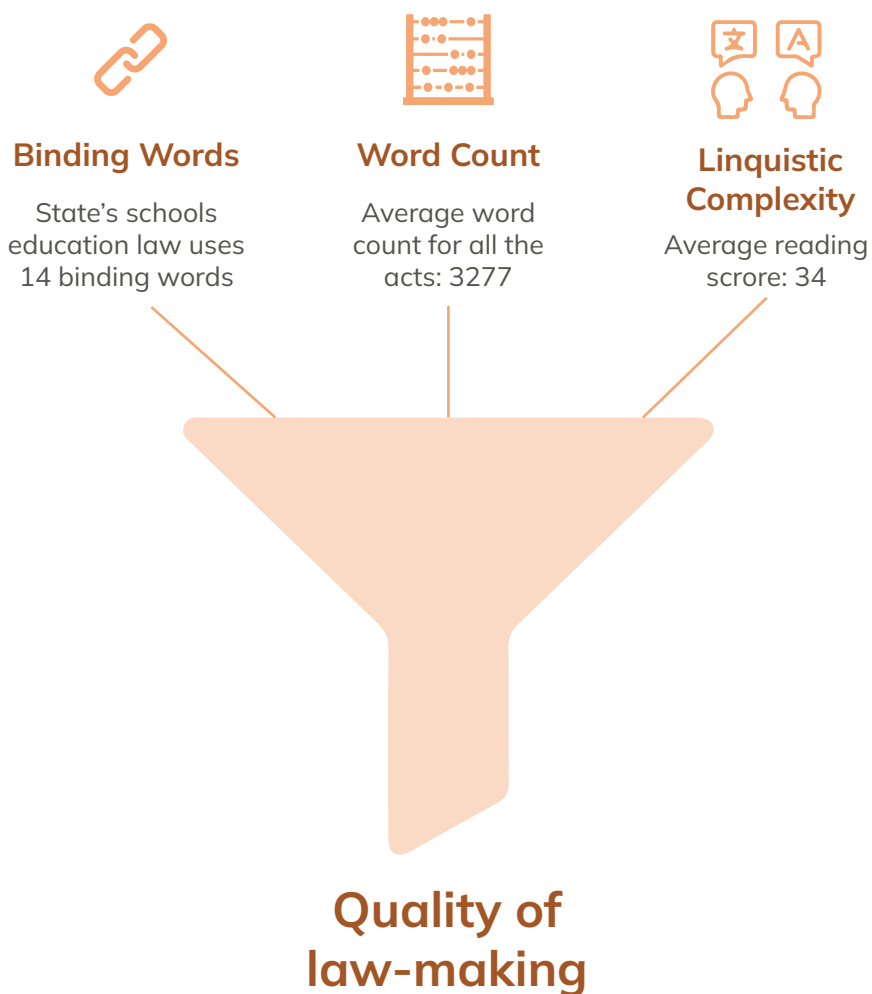
4 Section 31 of RTE Act [2009](#), Rule 19 of Jharkhand RTE Rules, [2011](#).

5 Rule 17 of Jharkhand RTE Rules [2011](#).



State of quality of law-making in Jharkhand

The metrics given below signal the extent of regulation that the private schools have to bear as well as the complexity of the law itself (Bedi and Narang [2021](#)).



1. Word Count:

The average word count for the Acts in Jharkhand is 3277, lower than the national average of 4936, but higher than its neighbouring states like Bihar (1991), Odisha (1009) but lesser than West Bengal (9132) and Chattisgarh (4322). While Jharkhand inherited 2 education laws from Bihar, it also passed new Acts such as the Jharkhand Education Tribunal Act and the Academic Council Act post-separation.

2. Binding Words:

Binding words such as 'deemed to be guilty', 'comply' signal the extent to which a law can be restrictive. Jharkhand's school education laws use 14 binding words⁶ which is less than its neighbouring states like Bihar (27), West Bengal (82), Chhattisgarh (17) but greater than Orissa (4).

3. Linguistic Complexity:

Jharkhand Acts have an average Flesch Reading Ease score⁷ of 34, much higher than the overall average of 28 across all state education Acts in India. The Shannon Entropy⁸ score, which estimates how complicated or straightforward a law is, for Jharkhand is 8.17 slightly less than the average score of 8.24 for state education Acts in the country.

6 Binding score is the density of restrictiveness in each law, referred to as 'normalised binding words', was also assessed to facilitate comparison between states. It counts the average number of words after which a binding word appears—a score of 300 implies that a binding word appears after every 300 words. A lower count of normalised binding words would mean that a law is more restrictive. Nineteen binding words—'bound', 'binding', 'deemed to be guilty', 'comply', 'impose', 'shall be punishable', 'punished', 'fine', 'imprisonment', 'withdraw', 'withdrawal', 'suspend', 'suspended', 'supersede', 'shall be liable', 'discontinue', 'contravene', 'contravenes', 'seize'—were identified.

7 Flesch Reading Ease score measures the ease of reading a document, in this case, a piece of legislation. Each law is assigned a score on a scale of 0 to 100, with the higher the Flesch score, the easier the reading.

8 Shannon entropy score is the likelihood of encountering new words and concepts in a given body of text. These scores are best understood in relative terms.

State of regulatory touchpoints in Jharkhand

1. Licensure, establishment and recognition

All schools, whether government or private, have to apply for input-based recognition under the law

- In Jharkhand RTE Rules 2011, Primary and elementary schools must be either: run by the State Government, or a society registered under the Societies Registration Act; or a public trust.⁹ No other state RTE Rules extend the conditions of recognition to schools run by the state government.¹⁰
- At the secondary level, only private schools have to obtain recognition under Bihar High School (Control and Regulation Administration) Act 1960 and the state government regulates them, which creates an uneven playing field as government schools are not held accountable to these standards.

The State Department of Education has a time limit for processing recognition applications under Rule 12

After schools submit their self-declaration, District Education Superintendent's office shall place the self-declaration in the public domain within 15 days. The District Education Superintendent shall conduct an on-site inspection within 3 months, and place the report of the inspection in the public domain. Post-inspection, the District Education Superintendent shall grant the recognition within 15 days from the date of inspection.

Schools that do not conform to the norms as per Rule 13 of Jharkhand Rules 2011 need to cease operations

If a school recognised under Rule 12 has violated one or more of the conditions for grant of recognition or has failed to fulfil the norms and standards specified by State Department of Education, then:

- A notice will be sent to schools specifying the violations made and one month

⁹ Section 18 of RTE Act [2009](#), Rule 12 of Jharkhand RTE Rules [2011](#).

¹⁰ This puts all schools, government and private, on a level-playing field where all government schools are required to be recognised under Rule 12 of the Jharkhand RTE Rules, and comply with the same standards and accountability mechanisms as those of private schools. However, it still does not completely address the conflict of interest of a fellow competitor, i.e. state government, in this case, setting the rules for the entire market.

time is given for explanation

- In case of unsatisfactory response or no response within the stipulated time period, a committee of 3 members (academician, representative of civil society and Government representative) will inspect the schools and submit a report for continuing recognition or withdrawal to District Education Superintendent.
- District Education Superintendent has right to pass an order for withdrawal of recognition after committee's report, provided school's explanation is being heard and approval from the state government is given. The order of de-recognition will be in operation from the succeeding academic year.

2. Fee regulation

Section 7A of the Jharkhand Education Tribunal Act, [2005](#) states that the state government shall regulate the fees of private schools. The fees shall be regulated by the school Fee Committees comprising of:

- I. Chairperson: Nominated by management
- II. Secretary: School Principal
- III. 3 Teacher Members: Nominated by the management of the private school
- IV. 4 Parent Members: Nominated by Parents Teachers Association

The fees of the school will be determined by the Fee Committee keeping in mind the following:

- Location of school
- Infrastructure made available to the students for the "qualitative education"
- Expenditure on administration and maintenance
- Qualified teaching and non-teaching staff as per the norms and salary components
- "Reasonable amount" for yearly salary increments
- Expenditure incurred on the students over total income of the school
- "Reasonable revenue surplus" for the purpose of development of education and expansion of the school, and
- Any other factors as may be notified

The school management will propose the fee hikes to the Fee Committee for approval. This fee structure will be effective for at least 2 years. In case the fee hike approved by the Fee Committee is greater than 10% from the previous year's fee, the fee hike must be approved by the District Fee Committee. If the school does not comply with these norms, it may be levied with a fine of fifty thousand rupees to twice the amount taken in excess of the fee as determined. In extreme cases, a defaulting school may also be subject to de-recognition.

3. Admissions under Section 12(1)(c) of RTE

Under Section 12 of the Right to Education Act 2009, private unaided schools have to be reimbursed for reserving 25% of their class seats for students from economically weaker and disadvantaged sections. In Jharkhand RTE Rules, there is no mention of reimbursements to be calculated. The only reference to reimbursements is under Form 2¹¹ for obtaining recognition where schools need to maintain separate bank accounts for claiming reimbursements.

While per-child expenditure incurred by the state government is INR 8020 (Abbas et al. 2021), there is no clear provision for calculating it under the Jharkhand RTE Rules 2011.

Implementation of the provision also seems to be weak. The reimbursement amount proposed and approved for private schools in Jharkhand do not match. In 2017-18, no amount was approved for reimbursements.

Table 2: Amount proposed and approved for reimbursements

Year	Amount proposed (Rs in lakhs)	Amount approved (Rs in lakhs)
2017-18	1000	0
2018-19	293	241
2019-20	835	716

Source: Annual Work Plan & Budget (AWP&B)¹²

11 Form 2 of Jharkhand RTE Rules 2011, p 18,

https://www.education.gov.in/sites/upload_files/mhrd/files/upload_document/jharkhand-rte-rules_english_1.pdf

12 Lok Sabha Unstarred Question 3245 to be answered on 9 December 2019,

<http://164.100.24.220/loksabhaquestions/annex/172/AU3245.pdf>

2

*De facto status of
Jharkhand school
education*

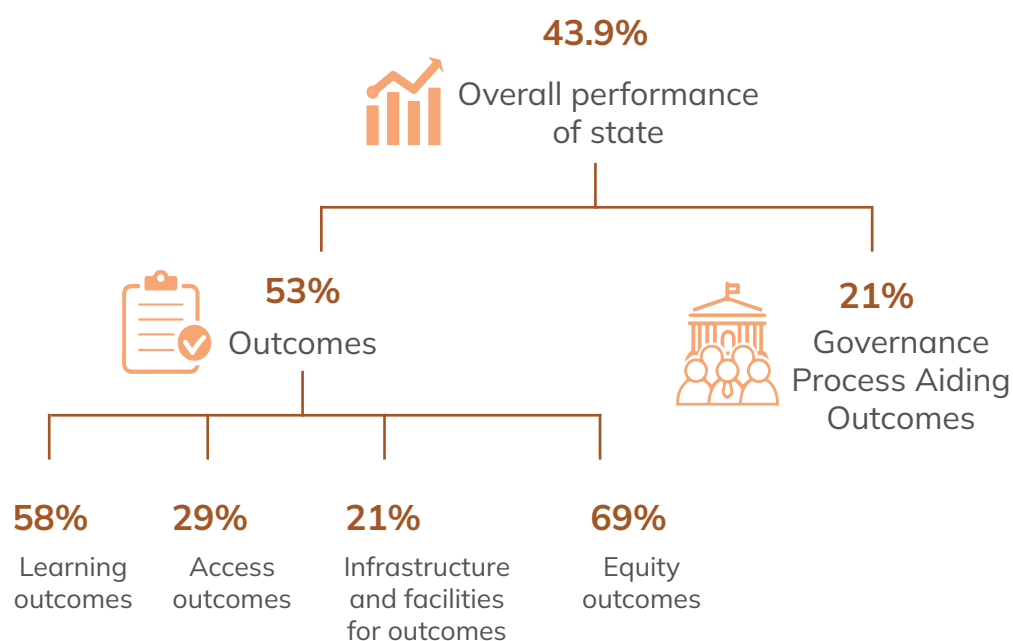
2.1

State of Jharkhand's performance on School Education Quality Index

In 2019, NITI Aayog and the Ministry of Education released a ranking of all states and UTs based on an index called the 'School Education Quality Index' (SEQI). The index consists of 30 indicators grouped under two broad categories: 'Outcomes' and 'Governance Processes Aiding Outcomes' and is used to evaluate states' performance in the school education sector. The reference year for this index was 2016-17.¹³

Jharkhand was ranked at bottom of the list of *large states*¹⁴ for its rate of overall improvement in the performance of only 2.1% from 2015-16 to 2016-17.





Jharkhand's performance on the School Education Quality Index (Niti Aayog 2019)



13 Niti Aayog's School Equality Index (2019) includes the performance of government-managed schools, a few cover all school types (Government, Government Aided and privately managed). Data sources used in SEQI - UDISE+, Ministry of Education's (MoE) ShaGun Management information system (MIS)/States and NAS.

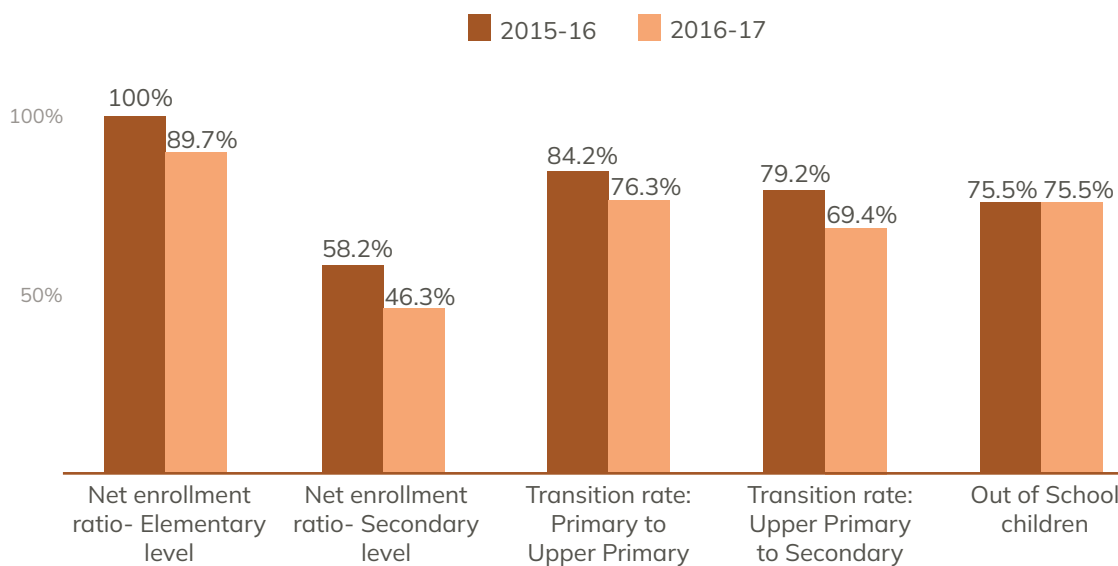
14 Large states include Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh and Uttarakhand.

Table 3: Summary of School Education Quality Index for the state of Jharkhand

CATEGORY	NO OF INDICATORS	INDICATORS	CHANGE*	WEIGHTAGE
1. Learning outcomes	3	Scores of students in Language and Mathematics in standard 3, 5 and 8 of Govt and aided schools	NA	37.5%
2. Access outcomes	3	Net Enrolment Ratio at the elementary and secondary level, the transition rate from primary to upper-primary level and from upper-primary to secondary level and Mainstreamed out of school children	14 percentage point decline (43% to 29%) 	10%
3. Infrastructure and facilities for outcomes	3	Computer laboratories at the secondary and senior secondary level, provision of vocational education	5.2 percentage point decline (26.9% to 21.7%) 	2.5%
4. Equity outcomes	7	Comparative performance of learning outcomes of various categories of students (viz. General category vis-à-vis Scheduled Castes/Scheduled Tribes, Rural and Urban areas, Boys and Girls). It also includes Children with Special Needs (CWSN)	0.4 percentage point decline (69.8% to 69.4%) 	20%
Governance processes aiding outcomes	14	Student and teacher attendance systems, availability of in-service teacher professional development, school leadership, accountability, transparency in teacher recruitment and financial discipline	9.5 percentage point improvement (11.5% to 21%) 	30%

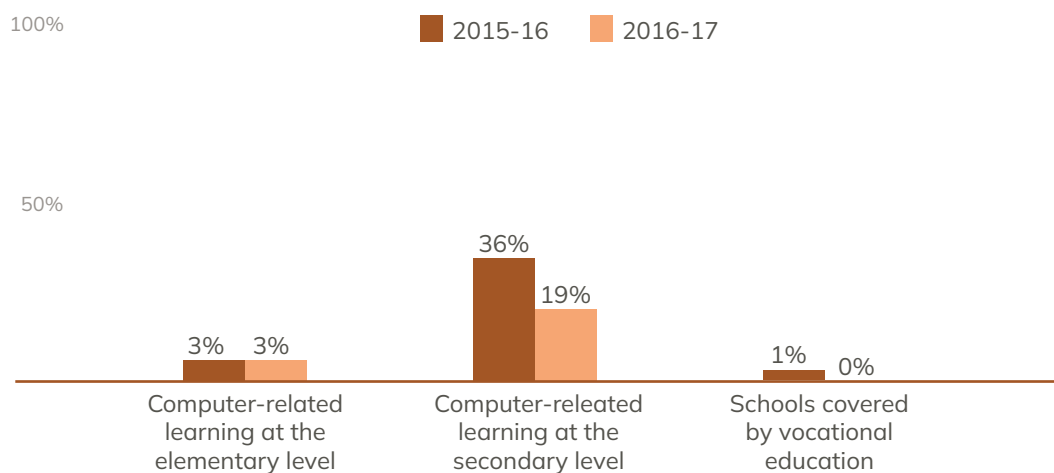
*Change from 2015-16 (Base Year) to 2016-17 (Reference Year)

Access outcomes



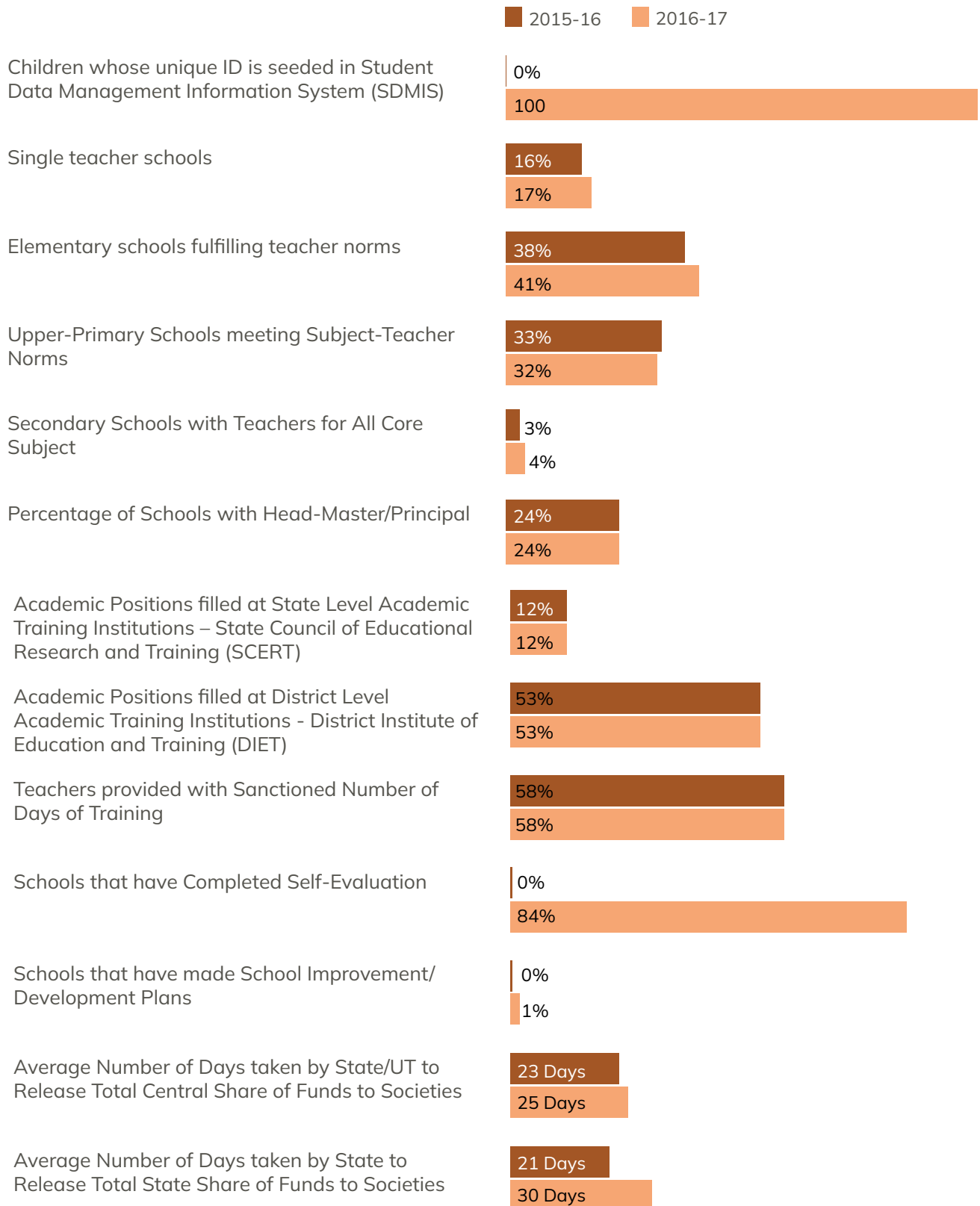
Source: School Education Quality Index, Niti Aayog, 2019

Infrastructure and facilities for outcomes



Source: School Education Quality Index, Niti Aayog, 2019

Governance process and aiding outcomes



Source: School Education Quality Index, Niti Aayog, 2019

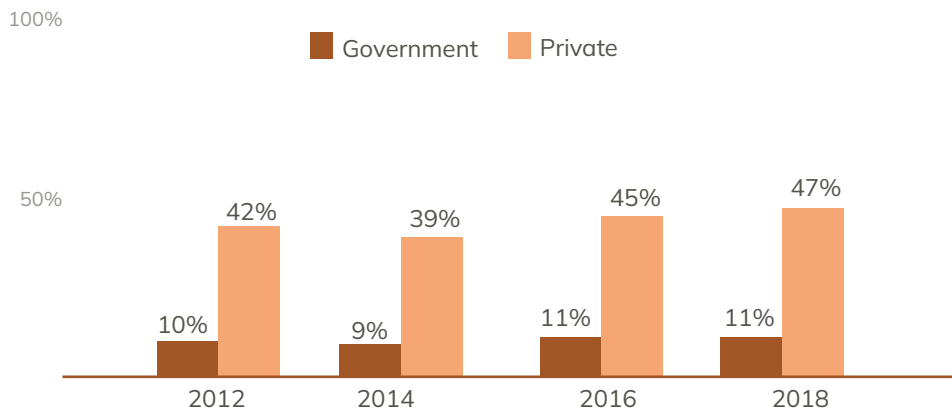
State of schooling sector in Jharkhand

1. Poor learning outcomes

- I. Only 11% of students in Grade III and 29% in Grade V can read Grade II text in government schools which is abysmally low compared to private school students for Grade III (47%) and Grade V (64%) in 2018 (ASER [2018](#)).
- II. There has been a decline in the percentage of students who can read grade II text in grade VIII from 2012 to 2018 (12% fall for government and 15% fall for private) (ASER [2018](#)).

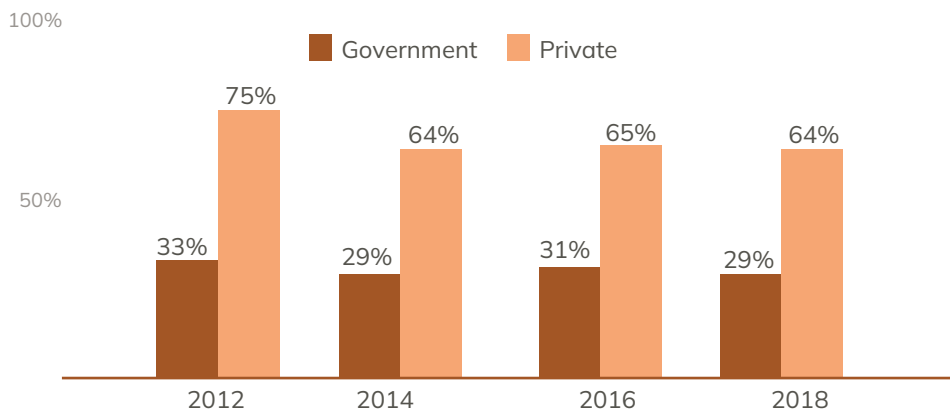


Percentage of students in Grade III who can read Grade II text



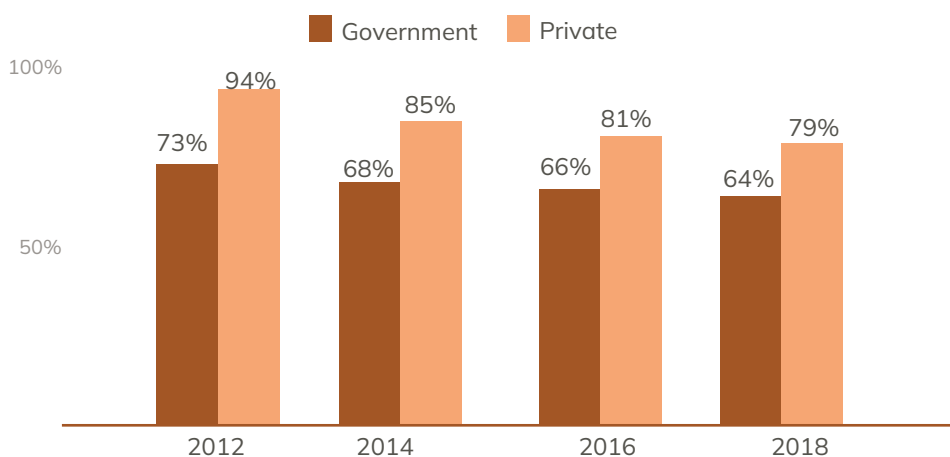
Source: Annual Status of Education Report (Rural), 2018

Percentage of students in Grade V who can read Grade II text



Source: Annual Status of Education Report (Rural), 2018

Percentage of students in Grade VIII who can read Grade II text

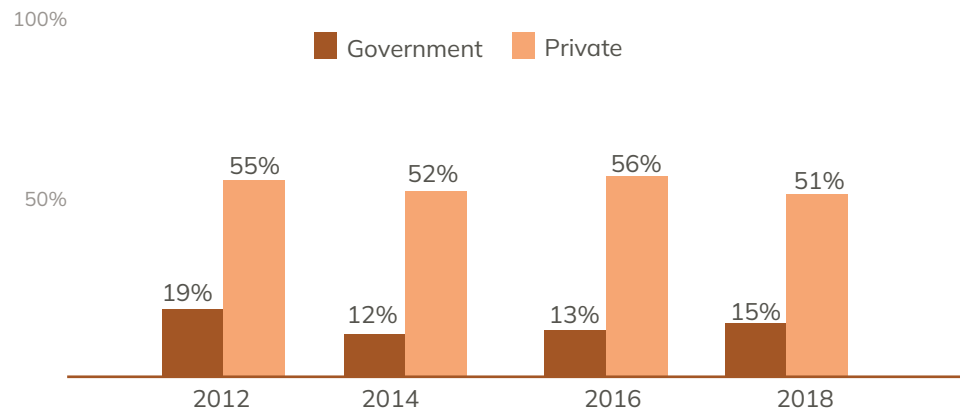


Source: Annual Status of Education Report (Rural), 2018



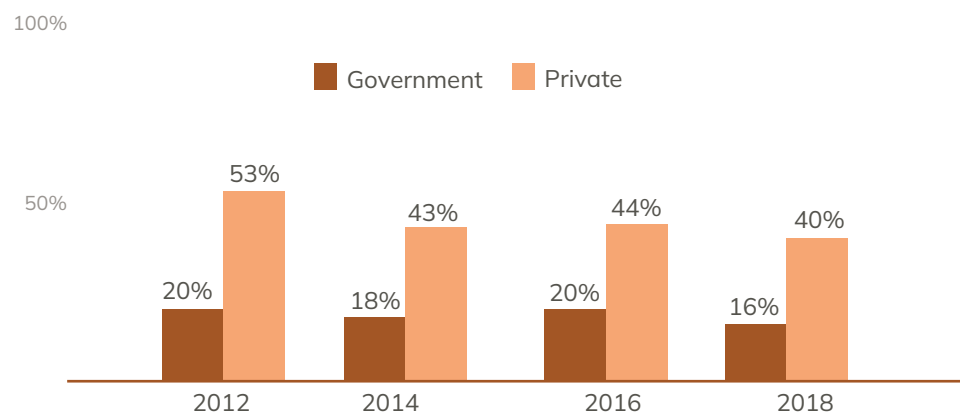
- III. Only 15% of students in Grade III can do subtraction and 16% in Grade V can do division in government schools compared to private schools for Grade III (51%) and Grade VIII (40%) in 2018 (ASER [2018](#)).
- IV. There has been a decline in the percentage of students who can do division in grade VIII from 2012 to 2018 -23% fall for government and 25% fall for private (ASER [2018](#)).

Percentage of students in Grade III who can do subtraction



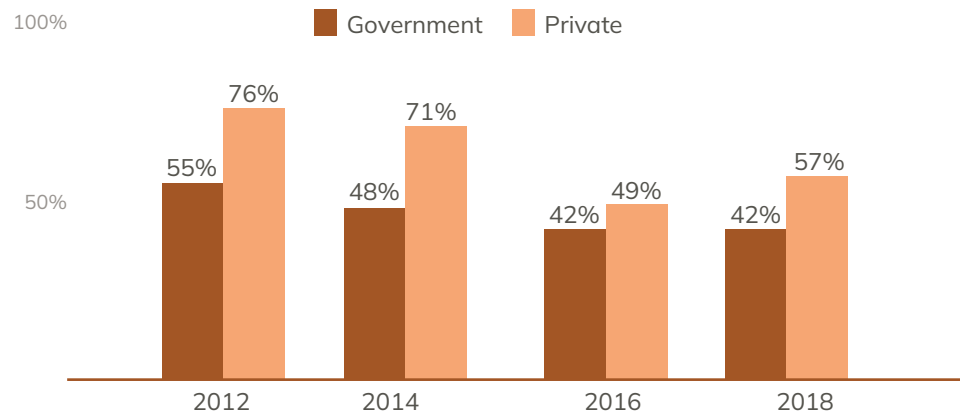
Source: Annual Status of Education Report (Rural), 2018

Percentage of students in Grade V who can do division



Source: Annual Status of Education Report (Rural), 2018

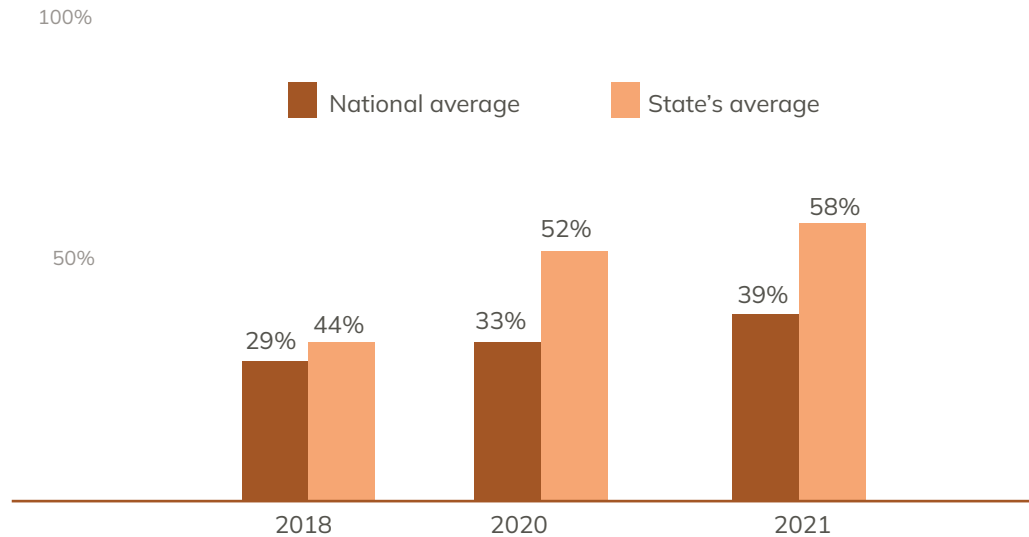
Percentage of students in Grade VIII who can do division



Source: Annual Status of Education Report (Rural), 2018

- V. Jharkhand has the third largest percentage of children taking tuitions while enrolled in government schools in rural India. It has remained higher than the national average from 2018 to 2020 (ASER [2021](#)).

Students enrolled in government schools taking tuitions



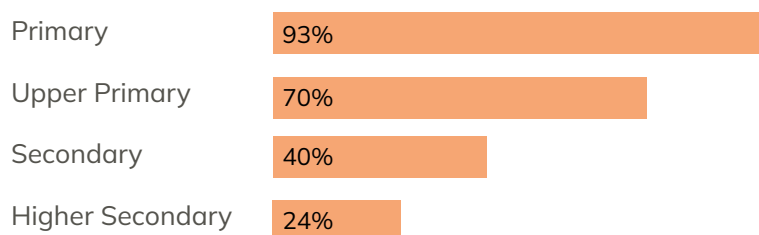
Source: Annual Status of Education Report (Rural), 2021

2. Net enrolment rate

Pupils enrolled in any grade are of the official school-age divided by the population for the same age group.

There is a 42% fall from Upper Primary to Secondary Grade and 40% fall from Secondary to Higher Secondary, higher than Primary to Upper Primary (24%) grade.

Net enrolment rate across grades



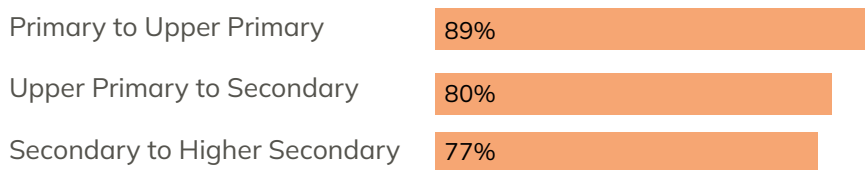
Source: UDISE+ 2019-20

3. Transition rate

A transition rate below 100% indicates that the students are held back or have dropped out of school.

In Jharkhand, the transition rate is lowest when students are moving from the Secondary level to Higher Secondary level (77%) as compared to Primary - Upper Primary (89%) and Elementary - Secondary (80%).

Transition rate across grades

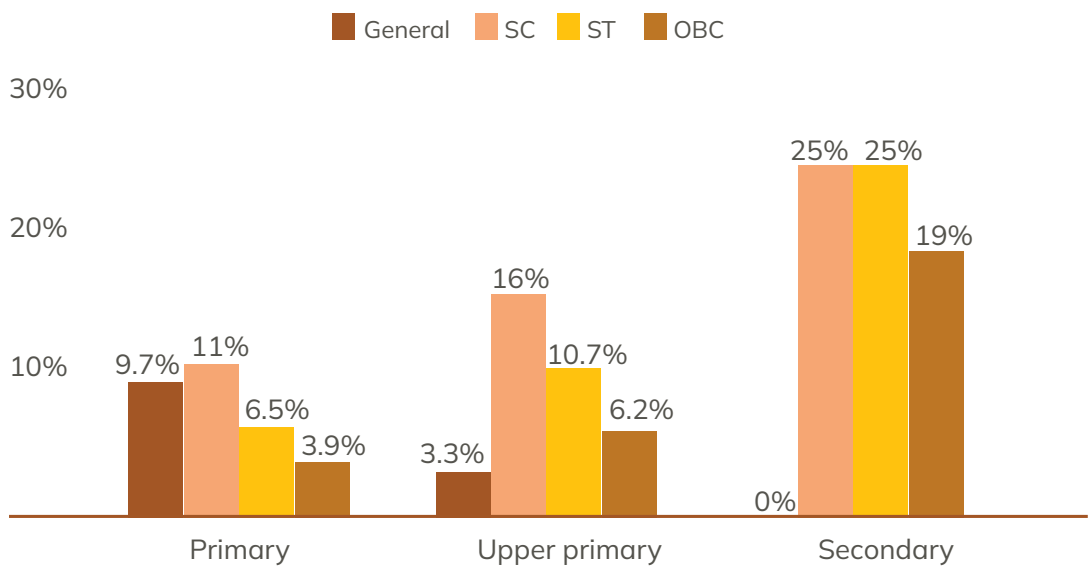


Source: UDISE+ 2019-20

4. High dropout rates more among some groups than others

The general category has the highest dropout in primary whereas SC & ST witness a high dropout rate in secondary grade.

Dropout rate across social categories in Primary, Upper primary and Secondary grade



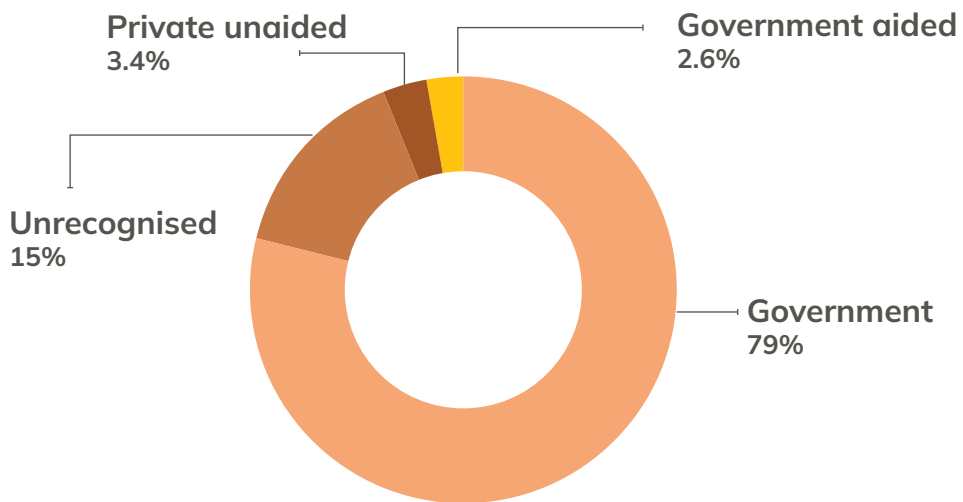
Source: UDISE+ 2019-20

5. State with the highest unrecognised schooling sector in India

Unrecognised schools are schools that are run without government recognition since they were unable to fulfil the RTE and State norms related to infrastructure requirements and teacher salary scales (Singh 2010).

a. 15% of all schools across management structures are unrecognised.

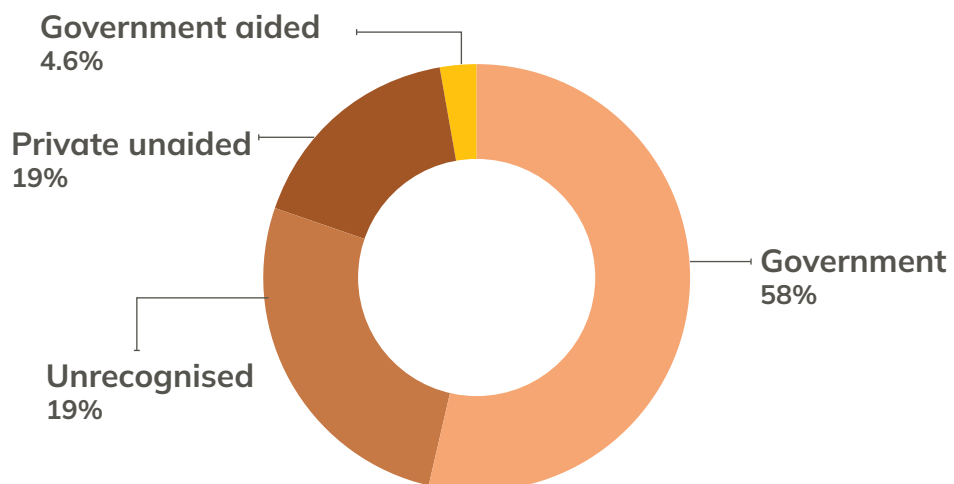
Schools across management structure



Source: UDISE+ 2019-20

b. 19% of all students across management structures are enrolled in unrecognised schools.

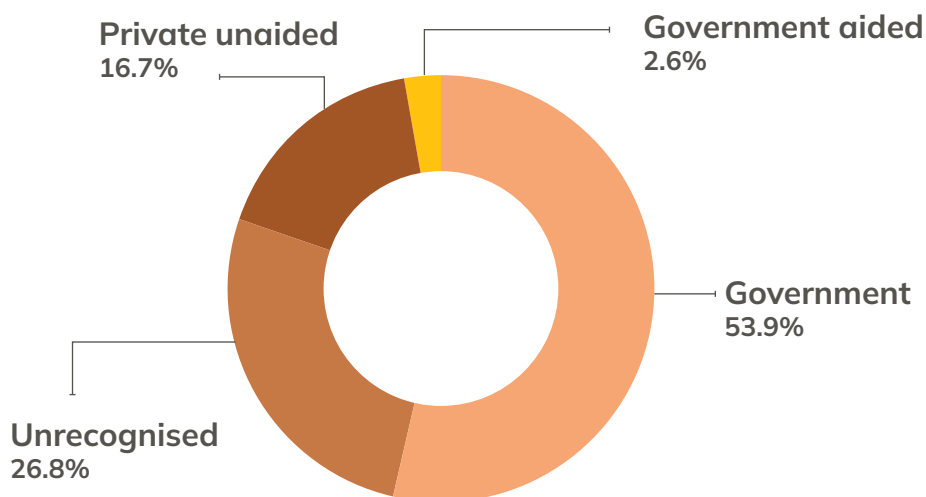
Schools enrolment across school management



Source: UDISE+ 2019-20

c. 26.8% of all teachers across management structures are involved in unrecognised schools.

Teacher availability across management structure



Source: UDISE+ 2019-20

6. High presence of small and tiny government schools: Small schools have an enrolment of students ≤ 50 and tiny schools have an enrolment of ≤ 20

- I. 5.4% of all government schools are tiny schools, including 139 schools with 0 enrollment.

Table 4: Tiny, small, and regular government schools

Type of government school (as per enrollment)	Number of schools	(in %)
Tiny (enrollment ≤ 20)	1924	5.4
Small (enrollment ≤ 50)	10779	30
Regular	23222	64.6
Total	35925	100

Source: UDISE+ Data Sharing Portal, 2019-20

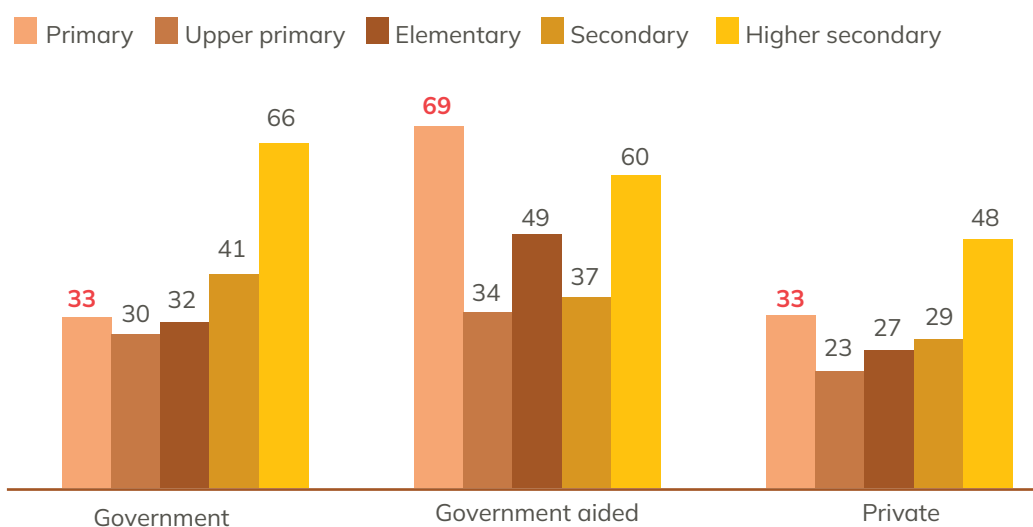
- II. 30% of all government schools are small schools.

7. Teacher-related Statistics:

Indicators like pupil-teacher ratio, teacher vacancy, underqualified teachers, single teacher schools and teachers on contract.

- I. Pupil-teacher ratio (PTR): It is the ratio of a number of students to the number of teachers in that grade.
 - 52% of government schools have Adverse PTR¹⁵ as per RTE Act, the highest in India.¹⁶
 - 79% of government-aided schools have Adverse PTR as per RTE Act, the highest in India.

Pupil teacher ratio across grades as per school management



Source: Lok Sabha question number 195, answered on 2nd August 2021

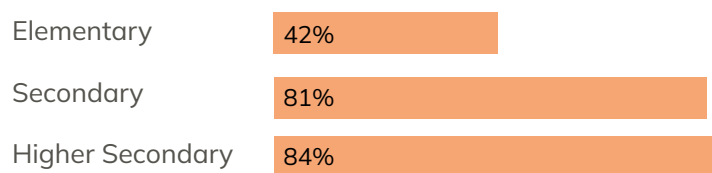
¹⁵ Adverse PTR means more students per teacher than the norm and has been seen to affect teaching-learning processes. As per the RTE Act 2009, the Pupil-Teacher Ratio (PTR) for both primary and upper primary schools is 30:1 and 35:1 respectively.

¹⁶ Lok Sabha question number 195, answered on 2nd August 2021. <http://164.100.24.220/loksabhaquestions/annex/176/AS195.pdf>.

II. Highest Teacher Vacancy: Percentage of vacant seats as a share of sanctioned posts in the state.

- Jharkhand has the highest¹⁷ proportion of sanctioned posts lying vacant at 40%, second highest after UP (44%) in India at the elementary level in government schools ([Accountability Initiative 2021](#)).
- Additionally, it has the highest vacancy rates for teachers teaching secondary (81%) and higher secondary (84%) classes in India for government schools ([Accountability Initiative 2021](#)).
- Jharkhand has net deficit of 41301 teachers, highest in India for teachers vacancies after removing ghost enrolment of students (Datta and Kingdon 2021).¹⁸

Vacant teachers across grades



Source: Budget brief, Accountability initiative, 2020-21

III. Teacher qualifications: A teacher must possess an academic qualification as well as a professional qualification which varies according to grades.¹⁹

Qualifications of teachers as per NCTE:

- Till elementary level, a teacher must possess any of the three certifications: a senior secondary school certificate or intermediate and diploma or certificate in basic teacher training (duration ≤ 2 years); B.El.Ed; or a Graduate with B.Ed
- For secondary level, a teacher must possess Graduate with B.Ed; or 4 years integrated B.Sc
- For senior secondary, Masters degree in relevant subject with B.Ed or integrated B.Ed and M.Ed

17 States include Uttar Pradesh, Bihar, Haryana, Chhattisgarh, Uttarakhand, Karnataka, Madhya Pradesh, Kerala, Assam, Gujarat, Tamil Nadu, Rajasthan and Maharashtra.

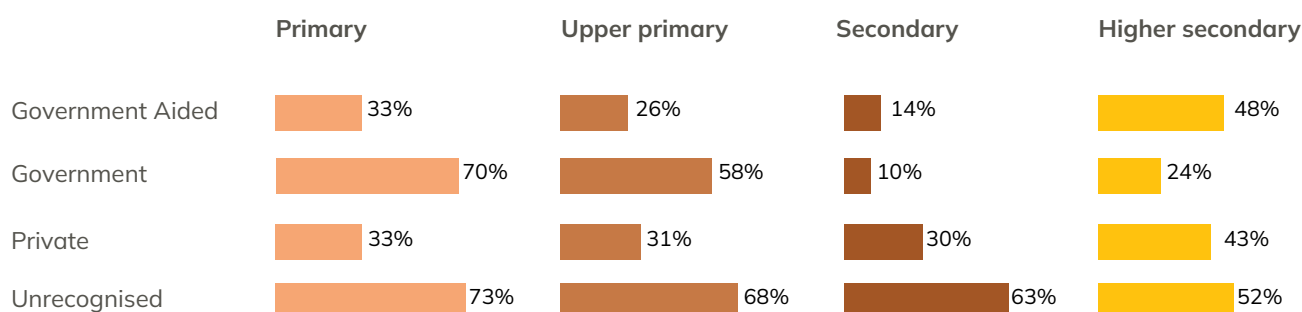
18 Datta and Kingdon (2021) calculated actual teacher-shortages in India by accounting for teacher-surplus in states, fake enrollment, tiny schools, fresh recruitments drives. While they find an estimated net surplus of 98,371 teachers at national level, Jharkhand still has the highest teacher shortage in India.

19 U-DISE+ listed 35518 (17% of total = 202952) teachers that teach in both pre primary and primary schools (1607), primary and upper primary schools (23522), secondary and higher secondary (3361), upper primary and secondary classes (7028). We did not consider these schools in our analysis since it was not possible to clearly distinguish teachers qualifications for these categories. For instance, if there are 10 teachers with a graduate and 7 teachers with a post-graduate degree and they are teaching in a school with secondary and higher secondary grade, we cannot tell from the data which teacher is responsible for which grade.

In Jharkhand,

- 70% of teachers teaching at primary level and 58% in upper primary level in government schools are underqualified.
- 48% of teachers teaching at higher secondary level in government aided school are underqualified.
- The proportion is highest for unrecognised schools i.e 73% in primary, 68% in upper primary and 63% in secondary level.

Underqualified teachers across management



Source: UDISE+Data Sharing Portal 2019-20

IV. Nearly 13% of the government schools only have a single teacher.²⁰

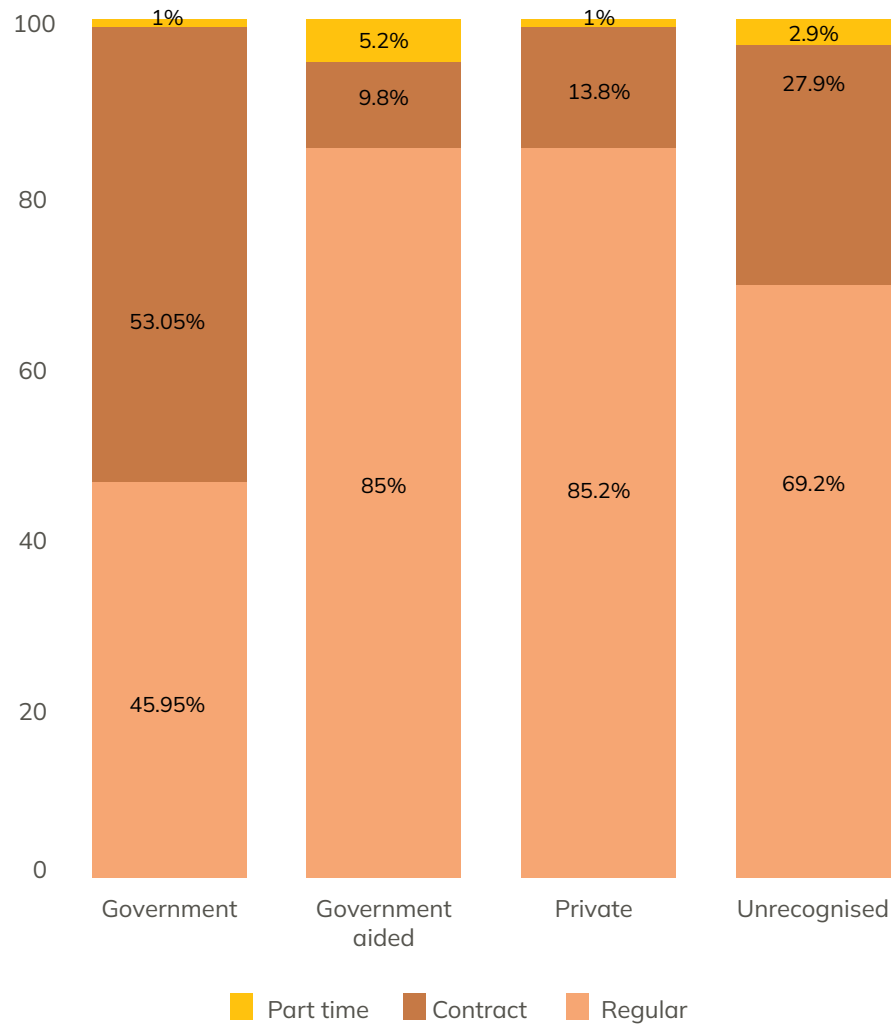
V. Teachers on contract : Para-teachers, also known as contract teachers, are typically primary or upper primary level educators appointed on a contractual basis.

- 53% of government school teachers are on contract as compared to 13.8% in private, 9.8% in government-aided and 28% for unrecognised.²¹

²⁰ Source : U-DISE+ Data Sharing Portal 2019-20.

²¹ Source : U-DISE+ Data Sharing Portal 2019-20.

Proportion of Regular, Contract and Part time teachers



Source: UDISE+ Data Sharing Portal 2019-20

Bibliography

- Abbas, Alyasa, Zainab Akhtar, Amaan Asim, and Anirudh Agarwal. 2021. "The Story So Far: Review of Literature on Section 12(2)." In Reimbursements under RTE Section 12(2): Too Little, Too Late. Centre for Civil Society. <https://ccs.in/sites/default/files/reimbursements-under-rte-section-12-2.pdf>.
- Accountability Initiative. 2021. "Samagra Shiksha, Gol, 2020-21," <https://accountabilityindia.in/wp-content/uploads/2020/01/Samagra-Shiksha-2020-21.pdf>.
- Bedi, Jayana, and Prashant Narang. 2021. "RegData: Quantitative Analysis of National Laws in India." Centre for Civil Society, <https://ccs.in/sites/all/themes/ccsnew/assets/tableauviz/Regdata-India-CCS.pdf>.
- Niti Aayog. 2019. School Education Quality Index. https://www.niti.gov.in/sites/default/files/2019-09/seqi_document_0.pdf.
- Singh, Sonjuhi. 2010. "Right to Education and Right to Educate: A Study of the Impact of Right to Education Act on Unrecognised Schools in Delhi." Working Paper No. 242, Centre for Civil Society, https://www.google.com/url?q=https://ccs.in/internship_papers/2010/sonjuhi-singh_right-to-education-vs-the-right-to-educate.
- ASER Centre. 2018. "Annual Status of Education Report(Rural) 2018," <http://img.asercentre.org/docs/ASER%202018/Release%20Material/aserreport2018.pdf>
- ASER Centre. 2021. "Annual Status of Education Report(Rural) 2021," <http://img.asercentre.org/docs/aser2021forweb.pdf>
- Datta, S. and Kingdon, G. 2021. The Myth of Teacher Shortage in India. RISE Working Paper Series. 21/072. https://doi.org/10.35489/BSG-RISE-WP_2021/072



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