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Pandemic, Online Education & Protection of Children: Whether Education Rendered was Disrupted?

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ABSTRACT

Since the onset of the pandemic, the world has been witnessing disruptions, of which major ones have been visible upon the children- their rights pertaining to education and emotive and social well-being are affected. From the physical setting of the classroom and the open playgrounds, the major shift happened with restrictions with online classes, social distancing, and wearing masks throughout. Further, with the majority of the population compelled to be reliant on the internet and digital devices - the digital divide had risen amongst the low-income group, and it negatively impacted the lives of the children - their education and their mental and emotional conditions. According to the data generated by UNESCO, 157 crore students across 191 countries are affected by school closures, of which 32 crore children were from India. "Right to Education" (hereinafter, RTE), though guaranteed under the Constitution of India - by way of Article 21A - the same has been hindered by the pandemic onset and its restrictions. In consonance with International Conventions, such as Article 26 of UDHR, Indian Constitution mandates the right to education for children up to the age of 14. However, with the pandemic, there was a paradigm shift in education from its traditional mode to a digital one, wherein schools were not adequately resourced, all stakeholders could not engage substantively, and it affected children's access to education. Moreover, there are also health risks associated with the shutdown of schools which include physical and mental harm. This paper attempts to examine the ambit of the right to education, the meaning of the social well-being of children, and highlight the existing gaps with the current policies and issues existing in administration and governance in availing the RTE. To arrive at the issues, at the outset of this paper, the jurisprudential concept of the "right to education" is analysed. Thereafter, the effects of RTE during the pandemic, the challenges of digital education, and the reasons affecting the availing of RTE are examined. As a sample study, the State of Assam is taken. The paper is aimed at identifying those areas where children have been facing the greatest challenges in the wake of the extended pandemic and provide novice suggestions that can be adopted to tackle the disrupted education issue.

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Keywords: *Disrupted Education, Article 21 A, UDHR, socio-emotional safeguards, Children's well-being.*

I. INTRODUCTION

Children are the primary hope for society as well as the nation. Every country whether developed or developing makes its policies for its future generation. The progress of a country thus rests on learned and well-moulded children and they are the resources for the nation's overall advancement. Children, due to their incapacity and vulnerability are subjected to various kinds of exploitation in society and despite facing such grave incidents; they remain silent out of frightened nature which empowers the perpetrator. Education is the only way to empower children. They get courageous and take bold logical decisions when they become capable and get exposed to learning. Like any developing nation, India's biggest problem is "poverty" due to which lots of children are compelled to drop out of school and engaged in earning money to run their families. To incentivize education, mid-day meals and entertainment schemes were introduced in schools as a part of access to RTE. However, COVID-19 witnessed disrupted education. With the closure of educational institutions in the first, second, and third waves of pandemic, poor and downtrodden children had reportedly stopped their education to find means for providing money to their families being engaged in begging, scavenging, and other forms of labour.

In its report released by the Ministry of Woman and Child Development, it was stated that a total number of 645 Indian children lost their parents to COVID 19 in the second wave only². The pandemic also forced schools and institutions across the world to close. It is reported by UNICEF that over 25 Indian Children have been negatively impacted by the closure of educational institutions³. About 195 million children in India get mid-day meals when they attend school but due to the pandemic they were deprived of it and many families had gone through a financial crisis and a reduction in income. Though online education was introduced across the nation during the pandemic, the "Below Poverty Line" ("BPL") families could not render their children any "digital mechanism to access education for online classes". With no revision or follow-up, the majority of the children eventually had forgotten the lessons that were

² 645 children lost their parents to COVID-19 from Apr-May 28 during the second wave: Women and Child Development Ministry (2021, July 22). *The Hindu*. <https://www.thehindu.com/news/national/645-children-lost-their-parents-to-covid-from-apr-may-28-during-second-wave-wcd/article35468032.ece>

³ COVID-19: Containing impact of school closure on education. (2021, April 9). *The Indian Express*. <https://www.newindianexpress.com/opinions/editorials/2021/apr/09/covid-19-containing-impact-of-school-closure-on-education-2287729.html>.

being taught in the pre-pandemic era and there was a sharp increase in the cases of child labour. According to data generated by ASER 2020, 32% of children with Smartphone access had not received any reading material. National Education Policy 2020 was introduced for achieving equitable and just education for the promotion of national development.⁴ Further, when it marks the 13th anniversary of the “Right of Children to Free and Compulsory Education, 2009”, India still lacks a holistic approach to the implementation of education rights.

Hence, it is the need of the hour to resolve the issue of disturbed education and its effects upon children. The pandemic time witnessed the cases of domestic violence and children committing suicide. Violence against children cannot be treated as a petty issue. Children face unwelcome behavior from their families or other members leading to humiliation and various health complications. It infringes the freedom and dignity of a child which results in a violation of fundamental rights as well as human rights. Also, the digital divide existing in the country has largely affected children of whom the majority only use a Smartphone for games, payment, and attention by the citizens of India, and the judiciary to uplift the innocent generations of the society. For this very purpose, this paper is intended to find the loopholes in the existing education system especially in the regions of Assam and come up with appropriate observations after a sample empirical study.

Research hypothesis

This paper aims to dwell upon the issues that cropped up in education post the pandemic. For this purpose, the research hypothesis formulated is as follows:

- (1) Education as a right has still not been conceptualized properly and seems like the pandemic wave brought disruption to the attainment of education and it amplified with the increased digital divide.
- (2) The involvement of the State and its stakeholders has not been clear with the paradigm shift of education to the digital system and thus there seem lacunae in access to RTE.

The research methodology involved in this paper is the combination of doctrinal and empirical. The philosophical aspects of RTE, the effects of pandemic on education etc. are done with the help of published collected from various reports prepared by national and international agencies. However, to test the hypothesis, a survey was conducted in the State of Assam and the participants involved were government school teachers, parents, and government departmental staff members.

⁴ See, ASER Survey Report 2021 and ASER Survey Wave 1 Report 2020 Available at <http://www.asercentre.org/major/studies/in/research/and/assessment/p/342.html> (last visited on 10 May 2022)

II. RIGHT TO EDUCATION: CHILD V STAKEHOLDER

“Society has a stake in the well-being of children down the block...Whether or not kids eat well, are nurtured, have a roof over their heads (and are well-educated) is not just a consequence of how their parents (provide for them). It is also a responsibility of society...”

- **Richard B. Stolle(1995), U.S. editor and child advocate.**

The concept of education is a complex diverse term with many connotations attached to it. Various programs and policies towards education in India had been happening for the period spanning between 1948 to the Right to Education Act 2009 (hereinafter, RTE) being made legal and enforceable on 1st April 2010. Globally, education as a right got its prominence with the World Conference in Jomtien in 1990 and it soon resulted in the “World Declaration of Education for All” and a “Framework for Action to Meet Basic Learning Needs” (Inter-Agency Commission, 1990). The summit has been proven as a turning point to mark the beginning of an expanded vision and renewed commitment by the national and international committees to fulfill the basic needs of education. The goals of education for all are laid down in the Declaration (Inter-Agency Commission 1990), which includes the following resolutions:

- Education as a fundamental right: The importance of education for a safer, healthier, more prosperous, and the environmentally sound world and social, and cultural progress, tolerance, and international cooperation ;
- Education for personal and social improvement: Recognize that a solid basic education is essential for the development of higher levels of education, scientific and technological literacy and capacity, and thus self-sufficiency.

The resolution also passed to transform the human personality into a pattern of perfection through a synthetic process of the development of the body, mind, and spirit. It is a preparation for life and its living. Education helps an individual make rational choice and protects them from certain kinds of exploitation. Recognizing these aspects, the right to education was declared as a fundamental right for the age group of 6-14 years on December 12th, 2002 under Art. 21 A of Indian Constitution . Since 1935, education has been listed as a subject for which only the provinces can enact legislation. During the drafting of the Constitutional provision relating to education in the Constituent Assembly, there was a debate on whether education should be shifted to the union or the concurrent list. The first Union Minister of Education, Maulana Azad, argued that it was necessary to give authority to the Union Government so that uniform national standards for education could be established. It was eventually put under the Directive Principles of State Policy. It took — many years for the Supreme Court to hold that

the right to education flowed from Article 21, which is regarded as a survival clause of the Constitution of India. The court was also influenced by the International Covenant on Economic, Social, and Cultural Rights. The enactment of the Right of Children to Free and Compulsory Education Act, 2009 eventually paved the way for making free and universal elementary education. Taking the constitutional principles and values, the Act denotes three specific aspects, which include:-

- In support of Article 21A in Part III.
- Ratification of Article 45.
- Adding Article 51 A as a fundamental duty makes parents or guardians responsible for providing opportunities for education to their children between the ages of 6 and 14.

No doubt, the Act was a turning point for Indian education as it was enshrined as a fundamental right in the Constitution of India, 1950 with certain key parameters for teacher qualification, infrastructure, and teacher-pupil ratio. Moreover, it also banned any form of corporal punishment. Article 12 (1) (C) mandates non-minority private-unaided schools to reserve 25% of seats for socially and economically disadvantaged groups. But unfortunately, the Act is hobbled with certain loopholes which were noticed in the post-Covid 19 scenarios. During the pandemic, whilst all schools and higher educational institutions shifted to online platforms the government was unable to provide electronic devices to children across the country to access online classes as an imminent need. Even the National Education Policy, 2020, which outlined the vision for India's new education system, failed to mention anything about online education during the pandemic.

There is an urgent need for reform regarding the right to education. The amendment is very much necessary to include online learning. The Act requires special category schools like Kendriya Vidyalaya, Navodaya Vidyalaya, and Sanik Schools to admit 25% of children from the weaker sections and disadvantaged groups of the population. Certain issues need to be analyzed closely, such as cooperation of rules and provisions concerning various states. The early years of schooling, from pre-primary to the end of the primary cycle, are the crucial phase of child development. In the present scenario, the economic and social background of the children determines what kind of school they will be admitted to.⁵ The government should pay more attention to pre-school education and primary education by enhancing financial aid to create good quality schools accessible to all children.

⁵ Hattie, J. (2020), *Visible Learning Effect Sizes When Schools Are Closed: What Matters and What Does Not*, <https://opsoa.org/application/files/2215/8689/0389/Influences-during-Corona-JH-article.pdf> (accessed on 18 May 2022).

The effectiveness of the Right to Education is dependent upon how the stakeholders in the system embrace the right and work towards its attainment. Within stakeholders lie the human resources, opportunities, institutions, and material resources which play integral parts in supporting the goals of the education system by creating such facilities for the children to thrive in the present as well as in the future. For instance, the education system cannot survive without learners, teachers, counselors, psychologists, and the prescribed systematic syllabus of teaching. Moreover, there needs to be a source of inspiration, hope, and resilience for learners by way of lectures by teachers, question-answer sessions, group activities, and homework to assess the knowledge. On a positive note, Covid 19 has allowed Indian educational colleges and universities to become “Atma Nirbhar” by exploring new ways of teaching and improving the facilities and infrastructure for students and other stakeholders. However, in reality, the pandemic was unforeseeable that many education systems were not well prepared and with the lockdown and digital learning, the main challenge was the lack of technological expertise. It had shaken all the stakeholders out of their possible complacency. Many urban systems could cope by experimentation and eventually could integrate online learning in a very short period to ensure minimal disruption. As the learning mode shifted to online in 2020, parents and family became co-teachers, carrying anxiety and fear due to the uncertainty around them. Their goal is to create a safe environment for the growth of their children with a new ray of hope and opportunity. The only way to create this is to cooperate. The stakeholders’ involvement to attain RTE is as follows:

Table 1: Children Right’s Stakeholder groups⁶.

Stakeholder groups	Examples
Youth organization	Children's clubs and child-led (organizations that are run for children and by children) are organized through schools, community centers, NGOs, government, etc.
Civil Society and International Organization	UNICEF, Save the Children.
Academic Expert	It includes individuals with professional expertise on child rights on particular issues.

⁶Unicef. (2014). *Engaging Stakeholders on Children’s Rights: A tool for companies*. https://sites.unicef.org/csr/css/Stakeholder_Engagement_on_Childrens_Rights_021014.pdf

Parents / caregivers	Includes guardians who can provide insights about children's welfare, their activities, and utilization of resources.
Government	It includes national and regional communities on children, for Example Ministry of Education, the Children's ombudsman, and children commissioners who work on child's rights issues.
Businesses / Suppliers	Companies that provide insight on child's rights issues and how they are going to address their impacts.
Labor Organizations	Example:- Trade Unions, a labor union which provides insights on working conditions of workers with young workers.
Professionals	Example:- Teachers, doctors, health workers, and lawyers who are experts in their field and have knowledge about the welfare of children.
Company Personnel	Example:- Security personnel who will share insight about the behavior or activities of the children in the local community.
Children	Includes young workers, and community members.

III. IMPACT OF A PANDEMIC ON EDUCATION

The 2nd wave of COVID 19 Pandemic affected the education system of different income level countries. It has affected students, teachers, and parents across the country. The only solution to continue the education system is distance learning, which requires information and communication technology, infrastructure, computers, television, and radio. Teachers and educational staff are struggling very hard with difficulties in the areas of technology and lack of availability of infrastructure. Poor families are affected by the 2nd wave of COVID 19 as

they don't have access to digital infrastructure. The physical closure and the implementation of distance education lead to less time for learning, stress, and lack of motivation. It poses a threat to the entire education community.

Globally, 195 countries had closed all their schools during the pandemic, affecting 1.5 billion students from pre-primary to higher education. Parents residing in rural areas are not ready to send their children to school to continue their education. Moreover, they also had to bear the responsibility of their families. Girls students from low-income families had been a victim of sexual abuse, forced labor, and early marriage. The Indian educational system got the opportunity to the transformation from the traditional system to the digital learning era. The majority of the teachers are just conducting lectures on Zoom, Google meet, etc. which is not a real learning platform.⁷ During the lockdown most of the parents are facing unemployment situations, as a result, they are unable to pay their children's fees which affected the private institutions. Moreover, the pandemic had also disrupted the higher education sector. A large number of students who had enrolled in many universities abroad, especially in the worst affected countries, are now leaving those countries.⁸ Since then, there has been a significant decline in the demand for higher education. Classes have been suspended and exams are kept on postponing. The admission process got delayed. Due to frequent lockdown, students suffered a loss of nearly 3-4 months of the full academic year of 2020-2021. It further destroyed the situation of continuity in education.⁹

According to the report generated by the ASER, the enrolment rate was relatively large among the younger age group of 7-10 years.¹⁰ The decline of enrolment for younger boys was higher than for girls. The report also mentioned that children in rural areas have moved out of private to government schools in all age groups. This is because of the shutdown of low-cost private schools, financial distress of parents, free facilities in government schools, and families migrating back to villages. Poor children were facing issues with the non-availability of smart phones, network, or connectivity issues. To overcome the challenges of the digital divide and to keep the continuity of learning during the pandemic, the government had taken various

⁷ Saavedra, J. (2020), "Educational challenges and opportunities of the Coronavirus (COVID-19) pandemic", *Worldbank Blogs*, Available at: <https://blogs.worldbank.org/education/educational-challenges-and-opportunities-covid-19-pandemic> (last accessed on 18 May 2022)

⁸ Pravat Ku. Jena (2020) "Impact of Covid-19 on higher education in India". *International Journal of Advanced Education and Research*, Vol.5, Issue-3, Pg-77-81

⁹ Krishnapriya, T.K., Rani, P. The Parrot's Training in the pandemic: fallacies in India's educational response to COVID-19. *Asia Pacific Educ. Rev.* (2022). Available at: <https://doi.org/10.1007/s12564-022-09739-8> (last accessed on 18 May 2022)

¹⁰ Rural children enrolment in schools declines during a pandemic: Economic Survey (2022, Jan 31). *The Economic Times*. Available at: <https://economictimes.indiatimes.com/news/india/rural-children-enrolment-in-schools-declines-during-pandemic-economic-survey/articleshow/89247368.cms>. (last accessed on 10 May 2022)

effective measures such as the distribution of textbooks at home, telephonic guidance by teachers, and online and digital content through TV and radio. To understand empirically how RTE had been affecting during and after the pandemic, a survey was done and its results are shared here

Survey and Evaluation

The study has been conducted with the help of the descriptive survey method. The researchers herein based on the education sector had chosen the State of Assam because the digital devices used in this State are comparatively lower. The initial reporting of the COVID-19 case in Assam came to public attention on 31st March 2020 however, by July it became almost 14000.¹¹ In the second and third waves, the condition got deteriorated. Then all the educational institutions ranging from primary to higher education institutions as per Government records started functioning online with variations of pace and durations by applying both synchronous and asynchronous modes. The governmental data showed it as a successful venture.

For testing the same and to get vertical and horizontal issues the districts of Tinsukia (upper Assam) and Nalbari (lower Assam) have been chosen as the study area. The township areas was having edge over other districts in terms of usage of digital devices. For knowing the actual situation, the participants / targeted audience of the survey were government school teachers, parents, and government departmental staff members of these two districts. Their observations are based on their evaluation of attentive children/ children they taught/ neighbouring area's children. The current study has undertaken a *Google Form* questionnaire with a total sample count of 100. Out of 100, only 70 responded when inquired, the reason given was lack of knowledge to submit the form! The questionnaire was circulated through What's App. To understand the challenges and suggestions of the policies, and legislation, Act - an open-ended questionnaire was prepared to gauge the scenario of the Right to Education during the era of COVID19. The survey result clearly shows children have become physically inactive being at home, doing more in-house entertainment activities with digital devices than learning and many teenagers have mental health issues for unwanted stress and strain they go through with no socializing. The survey result is that 61.5 % affirmed that the Right to Education had not been implemented properly in Assam and no proactive measures for upliftment of education have been done, while 64.3% agreed Right to Education should not include just the teaching but good assessments too. The majority of the parents are not aware of the use of zoom or Webex as

¹¹ Choudhury, Dr. S., & Senapati, Dr. C (2021). Digital education and Assam: A Case Study of KKhsou. *A multidisciplinary Online Journal of Netaji Subhas Open University, INDIA (4)*, 1-5, http://www.wbnsou.ac.in/openjournals/Issue/1stIssue/January2021/Smriti_&_Chayanika_Final.pdf.

technology, they only were comfortable teaching with a book, paper, slate, and pencil or pen. Few were also raising concerns about the misuse of mobile phones in the name of online education and the possible eye problems arising due to it. Most of them agreed that Online devices provided in the name of education have been converted for entertainment purposes and the interaction with any teacher has become limited. The non-effective measure taken by the government to overcome such an obstacle was criticized. The discipline and engagement of students in offline regular classes have taken a toll due to online classes.

Analysis

The findings of the survey reveal that many schemes and policies like AAROHAN, and SAPTADHARA under RMSA were introduced to upgrade the education system but there is no proper implementation. Coordination is lacking between the policymakers and administration in implementation. No assistance was provided to the 10th standard or 12th standard students during the era of the 2nd wave of COVID19. The main apps introduced by the government were DIKSHA, SWAYAM, and NESTA and these were affiliated with the Board of Secondary Education., Assam even before the pandemic. Assamese is largely used as a medium of instruction. Poor connectivity was the major issue faced by the students. 42.9% of parents considered on average to online education. Classes were conducted through the watts app and Zoom. Physical exams were canceled and the children faced great difficulty in the online mode. Only 10-12 students could connect. “Gunotsav” is an initiative of the Government of Assam to assess the performance of every child at the elementary level, and individual learning gaps and suggest remedial measures for improvement. The government confers the “Anundoram Barooah” Award every year to the meritorious students of Assam by handing over Laptops. Also through the Pragyam Bharti scheme, the government of Assam waives the fee of higher education the students whose parental income is less than Rs. 2, 00,000/- for the COVID-19 Pandemic. In the States Government Schools, the government needs to work tirelessly to make the educational system impeccable. As per the 2021 Census of India, the Literacy rate of Assam was above the national average of 74.04%. Whereas being stood as seven sister state Mizoram's literacy rate was 91.33 as per the 2011 census. In higher education, faculties were encouraged to seek collaboration with foreign universities.

IV. CURRENT LEGAL FRAMEWORK: ANALYSIS

To provide education to all age groups, National Educational Policy came into existence in 1986. The Government of India along with the respective state government had made tremendous efforts to fulfill the aims and objectives laid down in various educational policies.

Moreover, there was also an explicit provision mentioned in Part III of the Constitution of India. In the year 2002, the Constitution of India inserted the 86th Amendment in Article 21 which talks about Free and Compulsory Education for all children between the age of 6-14 years. The Right to Education specifically promotes free and compulsory education which says that no children are allowed to pay any kind of cash for completing and getting an education. The government and local authorities must check for proper attendance of students. According to Article 41 of the Indian Constitution "The states shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and the and public assistance in case of unemployment, old age, sickness and disablement, and in other cases of undeserved want.." According to Article 45, "the state shall endeavor to provide early childhood care and education for all children until they complete the age of six years".

It is pertinent to note that education as a right and access to education were upheld by Indian Judiciary in various cases such as:

(1) *Bandhua Mukti Morcha V. Union of India*¹²: In this judgment, the court discussed the "importance of protection of children, health, and development in ensuring India's progress as a democracy". Though child labor could not be abolished due to economic necessity, the court come up with efficient steps which could be taken to protect and promote the rights of the children in the below poverty families. As second wave of Covid 19 Pandemic has compelled the children to work for their survival which result in disruption in their education as well in their childhood. Moreover, the court also added that India's obligation under the Universal Declaration of Human Rights and the Convention on the Rights of the Child is to provide free primary education for all children in the country, and to protect children against exploitation.

(2) *Unnikrishnan V. State of Andhra Pradesh*¹³: This case involves a challenge by certain private professional educational facilities to the constitutionality of state laws regulating capitation fees charged by such institutions. The Supreme Court held that the right to basic education is implied by the fundamental right to life (Article 21) when read in conjunction with the directives principle on education (Article 41). Therefore, the court held that the parameters of the rights must be understood in the context of the Directive Principles of State Principles, including Article 45 which provides that the state is to endeavor to provide, within ten years from the commencement of the Constitution, for free and compulsory education for all children under the age of 14. The state is vested also with the responsibility The court also quoted Article

¹²10 SCR 549. (1997).

¹³SCC (1) 645. (1993)

13 of the International Covenant on Economic, Social, and Cultural Rights and stated that the state's obligation to provide higher education requires it to take steps to the maximum of its available resources with a vision to achieve progress with full realization of the right to education.

(3) *State of Tamil Nadu & Ors V. K Shyam Sunder*¹⁴ : The Apex Court observed that the right of a child should not be restricted only to free and compulsory education, but should be extended to have quality education without any discrimination on the ground of their economic, social and cultural background. Pandemic had worsen the conditions the poor and downtrodden children

(4) *Mohini Jain V. State of Karnataka*.¹⁵: In this case, the Supreme Court held that the right to education is a fundamental right under Article 21 of the Constitution of India and it cannot be denied to a citizen by charging higher fees. In the pandemic it has been observed that private institution are charging higher fees in the ongoing pandemic. Majority of the parents had lost their income source so it is difficult for them to make payment of tuition fees. The Right to Education flows directly from the right to life. The right to life cannot be assured unless it is accompanied by the right to education.

However, with these safeguards too, nearly every aspect of education was impacted by the pandemic: access to schooling fell, nutrition was hampered, learning losses occurred, learning inequality increased, logistics became more complex, teachers' jobs became harder, and child mental health got affected. One of the utmost hindrances to efficiently undertaking the problems of the pandemic has been "systemic misalignments" between national policies and the reality on the ground, such as "wide disparities in internet access by region". The Covid crisis has elevated the importance of making sure policies reflect local realities and of having platforms to exchange ideas and experiences so that policymakers can rapidly respond to emerging challenges and evidence. Tackling the education crisis caused by Covid-19 therefore requires both decentralized input as well as national coordination

V. BEST PRACTICES AND CONCLUSION

1. Education should be meant as tailored services needed to meet their learning, health, psychosocial wellbeing, and other needs. Stakeholders have to design and implement such strategies that include comprehensive services to support "children's education, health, psychosocial wellbeing, and ancillary needs". For example, the North-East is culturally very diverse.

¹⁴ SC 3470. (2011).

¹⁵SCC (3) 666. (1992).

They have myriad forms of song and dance. So education system should imbibe such regional and cultural aspects while making policies. The geographical aspects of entire area being hilly need to be utilized positively for education. A beautiful school if located on hill-top with all natural resources usage would be a learning environment for student that creating a concrete building in a closed environment.

2. Education is one sector where government needs to prioritise equally to all the States. Assam is one state located in North East that is often neglected for its geographical location and people's lack of inclusion with the mainstream crowd. Though the general infrastructural facilities in Assam and other North-East States are satisfactory, but considering the changing student needs, the facilities are inadequate due to the limited funding .

3. Urgent need of an amendment of the Right to Education Act for inclusion of online learning. For this, there's a need to (a) keep the strategy and application of significant curative learning at diverse levels of education, (b) introduce such flexible learning valuation devices that could processes learning declines and recognizes students' requirements, and (c) maintain the plan and execution of digital renovation policies that include mechanisms on both arrangement and methods to apply digital technology to increase skills. The co-ordination to be there between Union and the State Governments so as to ensure that private schools must reserve 25% of their seats to economically backward section of the society. Moreover, they need to focusteachers' teachers training programmes related to technology , quality education instead of quantity education.

4. Presently, the Right to Education has been much priority to schooling over education. Basically, it seems to be more of "right to access schooling". This right is serving wrongly to all the children. The focus should be on incorporation of "social-emotional learning, remedial education, and digital technology" into curricula. Also, policies should be such that there exists "autonomy and flexibility for frontline educators to act collaboratively".

5. The onus of providing internet-based education had fallen on parents with online education being provided at home. The State should have supplemented with a curriculum that involves parental guidance and COVID-19-related awareness. The restrictions persist like "how parents with different educational backgrounds will follow through the instructions; therefore, online schooling to support home learning can be a go-to strategy where teachers deliver education online". Education policies should intend to reinforce engagement between schools and parents so as to recuperate material and direction to parents on practical aspects for holding up children's learning

In conclusion, it can be said that the Right to Education has not been implemented properly. It

has been noticed deeply in the pandemic where the majority of the children across India were deprived of education. The two states (Nalbari and Tinsukia) from Assam are taken for study has proved that the Right to Education has become a mockery and nothing else. Though students purchased electronic devices, there are poor connectivity issues in some districts. Even the stakeholder is not familiar with the usage of electronic devices. The age limit for RTE should increase from 14 years to 18 years because as it is tribal population send their children to school very late. And rather than emphasizing schooling, it is the duty of the local government to be involved – like community schooling to involve inclusive education imparting with folk-dances, and folk music and slowly switching over to reading, writing, and doing arithmetic calculations with more fun-based activity. Education falls under the concurrent so the union and the state have the greater responsibility to work effectively according to their regional needs.

Post the survey, on the basis of feedback received, it is found that the hypothesis proved to be right. Culturally responsive teaching is needed and it would value learners' involvement and it would enrich cultural values. These would then not stand as hindering issues even if online schooling doesn't work properly. Even Parents would be able to do justice in teaching since pedagogy would involve more of fun-based learning. Now that, with what had been encountered, the more effective legislation is expected to be adopted so as to overcome the challenges faced during the COVID-19 pandemic.
