

# Why was the no-detention policy rolled back?: Explained

What led to the amendment of the Right to Education Act, 2009 Rules? What have schools been allowed to do? Is there something wrong with the appraisal system? What are some of the best ways to test a child's learning? Who should be made accountable?

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Representational file image | Photo Credit: PTI

**The story so far:** The Union government amended the Rules of the Right to Education Act, 2009 in December 2024 to allow schools to detain students in Classes 5 and 8 if they are unable to meet the promotion criteria after a year-end examination. Students will be given a second chance re-examination after two months of extra teaching. This rollback of the RTE Act's vision of a no-detention policy was initially brought through an amendment of the law in 2019, following which 18 States and UTs have reinstated the option to detain students; the 2024 amendment now extends the option to Central government-run schools too.

## What was the rationale behind the original no-detention policy?

When the RTE Act was passed in 2009, it included Section 16, which stipulated that “No child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education [Classes 1 to 8]”. “The spirit of a no-detention policy was to ensure that children can learn without unnecessary pressure. Detention is demoralising to children. There was also an understanding that a single final year-end examination is not the best way to assess learning and decide on their progress,” said Vimala Ramachandran, a former professor at the National Institute of Educational Planning and Administration. “But it was implemented very shoddily. No detention became no testing, and in many schools, no teaching. It was a slippery slope.”

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She noted that government schools in many States simply stopped testing in any form until Class 5, automatically promoting children without bothering to find out if they had acquired grade-specific skills and knowledge. Monitoring systems focussed on inputs or maybe indicators, rarely on outcomes.

Efforts to introduce a Continuous and Comprehensive Evaluation (CCE) programme instead, in coordination with UNICEF, were largely stymied by a lack of resources and training, and teacher apathy. In many schools, NCERT’s CCE forms were simply filled en masse by teachers without an assessment of individual children’s skills. A number of boards abandoned the model of multiple formative and summative assessments, retreating to the familiarity of a final year-end examination.

## Why has it been rolled back?

Surveys conducted by both government and private entities in recent years have documented an alarming learning gap in India’s schools.

The Annual Status of Education Report (ASER), a respected survey spearheaded by the NGO Pratham, found that only 42.8% of Class 5 students could read a Class 2-level text in 2022, a fall from 50.5% in 2018. Only 25.6% of them could do basic arithmetic problems in 2022, a slight drop from 27.9% in 2018.

Even more worryingly, ASER 2023 tested foundational skills in youth aged 14 to 18 years and found that a quarter of them still cannot read a Class 2 level text fluently in their regional language. More than half struggle with division (3-digit by 1-digit) problems, a skill taught in Class 3 and 4.

The Department of School Education’s National Achievement Survey 2021 also showed clear declines as students moved up the school ladder. Out of a maximum 500, Class 3 students scored an average of 323 in language and 306 in Mathematics. By Class 5, the scores dropped to 309 and 284 respectively, and to 302 and 255 by Class 8.

A government analysis of Classes 10 and 12 results across 59 State and national boards in 2023 showed that more than 65 lakh students had failed to clear their examinations, with a failure rate ranging from 12% in national boards to 18% in State boards.

“In the name of promoting all students in the younger classes, we are adversely affecting them in later life,” said Joseph Emmanuel, who was academic director of the Central Board of Secondary Examination (CBSE) till a few months ago, when he took charge of the Council for the Indian School Certificate Examinations (CISCE). “There is a clear learning gap that was exacerbated by the COVID disruptions. This [rollback of the no-detention policy] is a good example of evidence-based decision making.”

Dr. Ramachandran said the amendment represents a regression, and instead called for better mechanisms to assess children’s learning and hold teachers accountable.

## What is the way forward?

“Timely remedial action is needed at every stage. There must be regular assessment done at the school level in every class, not at the board level. Who is the best judge of a child’s learning? It is their own teachers. We must trust teachers and equip them,” said Dr. Emmanuel.

He noted that the Rules require the class teacher to “provide specialised inputs after identifying the learning gaps at various stages of assessment” and stipulate that the school Head personally monitor the progress of the children who are held back. “More accountability is being brought in,” he said.

Dr. Ramachandran said the focus of accountability must change. “Instead of detaining and punishing the child for not doing well, we need a way to hold the teacher responsible and accountable,” she said. Too many teachers only focus on the children in the front rows

of their classroom, often discriminating against those from lower socio-economic backgrounds who may struggle more and are more likely to be detained. "Rigorous teacher appraisal is needed to ensure inclusive teaching. There must be some consequences for the teacher, not just the student, as well as incentives to ensure this," she urged.

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