

State Regulatory Profile **Nagaland**



A look at the education sector

2025



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Executive Summary

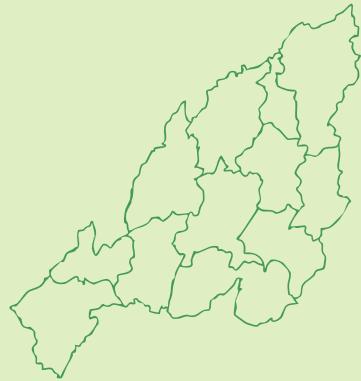
Nagaland's school education system is at an inflection point, balancing a legacy of community-based governance with the structural demands of modern education policy. The private sector now serves nearly two thirds of school-going children, while government schools face declining enrollment despite rising teacher numbers. This divergence signals a trust and performance deficit in the public schooling system and highlights the urgent need for regulatory clarity, accountability, and capacity strengthening.

The report presents a comprehensive analysis of the State's K-12 ecosystem, covering legal frameworks, institutional roles, regulatory enforcement, and stakeholder experiences. It traces the evolution from Pre-RTE community-driven oversight to the current arrangement in line with the Right to Education Act and the National Education Policy 2020. While Nagaland has made progress in expanding access, improving infrastructure, and promoting community participation through Village Education Committees, systemic gaps persist in teacher deployment, learning outcomes, school recognition procedures, and grievance redressal mechanisms.

Key data trends reveal declining student numbers in government schools, growth in private schooling, uneven pupil-teacher ratios, and limitations in digital infrastructure. Regulatory responsibilities are shared across multiple agencies, including the Directorate of School Education, NBSE, and SCERT, leading to fragmented compliance and overlapping mandates. Focus Group Discussion with School Leaders shows a growing preference for private schooling, administrative difficulties navigating reimbursements under RTE, and strong support for shifting towards a Direct Benefit Transfer model.

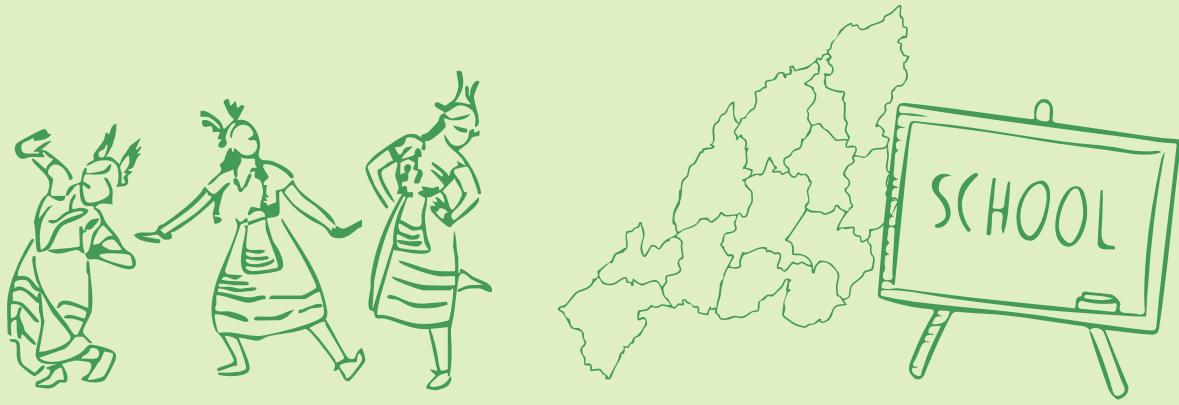
The State School Standards Authority, envisioned under NEP 2020, emerges as a critical reform pathway. A dedicated and autonomous regulatory body could reduce conflicts of interest, streamline oversight, strengthen transparency, and promote a shift from compliance-driven control to performance-oriented support. Clear legislative drafting, coherent institutional mandates, and structured grievance systems are necessary to ensure fairness and quality across both government and private schools. It is found that there is conflict in legislative provisions of NBSE and RTE Rules over the school management committee and suggested encouraging for-profit education models in the state.

Overall, the report advocates for a balanced approach that empowers educators, protects student interests, reduces administrative burdens, and enhances school performance through transparent standards, community partnership, and policy innovation. Establishing the SSSA, reforming recognition and inspection processes, and adopting incentive-based governance can help Nagaland build an equitable and future-ready school system aligned with national reforms and local needs.



CONTENTS

1. Introduction	7
2. Objectives.....	8
3. Scope and Methodology	9
4. Relevance of K-12 regulation in the context of Nagaland	10
5. Educational Landscape of Nagaland (2024-25).....	12
6. Overlapping Laws/Rules.....	13
7. Development of the Right to Education in Nagaland.....	13
7.1 Pre-RTE Era (Prior to 2009)	13
7.2 Post-RTE Era (Central Legislation).....	14
7.3 Incorporation with State Programs and Frameworks	14
7.4 Present Stage: Progressing Towards NEP 2020 Alignment	14
7.5 Timeline: Right to Education in Nagaland	17
8. State School Standard Authority.....	17
8.1 Function.....	17
8.2 Structure:.....	18
8.3 Composition and mandate of SSSA.....	18
8.4 Suggested Composition for Nagaland:	18



9. Law Summary	19
9.1 The NBSE Act, 1973 [Replaced by NBSE Act, 2014].....	19
9.2 The NBSE (Amendment) Act, 1990 [Replaced by NBSE Act, 2014]	19
9.3 The Nagaland Right of Children to Free and Compulsory Education Rules, 2010.....	20
9.4 The NBSE Act, 2014.....	21
9.5 Highlights of the changes	22
10. Enforcement Mechanisms	25
10.1 Administrative structures for enforcement.....	25
10.2 Role of Local Government.....	25
10.3 Accountability Mechanisms	25
11. Nagaland Enhancing Classroom Teaching and Resources Project	26
11.1 Project Approval Board Meetings.....	26
11.2 Grievance Redressal Systems.....	26
12. Focus Group Discussion Insights.....	28
13. Overview:	29
14. Conclusion & Suggestions.....	31



1. Introduction

It is posited that “the child is the father of man.” In order to cultivate the development of a courageous and dynamic individual, it is imperative that the child receives appropriate guidance during the formative years of their life.^[1] To achieve this, it is crucial that they engage in education, acquire an understanding of humanity and resources, and flourish within an environment that, upon reaching maturity, they become an individual with a purpose, one who holds significance in the context of society.^[2] This underscores the premise that education serves as a cornerstone for realising the complete potential of individuals, fostering a fair and just society, and advancing national development.^[3] For elementary education, the school plays a significant role, which is directly proportional to the environment of the school. The productivity of a school is maximised when it is underpinned by a constructive, holistic, and supportive regulatory framework. It is incumbent that every school regulatory system provides robust support to its primary stakeholders i.e. students, by fostering innovation and creativity, while also ensuring that teachers receive the necessary assistance.

The National Education Policy 2020^[4] emphasises the need to review and revise the existing regulatory framework for school education in India.^[5] This analysis highlights a critical deficiency in the governance of school education, specifically the conflict of interest that emerges from the dual function of the Department of School Education, both as the operator of government schools and as the regulator of the comprehensive school system. The intersection of these interests undermines objectivity, as the department may impose rigorous regulatory scrutiny on private educational institutions while neglecting shortcomings present in government-run schools. It reduces accountability and hides structural inefficiencies. This arrangement leads to regulatory enforcement being confined to procedural compliance, rather than fostering substantive enhancements in infrastructure, teaching quality, or learning outcomes. Enhanced oversight may inadvertently reveal deficiencies within state-run institutions. NEP gives the nudge to reform; states need a clear roadmap for the direction and nature of reform. This requires a systematic review of the gaps in the current regulatory framework.^[6] In the context of Nagaland, where private schools represent 66.85 % of student enrolments whereas only 33.15 % of students get enrolment in government schools.^[7] It signifies that the challenges faced by government schools, characterised by diminishing student numbers and infrastructural inadequacies, render this reform especially imperative. The formation of an autonomous State School Standards Authority^[8] would mitigate conflicts of interest, establish equitable conditions between public and private educational institutions, and improve accountability in the provision of high-quality education.

[1] Jai S. Singh, “Expanding Horizons of Human Right to Education: Perspective on Indian and International Vision”, 52 Journal of Indian Law Institute 34 (2010).

[2] Ibid.

[3] Animesh Kumar, “Evolution of Right to Education in India” 2 (1) Law and Society: A New Challenge 27 (2025).

[4] Hereinafter referred as NEP.

[5] Jayana Bedi & Prashant Narag, “Assessing State School Education Laws on Administrative Safeguards”, 6.2 Comparative Constitutional and Administrative Law Journal 1 (2022).

[6] Ibid.

[7] UDISE + Dashboard: Nagaland 2024-2025, available at: <https://dashboard.udiseplus.gov.in/#/> (last visited on: 23.10.2025).

[8] Hereinafter referred to as SSSA.

Number of Schools by School Management and School Category in India (2024-2025) [9]

School Management	Foundation & Preparatory Schools	Middle	Secondary	Overall
State Govt	618370	271379	121415	10,11,164
Govt. Aided	16849	18834	43666	79,349
Pvt. Unaided	77148	127916	134519	33,9583
Central Schools	28	29	2101	2158
Others	18123	15855	5241	39,219

2. Objectives

The objective of this report is to provide a thorough analysis of the State of Nagaland's K-12 education system, paying special attention to its institutional arrangements, enforcement mechanisms, and statutory and regulatory framework. It is intended to serve as an authoritative resource for the State's school administration and policy-making bodies in order to enhance the implementation of education policies in conformity with the statutory and constitutional mandates governing school education, guarantee consistent compliance, and fortify regulatory governance.

In addition to evaluating the institutional efficacy of key agencies, including the Department of School Education, the Nagaland Board of School Education^[10], and the State Council of Educational Research and Training^[11], this regulatory profile conducts a thorough review of the current laws, subordinate legislation, and administrative procedures governing the establishment, management, and operation of schools within the State. Further, to identify current administrative and regulatory shortcomings preventing efficient governance, it evaluates the degree of institutional compliance with regard to infrastructure rules, enrollment trends, and teacher management.



[9] Report Id 1003: available at: <https://dashboard.udiseplus.gov.in/#/school-reports-1003?id=1003&type=table> (last visited on: 14.10.2025)..

[10] Hereinafter referred as NBSE.

[11] Hereinafter referred as SCERT.

3. Scope and Methodology

This report focuses exclusively on the K-12 education sector within the State of Nagaland, with specific emphasis on:

- The regulatory framework encompasses a thorough analysis of both central and state-level legislations, rules, and executive orders that govern various aspects such as recognition, affiliation, infrastructure, teacher recruitment, fee regulation, and the inspection of educational institutions.
- An examination of the institutional frameworks, focusing on the delineation of roles and responsibilities among the Department of School Education, the Directorate of School Education, the NBSE, the SCERT, and district-level officials, including District Education Officers (DEOs) and Sub-District Education Officers (SDEOs).
- The categories of educational institutions include government schools, government-aided private schools, and unaided private schools functioning within the state.
- Examination of enforcement mechanisms, including a comprehensive analysis of current inspection, monitoring, grievance redressal, and penalty systems pertaining to instances of non-compliance.
- The examination of educational outcomes and equity necessitates a thorough assessment of school enrolment trends, dropout rates, pupil-teacher ratios, and infrastructure standards, aimed at elucidating systemic disparities.
- The alignment with the National Education Policy of 2020 necessitates identification of requisite reforms aimed at aligning the school education sector in Nagaland with the stipulated guidelines, notably the establishment of the SSSA.

The methodology employed in this report integrates a comprehensive documentary review, data analysis, and a systematic policy benchmarking process.

Analysis of Legal and Policy Frameworks: An analysis of the Right of Children to Free and Compulsory Education Act, 2009^[12], alongside the Nagaland RTE Rules, 2011. An examination of the NBSE regulations, SCERT notifications, and additional circulars issued by the state government pertinent to K-12 regulation. Allusion to the stipulations outlined in the NEP 2020.

Examination of Secondary Data: It is crucial to use data from the Census of India, the Unified District Information System for Education Plus (UDISE+), and state government annual reports. An analysis of attrition rates, infrastructure accessibility, teacher distribution, and enrolment patterns in public and private schools may add boost to the report matching the objectives.

Consultation with stakeholders (Focused Group Discussion): The report incorporates contributions derived from dialogues with educational administrators and school leaders of the state. This allowed the report to elucidate challenges associated with the implementation of policies at the grassroots level. A moderator facilitated the virtual session, which was also semi-structured to include both closed-ended and open-ended questions. The goal of these sessions was to examine stakeholders' awareness of the regulatory frameworks, issues faced by them, and their proposals for changing current regulations. Based on the meeting notes and transcripts obtained, a thematic analysis was carried out, which included major and minor topics, repeating themes, and patterns expressed by the participants.

[12] Hereinafter referred as RTE.

4. Relevance of K-12 regulation in the context of Nagaland

The regulation of the K-12 education sector holds considerable importance in the State of Nagaland, given its distinct demographic, socio-economic, and institutional landscape. In contrast to more expansive states that typically exhibit uniform administrative structures, the educational framework of Nagaland is distinguished by its geographical isolation, tribal heterogeneity, and the disparate allocation of educational institutions. This complexity underscores the imperative for a robust and contextually aware regulatory system.

Initially, according to the provisions established by the RTE, Nagaland is obligated to guarantee universal access to quality education for all children up to Class 8. The state has issued its own RTE Rules 2011; however, the implementation of infrastructure standards, teacher qualifications, and pupil-teacher ratios has been inconsistent, especially in rural and hill districts.^[13] A comprehensive regulatory framework is thus imperative to maintain the constitutional assurance provided by Article 21-A^[14] and to facilitate equitable access throughout both tribal and non-tribal areas.

The state has experienced a consistent reduction in student enrolment over the preceding decade, decreasing from over 530,000 in the academic year 2015-16 to approximately 410,000 in the academic year 2023-24.^[15] Concurrently, private educational institutions, especially in metropolitan areas like Dimapur and Kohima, have experienced significant growth, presently constituting a predominant share of student enrolments in specific districts. This dual trend underscores the need for robust regulation of both public and private educational institutions, aimed at enhancing quality within the public sector while ensuring transparency, accountability regarding fees, and adherence to established standards within the private sector.

The pupil-teacher ratio and dropout rates indicate underlying systemic deficiencies that regulatory measures can effectively target.^[16] Public educational institutions frequently experience challenges related to low enrolment figures and an unfavourable pupil-teacher ratio, whereas private educational establishments tend to function with elevated pupil-teacher ratios, albeit with restricted scrutiny concerning the qualifications of educators and the conditions of their employment.^[17] The observed dropout rates, particularly at the secondary level, which stand at 14.3% within government schools, suggest a significant regulatory deficiency in the domains of school retention, career guidance, and the establishment of effective transition pathways.^[18]

[13] Moa Jamir, "Nagaland's UDISE+ 2023-24 Report Card: 12 with zero students, 31 single-teacher schools", *The Morung Express*, 26.01.2025, available at: <https://www.morungexpress.com/nagalands-udise-2023-24-report-card-12-with-zero-students-31-single-teacher-schools> (last visited on: 13.08.2025). See also, Ministry of Education, Dept. of School Education & Literacy, Govt. of India, "Report on Unified District Information System for Education Plus UDISE+" available at: <https://udiseplus.gov.in/3c155b36-e6af-43f6-a418-fd38ff94a7f6> (last visited on: 20.08.2025).

[14] Constitution of India, art. 21-A: Right to Education.

[15] Moa Jamir, "Nagaland's UDISE+ Report Card: More teachers, fewer students", *The Morung Express*, 23.01.2025, available at: <https://www.morungexpress.com/nagalands-udise-report-card-more-teachers-fewer-students> (last visited on: 19.08.2025). See also, Ministry of Education, Dept. of School Education & Literacy, Govt. of India, "Report on Unified District Information System for Education Plus UDISE+" available at: <https://udiseplus.gov.in/3c155b36-e6af-43f6-a418-fd38ff94a7f6> (last visited on: 20.08.2025).

[16] Livine Khrzoh, "Disparity in student-teacher ratio in Nagaland's government, private schools" *Eastern Mirror* 04.02.2025, available at: <https://www.easternmirrornagaland.com/disparity-in-student-teacher-ratio-in-nagalands-government-private-schools> (last visited on: 18.08.2025). See, Ministry of Education, Dept. of School Education & Literacy, Govt. of India, "Report on Unified District Information System for Education Plus UDISE+" available at: <https://udiseplus.gov.in/3c155b36-e6af-43f6-a418-fd38ff94a7f6> (last visited on: 20.08.2025).

[17] Dr. N Janbemo Humtsoe, "The need for affordable and quality education", *The Morung Express*, 19.02.2025, available at: <https://www.morungexpress.com/the-need-for-affordable-and-quality-education> (last visited on: 12.08.2025). See, Ministry of Education, Dept. of School Education & Literacy, Govt. of India, "Report on Unified District Information System for Education Plus UDISE+" available at: <https://udiseplus.gov.in/3c155b36-e6af-43f6-a418-fd38ff94a7f6> (last visited on: 20.08.2025).

[18] Moa Jamir, "Nagaland's UDISE+ Report Card: More teachers, fewer students", *The Morung Express*, 23.01.2025, available at: <https://www.morungexpress.com/nagalands-udise-report-card-more-teachers-fewer-students> (last visited on: 19.08.2025). See also, School



The disparities in infrastructure and digital readiness among schools are markedly pronounced. Although approximately 2,000 educational institutions indicate the presence of playgrounds and libraries, fewer than fifty percent possess operational internet connectivity, [19] with merely 34 schools reporting the existence of digital libraries for the academic year 2023-24. [20] In the absence of regulatory enforcement, the existing disparities in infrastructure are likely to exacerbate, thereby constraining the state's capacity to effectively implement the reforms outlined in NEP 2020, which include digital integration, vocational education, and experiential pedagogy [21].

Ultimately, the NEP 2020 underscores the necessity for a transition from input-based regulatory framework to one characterised by a light yet stringent approach, prioritising outcomes and transparency. The policy explicitly mandates the creation of a SSSA to guarantee the implementation of minimum common standards across government, aided, and unaided educational institutions. In the context of Nagaland, the governance challenges, exacerbated by both the geographical terrain and the limitations of administrative capacity, underscore the necessity for the establishment of a dedicated authority. This entity would play a pivotal role in facilitating the processes of recognition, inspection, grievance redressal, and fee regulation, thereby minimising bureaucratic redundancies.

Education in North-East, available at: <https://databank.nedfi.com/education/school-education-northeast> (last visited on: 18.08.2025). See, Ministry of Education, Dept. of School Education & Literacy, Govt. of India, "Report on Unified District Information System for Education Plus UDISE+" available at: <https://udiseplus.gov.in/3c155b36-e6af-43f6-a418-fd38ff94a7f6> (last visited on: 20.08.2025).

[19] Reyivolu Rhakho, "73.2% schools across Nagaland have functional electricity connection" *Eastern Mirror* 03.01.2025, available at: <https://www.easternmirrornagaland.com/732-schools-across-nagaland-have-functional-electricity-connection> (last visited on: 19.08.2025). See, Ministry of Education, Dept. of School Education & Literacy, Govt. of India, "Report on Unified District Information System for Education Plus UDISE+" available at: <https://udiseplus.gov.in/3c155b36-e6af-43f6-a418-fd38ff94a7f6> (last visited on: 20.08.2025).

[20] See, <https://educationforallinindia.com/transforming-education-through-digital-infrastructure-2023/> (last visited on: 19.08.2025).

[21] See, National Education Policy, 2020, para 24, available at: https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English.pdf (last visited on: 18.08.2025).

5. Educational Landscape of Nagaland (2024-25)

2,750



Schools

(Urban = 607, Rural = 2,143)

[1,172 Foundational and Preparatory Schools, 780 Middle Schools, 798 Secondary Schools]

33,131



Teachers

13,552



Male Teacher

19,579



Female Teachers

4,14,421

Students



2,09,201
Boys

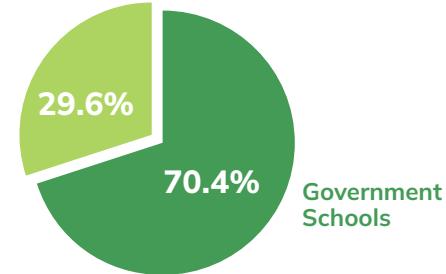


2,05,220
Girls

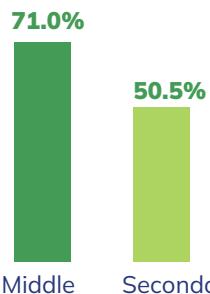
Enrollment by Level of Education (Gender wise)

	Male	Female
Secondary:	43,245	47,397
Middle:	43,546	43,387
Preparatory:	47,482	44,966
Foundational:	74,928	69,470

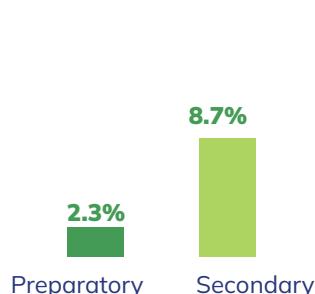
Education Data by Management type:



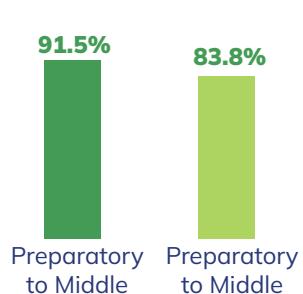
Gross Enrollment Ratio



Dropout Rate



Transition Rate



6. Overlapping Laws/Rules

The regulatory framework governing school establishment in Nagaland is marked by a significant ambiguity arising from conflicting provisions in its two primary legislations. While the NBSE, which functions under state-specific rules and bylaws, explicitly authorises an individual to open and seek affiliation for a school, the Nagaland RTE Rules, 2011^[22], which operationalise the central RTE Act, mandate that schools must be run by a formally constituted legal entity such as a society or a trust. This creates a direct legal contradiction, leaving prospective school promoters in a state of uncertainty regarding the permissible legal identity for establishing a school. The lack of clarity and harmonisation between these two key instruments not only creates operational confusion but also potentially undermines accountability and the standardised application of educational norms across the state.

The Nagaland Communitisation of Public Institutions and Services Act, 2002, establishes a framework for the devolution of governmental powers to local communities, with the stated objective of empowering these communities and delegating state functions to local authorities. This is to be achieved through direct community participation in the management of public utilities and services, including those pertaining to the education sector. However, while the Act provides a broad mandate for community involvement in state activities related to education, health, and other welfare schemes, it operates at a level of generality that fails to delineate specific, substantive provisions for the systematic regulation of education. Consequently, the Act creates an enabling structure for participatory governance without establishing a concrete regulatory regime to address the specificities of educational administration, standards, and oversight within the state.

7. Development of the Right to Education in Nagaland

7.1 Pre-RTE Era (Prior to 2009)

The Nagaland School Education Act of 1973 predominantly regulated education in Nagaland, facilitating the establishment, management, and recognition of schools within the state. Despite the state's endeavours to enhance educational opportunities, there was no clear legal acknowledgement of education as a fundamental right. Local mechanisms, particularly Village Education Committees (VECs) established under the Nagaland Communitisation of Public Institutions and Services Act, 2002, were essential in mobilising communities, administering schools, and enhancing accountability at the grassroots level. This Act was groundbreaking; it delegated substantial authority over school management (teacher attendance, finance allocation, etc.) to communities prior to the national RTE Act.

[22] See, NBSE General Rules 2019, Chapter II and RTE Rules 2011, rule 10.

7.2 Post-RTE Era (Central Legislation)

After the 86th constitutional amendment, Article 21-A was added as a fundamental right. Following the amendment, the RTE was passed. Nagaland, like other states, was obligated to enforce the Act, which mandates free and compulsory education for all students aged 6 to 14 years. The state announced the Nagaland RTE Rules, 2010, establishing the regulatory framework for the implementation of the central RTE Act within the state. Subsequently, it passed another legislation called NBSE Act, in 2014 which governs the education system in Nagaland.

7.3 Incorporation with State Programs and Frameworks

The execution of RTE in Nagaland was synchronised with Sarva Shiksha Abhiyan (SSA), which was subsequently integrated into Samagra Shiksha Abhiyan. The Directorate of School Education, in conjunction with the SCERT, was assigned the responsibilities of curriculum alignment and oversight. The VECs, pursuant to the Nagaland Communitisation of Public Institutions and Service Act, were acknowledged as local regulatory bodies tasked with guaranteeing compliance with RTE, encompassing enrolment, retention, and infrastructure standards.

7.4 Present Stage: Progressing Towards NEP 2020 Alignment

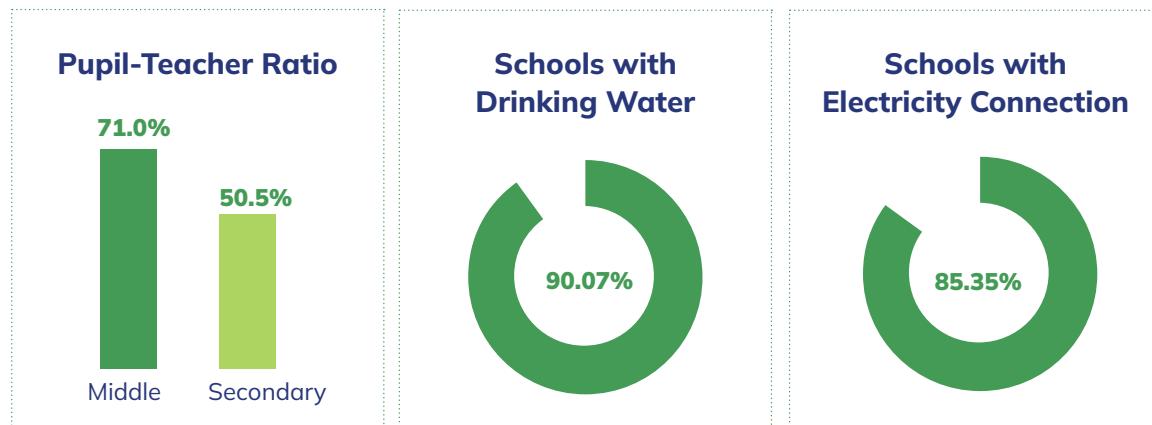
The NEP 2020 expands the parameters of the RTE by proposing an age range of 3 to 18 years, as opposed to the current limitation of 6 to 14 years. Nagaland has not yet implemented explicit revisions to reflect this expansion; nevertheless, discussions are in progress to establish an SSSA, which will function as a regulatory authority to ensure compliance with the RTE among government, aided, and private schools^[23]. The current Nagaland Education Project (NECTAR), funded by the World Bank, prioritises enhancing accountability and quality, hence reinforcing the implementation of RTE principles.^[24]

As of the UDISE+ data for 2024-25,^[25] Nagaland has approximately 2.75 thousand schools (607 in Urban and 2.14 thousand in Rural), with a total enrollment of about 4.14 students (2.09 Lakh Boys & 2.05 Lakh Girls). About 66.85% students are taking education in privately owned schools, whereas about 33.15% of the students are enrolled in government schools of the state. There are 33.13 thousand teachers in the state consisting of 13.55 thousand male and 19.58 thousand female.

[23] "Consultative Workshop on revised NSQAAF and SSSA held at Kohima", Nagaland Tribune 25 July 2025, available at: <https://nagalandtribune.in/consultative-workshop-on-revised-nsqaaaf-sssa-held-at-kohima/> (last visited on: 08.10.2025).

[24] Sentinel Digital Desk, "Nagaland: Lighthouse Schools Project Aims to Transform Education System", available at: <https://www.sentinelassam.com/north-east-india-news/nagaland-news/nagaland-lighthouse-schools-project-aims-to-transform-education-system> (last visited on: 08.10.2025). See also, Nagaland Education Projects, available at: <https://hagalandeduproject.com>

[25] Ministry of Education, Dept. of School Education & Literacy, Govt. of India, "Report on Unified District Information System for Education Plus UDISE+" available at: <https://dashboard.udiseplus.gov.in/#/> (last visited on: 09.10.2025).



Types of Schools

Type	Count
Schools	2,750
Foundational & Preparatory Schools	1,172
Middle Schools	780
Secondary Schools	798

Percentage of School Management Wise

Type	Percentage (%)
Government	70.4
Private	29.6

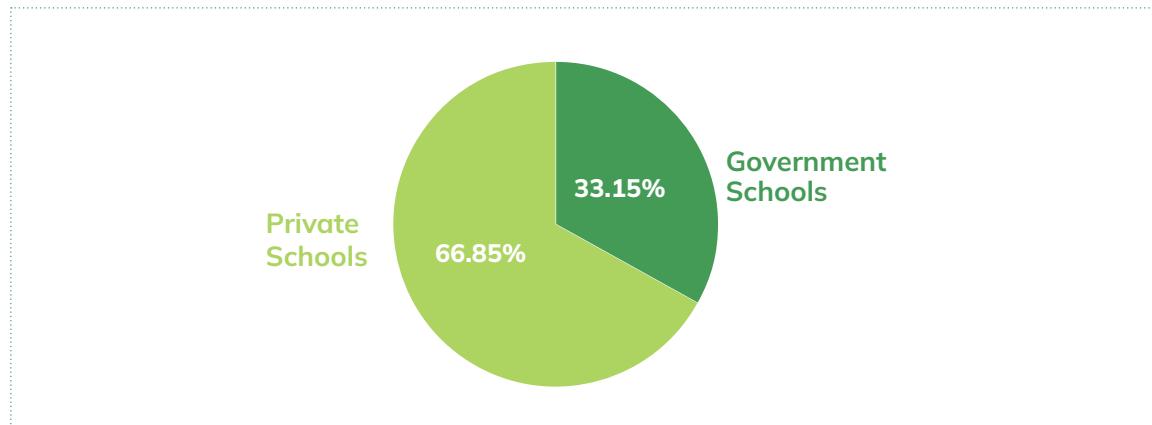
Percentage of School by Level of Education

Level	Percentage (%)
Primary	42.62
Middle	28.36
Secondary	29.02

Percentage of Schools based on School Types

Type	Percentage (%)
Co-Ed	99.96
Boys	0.04

Percentage of Students in Government v. Private Schools



Note: Data referred above is as per the UDISE+ 2024-2025.

Number of Teachers

33,131 **6,942** **8,430** **17,759**

Teachers

Foundational &
Preparatory Teachers

Middle School
Teachers

Secondary
Teachers

Nature of appointment: **Regular**

75.86%  **78.35%** 
Female Male

Teachers trained & teaching through a computer

27.98%  **27.18%** 
Female Male

Trained Teachers for Children with Special Needs

3.7%  **2.22%** 
Female Male

Percentage of Teachers by Level of Education

20.95% Primary **25.44%** Middle **53.6%** Secondary

Number of Students

4,14,421 **1,44,398** **92,448** **86,933** **90,642**

Students

Foundational

Preparatory

Middle Students

Secondary

Gender Parity Index (GPI)*

Foundational- 1.0
Preparatory- 1.0
Middle- 1.1
Secondary- 1.2

Dropout Rate

Middle- 4.7
Secondary- 8.7

Percentage of Students Management-Wise

Government- 33.15 %
Private- 66.85 %
Aided- 0 %
Others- 0 %

Gross Enrollment Ratio (GER)- Girls: Boys

Foundational- **81.4 : 80.4**
Preparatory- **89 : 85.4**
Middle- **75.2 : 67.1**
Secondary- **54.8 : 46.6**

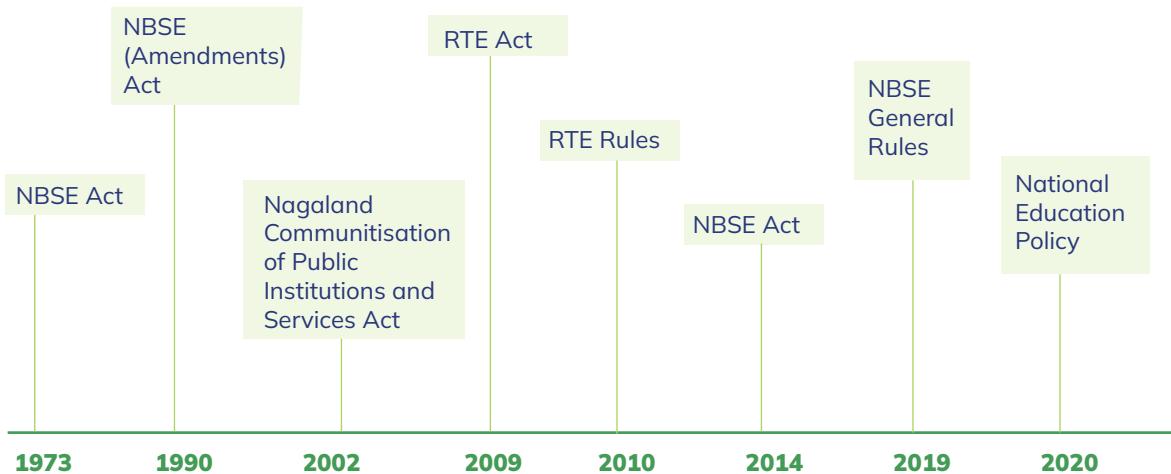
Net Enrollment Ratio (Girl Students: Boys Students)

Foundational- 71 : 69	Number of Girls and Boys
Preparatory- 66 : 62	Foundational- 74,928 : 69,470
Middle- 53 : 47	Preparatory- 47,482 : 44,966
Secondary- 44 : 37	Middle- 43,546 : 43,387
	Secondary- 43,245 : 47,397

* As per Report on UDISE+ Report Gender Parity Index (GPI) measured as ratio of GER of girls to GER of boys. It measures the progress towards gender parity in education participation and/or learning opportunities available for girls in relation to those available to boys. It also represents the level of girls' empowerment in the society.

Note: Data referred above is as per the UDISE+ 2024-2025.

7.5 Timeline: Right to Education in Nagaland



8. State School Standard Authority

The SSSA is a regulatory entity suggested to be established by States/Union Territories in accordance with the National Education Policy (NEP) 2020^[26]. According to the policy, it will function as a regulatory entity with the objective of ensuring that all educational institutions comply with transparent, uniform, and fundamental quality standards. The SSSA is conceptualised as an autonomous regulatory entity, distinct from the Department of Education.

The rationale behind establishing SSSA is to delineate the distinct functions of policy-making, regulation, operations, and academic affairs within the realm of school education, with the intention of mitigating potential conflicts of interest.

8.1 Function

- Establish minimum standards pertaining to safety, security, infrastructure, educator qualifications, and learning outcomes for all educational institutions.
- Facilitate adherence to standards via regular self-disclosure by educational institutions and independent evaluations, progressing towards a framework of regulation that is both flexible and stringent.
- Ensure the preservation of equity and accountability, whilst allowing educational institutions the freedom to determine their curriculum implementation and pedagogical approaches.

[26] See, National Education Policy, 2020, para 8.5 (C), available at: https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English.pdf (last visited on: 18.08.2025).

8.2 Structure:

- Established at the state level, operating autonomously from the Department of School Education.
- Functions in alignment with the State Curriculum Framework (SCF) and the State School Education Board.
- Consolidates or aligns the various existing regulatory bodies into a singular authority.

The SSSA functions as a standard-setting and regulatory entity for educational institutions, guaranteeing that each child, regardless of geographical location or the administration of the school, receives access to safe, inclusive, and high-quality education as outlined in the NEP 2020.

8.3 Composition and mandate of SSSA

The NEP, 2020^[27] stipulates the creation of an independent SSSA tasked with ensuring that all primary and secondary educational institutions-whether government, aided, or unaided-are held accountable to fundamental minimum quality standards concerning safety, infrastructure, teacher qualifications, learning outcomes, and transparency. However, there remains no mention of a specific provision for the composition of SSSA in the policy. After looking into the legislation governing the K-12 education system in Nagaland, the SSSA could be established through a notification or a government order issued by the State Government in accordance with the NBSE Act/Rules, or alternatively, through an executive order, while awaiting the passage of particular enabling state legislation.

8.4 Suggested Composition for Nagaland:

After analysing the various legislations and the rules pertaining K-12 education and having on ground experience from the school leaders, it is found that if SSSA is to be considered the following may constitute the governing body:

A) Chairperson (Retired High Court Judge)

B) Ex-officio members:

- i. The Director of School Education
- ii. The Director of Higher Education
- iii. The Director of SCERT
- iv. An Expert in the area of Education (Representing Civil Societies, Private Schools, Education Activists).

[27] See, National Education Policy, para 8, available at: https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English.pdf (last visited on: 19.08.2025).

9. Law Summary

9.1 The NBSE Act, 1973 [Replaced by NBSE Act, 2014]

The NBSE Act, 1973 mandates the creation of the NBSE. As pointed out in the preamble, the Board has been established to regulate, supervise and advance school education in the said state. Section 4 offers the composition of the Board. Amongst others, the board shall consist of directors from the fields of education, industries, health services and agriculture, respectively. These ex-officio members would be accompanied by seven teachers nominated directly from the government. Lastly, the board will be able to co-opt two additional members, provided they are distinguished educators. A thoughtful composition, the addition of the directors from fields diverse other than education offers a pathway towards holistic, all-comprehensive education. However, while the Board allows for the inclusion of distinguished educators, no clarity exists regarding the selection criteria for these two members. The duties of the Board are provided under Section 12. The duties of the Board comprise prescribing the syllabus for schools imparting primary, high, professional and, lastly, vocational studies. Additionally, the Board is responsible for conducting examinations and overseeing the publication of results. The prescription and collection of fees is the responsibility of the Board. The Board also oversees any textbook preparation and publication. The Board is also mandated with the responsibility to craft the conditions of recognition along with certifying recognition for schools imparting high, professional and vocational education. The Board also remains in power to advise the Government on the relevant moral and social norms of discipline. Any mandatory qualifications for teachers in the recognized schools is also determined by the Board. The board also holds the power to call for reports on the present conditions of the recognised schools from the director of education. There, however, remains a potential for confusion since in the prescription of duties, while the majority of the duties offer no specific jurisdiction in terms of the level of classes they apply to, this specificity is only offered in two instances: recognition and syllabus prescription. Doubts thus remain regarding if the other duties, which remain prescribed in a generic manner, are also only to be applied to the specific levels mentioned in Sections 12 (1), (11) and (12).

9.2 The NBSE (Amendment) Act, 1990 [Replaced by NBSE Act, 2014]

The act was introduced to amend the parent act i.e. *The NBSE Act, 1973*. The amendment changed the name of the parent act to *Nagaland Board of Secondary and Higher Secondary Education Act, 1973*. The act substituted the definition of terms, Board, Fund, and School Education defined under section 2 (a)^[28], (e)^[29], and (n)^[30] and added definition clause 2 (ff)^[31] defining Higher Secondary School. Further substituted section 3 (ii)^[32] adding the new name of the board as defined under section 2 (a) of the new act.

[28] "Board" means the Nagaland Board of Secondary Education and Higher Secondary Education established under this Act;

[29] "Fund" means the Nagaland Board of Secondary and Higher Secondary Education fund constituted under this Act;

[30] "School Education" means such Education as is designed to meet the needs of the stage starting from the stage of Primary Education and precedes immediately the stage of Degree Education controlled by any University established by Law in India or by a Board constituted by Government for this purpose and it includes vocational instruction upto the Diploma Level;

[31] "Higher Secondary School means" a School giving instructions for Higher Secondary School Leaving Certificate Examination.

[32] Sub-section (ii) of section 3 shall be substituted by the following "(2)The Board shall, by the name of the Nagaland Board of Secondary

Furthermore, section 6 of the amendment act explains the appointment procedure and terms of Chairman and Secretary under section 11 of the parent act. The amendment replaces the expression 'The State Bank of India' by 'any scheduled Bank' for custody and investment of the School Education Board Fund.

9.3 The Nagaland Right of Children to Free and Compulsory Education Rules, 2010

According to Rule 3 (1) of the Nagaland RTE Rules, the School Management or the Village Education Committee will offer special training to students. The rules must be framed to cater to the needs of the targeted students, along with being age-appropriate. Additionally, the training must also be approved by the Academic Authority. Not only should the training be offered in the school premises, it must also be offered for a minimum period of three months which may be extended based on the learning process ascertained by the periodical assessments. Lastly, the training may either be offered by the schools teachers themselves, or additional teachers may be appointed to further this specific purpose. In accordance with Rule 3 (2), any student who enrolls in their age appropriate class post the completion of the special training shall continue receiving the adequate attention by the teacher to enable their successful academic and emotional integration with the rest of the class.

Rule 3 also prescribes the limits within which any school must be situated, including mandates about how more primary schools must be established on a need basis, whenever considered necessary according to the Nagaland Government [4 (1) a]. Similarly, schools with grade I to V, should it be necessary, upgrade to include higher classes inclusive of VI to VIII and vice versa. Additionally, arrangements must be made to ensure that adequate support in terms of transportation and residence is provided to students to access elementary education should they be from small hamlets. Similar support must also be offered to students with disabilities by offering them safe transportation facilities. Similarly, the local authority in Nagaland will remain responsible for relocating schools in circumstances of natural disasters such as landslides and floods. Free land must also be offered by the local authority to establish schools. Additionally, information regarding the schools available for admitting students must be made public by the Nagaland government or the local authority. According to Rule 5 (1), any schools under the management of the Nagaland government should impart free education to their students. Rule 5 (2) instructs the state government to undertake the school mapping exercise to identify and establish schools for students currently out of schools, students from marginalized communities along with students with disabilities. Additionally, an annual date of 30th October is cited as the cutoff for updating such a list.

Rule 10 encompasses the norms of recognition applicable to the schools. Herein, any school that is managed, owned or established by the Nagaland government or the local authority remains exempted from fulfilling the requirements. Consequently, any private led schools which were established before the commencement of the RTE act are required to submit a self declaration, one year within this commencement. Through this declaration, the school is required to attest that certain conditions are fulfilled. Amongst others, these include 10 (1) (a) the school being registered as a public trust or as a society under the Societies Registration Act, 1860. Additionally, attention must be given to ensure that the school remains a non-profit entity. The school must also abide by the values enshrined in the Constitution. Lastly, the school must remain prepared for inspections by any officer of the government that has been authorised by the Nagaland government. This self-declaration, as rule 10 (2) prescribes, must be published in the public domain within a period of

and Higher Secondary Education, be a body corporate with perpetual succession and common seal and shall have the power to acquire and hold any property, to transfer any property held by it, to enter into any contract and to do all other things necessary for the purposes of carrying out its duties and functions and by the said name sue or be sued."

30 days by the Nagaland director of school education. Additionally, rule 10 (3) mandated the Director or their authorised agent to also conduct an inspection of the said school within three months of receiving the declaration. Consequently, the report generated during the inspection must also be placed in the public domain within a period of three months from the inspection date. Accordingly, schools passing the inspection standards shall be recognised within 45 days from the date of inspection by the director of school education. Contrastingly, as rule 10(5) observes, a similar list of schools not passing the inspection norms shall also be published by the Director of school education and the concerned schools shall be eligible to apply for a secondary inspection within a period of two and a half years. In fact, rule 10 (6) observes, schools that fail to comply with these norms in a total period of three years counted from the date the Act was commenced shall be required to cease operations.

The rules also outline the procedure to be followed should any withdrawal of previously accorded recognition to schools be necessary. This procedure is outlined in Rule 11. Upon their own accord or the intimation of any third party, the Director may initiate such procedure. Foremost, they are required to record the reason for why they believe a violation has occurred in writing. They must then issue a notice to the concerned school authorities, requesting them to offer any explanation within one month. Should no explanation be received or when the explanation remains unsatisfactory, the director may initiate another inspection of the concerned school. This inspection, unlike the previous one, is to be conducted by a committee composed of members from the media, educationalists, civil society representatives and government officials. Based on the inspection, a report is required to be drafted by the committee stipulating the continuation or the withdrawal of the school.

9.4 The NBSE Act, 2014

The NBSE Act was enacted in 1973 to facilitate the establishment of a distinct Board of School Education within the State. The Amendment Act of 1990 was enacted to empower the Board to oversee the higher secondary examination following its separation from the University. The new legislation is a replica of the parent act of 1973. However, the act says it shall replace the principal act 1973 and amendment act 1990.

Specific sections and clauses must be amended due to their obsolescence. It needs to be added to or revised to reflect the changing nature of the educational world. It requires revision or addition to align with the evolving landscape of the educational field. Consequently, terms such as high school, higher secondary schools, colleges, and institutions are delineated with greater specificity to enhance comprehension. The Education Department has undergone a process of bifurcation into multiple distinct departments throughout the years. Consequently, it is imperative that the Board be reconstituted to include representatives from the relevant departments. In order to establish an efficient operational framework and mitigate potential delays, it is imperative to revise the quorum requirements for meetings, designate a 'Sessional Chairman' and 'Sessional Secretary', and update the notice protocols for Board meetings. Therefore, it is recommended that multiple Committees of the Board be established to ensure effective operation and to delineate the responsibilities of the Board. During its formative years, the Board was led by Officers who were on deputation. At present, the Board has established a consistent group of Officers to occupy the designated positions.

9.5 Highlights of the changes

NBSE Act, 1973 [& NBSE (Amendment) Act, 1990]	NBSE Act, 2014
NBSE Act, 2014	No mention
	Section 2: Definition (c) Means institution affiliated to Nagaland University any other University recognised by UGC having its jurisdiction in Nagaland
Section 2 (d) Education Department	Section 2 (d) School Education Department [replaced/added] Section 2 (ff) Higher Secondary School [definition added] (s) The word denoting masculine gender in these rules shall also represent connote the feminine gender [added] (t) Governing Body [definition added]
Section 4. Constitution of Board	Section 4. Constitution of the Governing Body of the Board [added/replaced] 1. The Governing Body of the Board consist of the following members: a) Chairman...Chairman of the Board. b) Ex-officio members. i. The Director of School Education, Nagaland. ii. The Director of Higher Education, Nagaland. iii. The Director of SCERT, Nagaland. iv. The Director of Youth Resources and Sports, Nagaland. v. The Director of Technical Education, Nagaland. vi. The Director of Employment and Craftsman Training, Nagaland vii. Joint Labour Commissioner 2. The Secretary of the Board shall be the Member Secretary of the Governing Body of the Board. 3. "Members of the Board shall not depute representatives to the meetings of the Governing Body of the Board" 4. The Administrative Head of the School Education Department shall be the Controlling Authority of the Board.
Section 9: Meeting of the Board 21 days notice for Ordinary Meetings & 10 days notice for Special Meetings	Section 9: Meeting of the Board 7 days notice for Ordinary Meetings & 2 days notice for Special Meetings Section 9 (iv) "Sessional Chairman and Sessional Secretary" [added]
Section 10: Quorum Proceeding not invalidated: 1) Required quorum is Five	Section 10: Quorum Proceeding not invalidated: 1) Required quorum is 1/3 of the members
Section 12: Power and Duties of the Board Total 29 Duties are assigned To be noted: Provisions of section 12 (4) & (6) and 12 (5) & 12 (7) are the same and repetitive.	Section 12: Power and Duties of the Board [Same as of 1973] Total 25 Duties are assigned (7) - Deleted (8) - Deleted (17) - Deleted (18) - Deleted To be noted: Provisions of section 12 (iv) & (vi) are the same and repetitive.

NBSE Act, 1973 [& NBSE (Amendment) Act, 1990]	NBSE Act, 2014
Section 13: Powers of the State Government	<p>Section 13: Powers of the State Government (vi) The State Government shall fund the Board by way of Grant-in-Aid to meet the financial requirements of the NBSE through the yearly budget. [Added]</p>
	<p>Section 21. Committees of the Board (1)</p> <ul style="list-style-type: none"> i. Curriculum and Syllabus Committee, ii. Examination Committee iii. Recognition Committee, iv. Administrative Committee, v. Finance Committee, vi. Professional and Vocational Education Committee, vii. Such other committees as may be found necessary. <p>[added/replaced]</p>

Legislative Drafting, Language, Quality

The efficacy of any regulatory framework, including that which pertains to educational institutions, is not solely dictated by the aspirations of policymakers; it is equally contingent upon the calibre of legislative drafting and the intricacies of legal design. Inadequately formulated legislation frequently results in uncertainties, varied interpretations, and ineffective enforcement. In the K-12 education sector of Nagaland, the presence of various agencies, namely the Department of School Education, the Directorate, NBSE, and SCERT, operating with overlapping mandates, necessitates a meticulous approach to drafting. This is essential to prevent redundancy and enhance regulatory efficiency.

Legislative Drafting

Intent: Each legal provision or subordinate regulation should distinctly articulate its intent, range, and relevance. Within the realm of education, it is essential that the drafting clearly delineates the provisions applicable to government schools, aided institutions, and unaided private schools, ensuring that there are no overlaps.

Clarification of Institutional Roles: The ambiguities surrounding role allocation, particularly the dual function of the Department as both regulator and operator, necessitate the formulation of provisions that clearly delineate regulatory, academic, and operational responsibilities.

Alignment with Central Policies: The drafting process must adhere to comprehensive frameworks such as the RTE Act and the NEP 2020, while also allowing for state-specific adaptability.

Language

The language of statutes and rules necessitates precision to prevent misinterpretation and ensure clarity in legal contexts. For instance, concepts like recognition, affiliation, accreditation, and quality standards should be uniformly defined and applied consistently. Also, repetition of the provisions shall be checked.

Accessibility: In upholding legal standards, the draughting process must also prioritise clarity and comprehensibility for school administrators and stakeholders. Excessively complex or administrative language may obstruct adherence at the educational institution level.



Impartiality: Legal terminology should maintain a stance of neutrality, steering clear of any implicit bias that may favour governmental or private entities, thereby guaranteeing an equitable environment.

Quality

Minimising Redundancy: Regulations and subordinate directives ought to be succinct and refrain from reiteration among departments. A singular, all-encompassing framework governing all types of educational institutions guarantees consistency.

Internal Coherence: Provisions must exhibit a logical consistency, ensuring that obligations, penalties, and compliance mechanisms are interconnected in a rational manner. For example, should infrastructure standards be established, it is imperative that the mechanisms for monitoring and enforcement are clearly interconnected.

Preparedness for what lies ahead: Exemplary drafting foresees evolving requirements, including digital learning, inclusive education, and disaster resilience, while incorporating provisions that facilitate adaptation without the necessity for frequent legislative changes.

A meticulously constructed framework ought to incorporate mechanisms for accountability, including obligatory reporting, independent audits, and established appeal processes to guarantee transparency.

In the context of Nagaland, which is contemplating reforms including the establishment of SSSA in accordance with NEP 2020, the application of these legal design principles is of paramount importance. The legislation that establishes the SSSA should explicitly define the responsibilities of the SSSA in relation to the Department, NBSE, and SCERT. It should also be drafted in a clear, unbiased, and comprehensible language that can be consistently understood by both government and school administrators. Maintain the integrity of legislation by ensuring consistency, removing redundancies, and incorporating proactive measures to tackle challenges such as digital preparedness and equitable access.

10. Enforcement Mechanisms

10.1 Administrative structures for enforcement

- Department of School Education: Functions as the primary regulatory body, promulgating rules, recognition orders, and compliance directives applicable to both government and private educational institutions. Conducts inspections, oversees monitoring, and implements daily enforcement at both district and sub-district levels. It additionally addresses the allocation of educators and related service issues.
- NBSE: Enforces compliance with affiliation norms, especially concerning infrastructure, teacher qualifications, and examination-related regulations.
- SCERT: Subtly mandates the establishment of teacher training standards and pedagogical advancements, compelling educational institutions to embrace updated curricula and instructional methodologies.

10.2 Role of Local Government

Village Education Committee^[33] : Founded under the Nagaland Communitisation of Public Institutions and Services Act, 2002,^[34] VECs possess the authority to oversee the daily operations of government schools, encompassing teacher attendance, minor maintenance of infrastructure, and the allocation of grants. They enforce law at the community level, ensuring that government schools remain accountable to local stakeholders.

Urban Local Bodies: An evolving yet constrained function in the oversight of educational infrastructure, particularly within urban contexts. The enforcement mechanisms exhibit a degree of informality when juxtaposed with the VEC, attributable to a diminished sense of community ownership in urban settings.

10.3 Accountability Mechanisms

CAG Report on Nagaland^[35]

The CAG audit underscores the importance of sustaining effective accountability via regular inspections across different administrative tiers, along with the obligation to present action taken notes to the Public Accounts Committee. This underscores the framework for overseeing inspections and the subsequent institutional follow-up.

[33] Hereinafter referred in VEC.

[34] See, The Nagaland Communitisation of Public Institutions & Services Act 2002, sec. 4. See also, Nagaland Rules, 2011, clause 12.

[35] Report of the Comptroller and Auditor General of India on Social, Economic, General and Revenue Sectors, Government of Nagaland Report No. 2 of the year 2022, available at: https://cag.gov.in/webroot/uploads/download_audit_report/2022/Report-No.-2-of-2022_2019-20_Nagaland-06425beb9d662a4.67178868.pdf (last visited on: 27.08.2025).

Director of School Education

Explicitly outlines the authority granted to the Director of School Education to carry out inspections [36] of educational institutions through a committee consisting of three to five members. This formally integrates inspection as a fundamental accountability mechanism within the state's educational regulatory structure.

11. Nagaland Enhancing Classroom Teaching and Resources Project^[37]

This initiative encompasses the enhancement of capabilities for School Management and Development Committees (SMDCs) alongside the establishment of protocols to involve sub-district managers in reporting. Their objective is to augment retention rates and the overall efficacy of school performance. It illustrates endeavours aimed at methodical oversight, documentation, and community responsibility.

11.1 Project Approval Board Meetings

The Meetings issues directives include monitoring of implementation indicators such as elimination of single-teacher schools, school consolidation, rationalization of teachers, and use of MIS. They exemplify structured accountability via performance benchmarks and review mechanisms. [38]

The doctrinal evidence indicates that Nagaland has instituted a framework for inspections, performance monitoring, and structured accountability, although the degree of implementation may differ. The accountability mechanisms-monitoring visits, reporting obligations, and follow-up processes-are foundational to the enforcement section of your report.

11.2 Grievance Redressal Systems

After critical examination of the statutory frameworks governing education in the State of Nagaland has identified a significant legislative vacuum concerning the establishment of a formal grievance redressal architecture. The extant laws and regulations fail to prescribe a structured, hierarchical, and time-bound mechanism for the adjudication of grievances raised by stakeholders. This omission contravenes fundamental principles of administrative justice and natural justice, notably the right to a fair hearing and the right to an effective remedy. In the absence of a mandated procedural channel for escalating complaints, ranging from service conditions and academic disputes to institutional maladministration, stakeholders are left without a clear or enforceable recourse. This lacuna not only impedes accountability and transparency within the educational administration but also effectively denies access to justice, thereby undermining the integrity of the educational system and the rights of its beneficiaries. It is, therefore, imperative to enact appropriate legislative or regulatory measures to institute a robust and impartial grievance redressal system.

[36] Nagaland Right of Children to Free and Compulsory Education Rules, 2011, clause 10 (3).

[37] NECTRP, available at: <https://documents1.worldbank.org/curated/en/103471608346988378/pdf/India-Nagaland-Enhancing-Classroom-Teaching-and-Resources-Project.pdf> (last visited on: 27.08.2025).

[38] See for example, Minutes of the 237th meeting of the Project Approval Board available at: <https://dse.education.gov.in/sites/default/files/2019-05/Nagaland14459.pdf> (last visited on: 26.08.2025). See also, Minutes of the Project Approval Board-Mid Day Meal, available at: <https://education.nagaland.gov.in/wp-content/uploads/2016/05/5-Nagaland-minutes.pdf> (last visited on: 27.08.2025).

Only the supervisory role of NBSE is assigned wherein the power and functions of the board and the state government are underlined.

Role of the judiciary

The Judiciary plays a vital role in safeguarding the rights and addressing grievances that arise in the realm of private education in Nagaland. Whether concerning low-budget or elite institutions, private schools are subject to constitutional mandates, statutory regulations, and administrative scrutiny. In recent years, the Gauhati High Court (Kohima Bench) has shown judicial sensitivity towards ensuring proper implementation of the RTE Act, which directly impacts the functioning and obligations of all recognised private schools. For instance, in a Public Interest Litigation filed in 2021, the High Court questioned the Nagaland government regarding its compliance with the RTE Act and the framing of relevant rules under the Samagra Shiksha Abhiyan, particularly in Mon Town. This case highlighted the Court's willingness to intervene when educational rights were potentially neglected by the executive. It reaffirmed the state's duty to facilitate equitable and quality education through both public and private institutions.

Additionally, the regulatory authority of the State over private schools has recently come into sharp focus with the closure of 13 private schools across various districts of Nagaland following a review by the State Level Education Committee (SLEC). These schools were reportedly operating without valid recognition or in violation of educational norms. While no direct litigation has yet been widely reported against these closures, the judiciary is expected to step in should affected parties seek relief—particularly on questions of procedural fairness, adequate notice, and the impact on students' right to education. Judicial oversight in such matters is essential to balance regulatory enforcement with the need to protect the educational continuity and rights of students^[39] enrolled in private institutions.

The courts have also upheld principles of equality and fairness in the education sector, extending to employment within both government and privately managed schools. In the case of **State of Nagaland v. Amos Seb**^[40], the Supreme Court upheld a Gauhati High Court decision mandating salary parity for teachers appointed under the Rashtriya Madhyamik Shiksha Abhiyan (RMSA). Though the case involved public school teachers, the broader legal principle—equal pay for equal work—can be interpreted to apply across the educational workforce, including private school teachers who often face arbitrary contracts or disparities in pay despite performing equivalent functions. Following the order of the Supreme Court, teachers from various schools launched an agitation for clearing the long-pending service dues.^[41]

Moreover, the Judiciary has shown a consistent commitment to ensuring the quality of education infrastructure and staffing. In another PIL concerning government middle schools in Mon Town, the Gauhati High Court directed the Nagaland government to disclose how funds were being utilized and to address teacher shortages, particularly in science subjects. While focused on government schools, such judicial directions reflect the Court's larger concern with ensuring access to quality education, an expectation that increasingly includes private schools, especially those receiving indirect public support or fulfilling RTE quotas.

Other service-related disputes, such as in **Imlikokla Longchar v. State of Nagaland**^[42], dealing with seniority issues under the SCERT, and **Village Education Committee v. State of Nagaland**^[43], involving

[39] Animesh Kumar, "Right to Education in India: The Role of Judiciary", 4 (2) Indian Journal of Social and Legal Studies 39 (2015).

[40] 2025 SCC OnLine SC 1223.

[41] PTI, "Nagaland: Teachers from 135 schools launch agitation over long-pending service benefits", Career 360, 26.08.2025, available at: <https://news.careers360.com/nagaland-teachers-from-135-schools-launch-agitation-over-long-pending-service-benefits> (last visited on: 16.10.2025).

[42] (2022) 17 SCC 236 See also, Renthunglo Mozhu v. State of Nagaland, 2025 SCC OnLine Gau 3547.

[43] 2010 SCC OnLine Gau 584.

primary teacher appointments under Nagaland's Communitisation of Elementary Education policy, have further illustrated how the judiciary monitors the legality of administrative decisions affecting the broader education ecosystem. These rulings, while not directly about private schools, help define the regulatory environment within which private institutions also operate.

In conclusion, the role of the Judiciary in Nagaland with regard to private schools is both protective and supervisory. It enforces compliance with national laws like the RTE Act, safeguards against arbitrary administrative action, ensures equitable treatment of education personnel, and upholds students' constitutional rights. As private schools, ranging from elite institutions to those serving underserved communities, continue to be integral to Nagaland's education system, the courts remain essential in resolving disputes and ensuring that regulatory objectives are achieved without infringing fundamental rights.

12. Focus Group Discussion Insights

There was a general consensus among the FGD participants that there are no significant gaps between the expectations and the actual outcomes in government and private society schools in Nagaland. However, the UDISE data suggests that while the number of government schools has increased, it has failed to translate into enrollment. The enrolment rate of private schools has increased tremendously, resulting in the burden being shifted to private schools. They pointed out that there is no uniformity in the quality standards and regulations, which often work against the private schools, especially in the areas of teacher qualifications and infrastructure requirements. However, the FGD participant didn't respond negatively when asked about the strict enforcement of laws and rules.

The participants pointed out that the process of school recognition is smoothly conceived and not burdensome, noting the relaxation rendered by the executive bodies of the state. One of the participants highlighted how the executive body helped or gave a second chance to a private school despite not failing the prescribed norms. However, it was brought to the notice that they never dare to give a reminder call to the government for releasing the RTE reimbursement amount, rather they consider it as a charity for the quality addition to the state. A number of them were annoyed by the performance of the state-owned schools and, as a result, advocated for the constitution of SSSA without the interference of a political entity. Moving ahead, based on consultations with school leaders, the education system in Nagaland is undergoing a significant transition, marked by a noticeable shift in parental attitudes toward school choice. There is a growing preference for private schools over government institutions, driven by the perception that private schools offer assured quality education. Meanwhile, government initiatives such as the PM SHRI scheme^[44] are substantially upgrading infrastructure and resources in government schools, yet these benefits do not extend to private institutions, creating a distinct divide in support and development between the two sectors. They strongly recommend the implementation of a Direct Benefit Transfer (DBT) scheme as a more efficient and equitable alternative to the existing RTE model. They argue that a DBT system would empower parents with the financial means to choose the best educational institution for their children, thereby fostering competition, driving up quality across both public and private sectors, and ultimately placing the power of educational choice directly in the hands of families.

[44] PM SHRI Scheme, available at: <https://samagra.nagaland.gov.in/pm-shri-scheme/> (last visited on: 23.10.2025).

13. Overview:

Function	Laws/Rules	Authorities	Roles & Responsibilities
Recognition	<ul style="list-style-type: none"> • NBSE Act 2014, • NBSE General Rules 2019, • Nagaland RTE Rules 2010 	<ul style="list-style-type: none"> • Director- School Education, • Chairman-NBSE and • Director-SCERT. 	<ul style="list-style-type: none"> • Establishing recognition standards • Processing applications for recognition • Conducting inspections • Granting/withdrawing recognition • Regulation of secondary education
Fee Regulation	NBSE General Rules 2019	The Principal/ Headmaster/ Headmistress	<ul style="list-style-type: none"> • Requires that fees be charged only to the extent of meeting the expenses of paying the teachers and providing other good and needed facilities for running the school. • Refund of fees in case of migration/ discontinue
Teacher Management	<ul style="list-style-type: none"> • RTE Rules 2010, • Nagaland School Education Service Rules 2017, • NBSE 2014, • NBSE General Rules 2019, • Nagaland School Education Service Rules 2017 	<ul style="list-style-type: none"> • Principal/ Headmaster/ Headmistress • SMCs • Director- School Education, • Chairman-NBSE and • Director-SCERT. 	<ul style="list-style-type: none"> • Minimum qualification for recruitment • Salary & allowances • Duties of teachers • Grievances redressal
Academic Standard	<ul style="list-style-type: none"> • RTE Rule 2010 • NBSE General Rules 2019 	<ul style="list-style-type: none"> • NBSE • SCERT 	<ul style="list-style-type: none"> • Curriculum development • Syllabus design • Textbook selection • Teacher training • Conducting examinations
School Management	RTE Rules 2010	District Education Officer	<ul style="list-style-type: none"> • Appoint teachers and other staff, grant leave • financial management • auditing the accounts • safeguard the autonomy of the head • ensure that the school follows the annual Academic Calendar • Managing infrastructure • improve the school infrastructure.
Inspection & Quality Control	<ul style="list-style-type: none"> • RTE Rules 2010 • NBSE Act 	<ul style="list-style-type: none"> • Chairman/ Secretary, NBSE • School Education Department. 	<ul style="list-style-type: none"> • Regular school inspections • Quality audits • Maintenance of Achievement Records • Infrastructure checks • Surprise inspection



14. Conclusion & Suggestions

On the basis of the analysed data and insights from school leaders of Nagaland, *inter alia*, the following course of action has been suggested. The urgent necessity for the SSSA to shift into a more supportive role within the educational system is highlighted. SSSA may greatly improve educational quality and lessen the administrative strain on private schools by changing from enforcing compliance to offering proactive resources.

Constitution of SSSA: The current system has witnessed the malfunctioning of the system. There is accountability, leading to inefficient implementation of policies, especially in public schools. The creation of SSSA for Nagaland education may turn out to be a milestone for the Nagaland K-12 education system. SSSA should concentrate on establishing a welcoming and encouraging atmosphere for primary and secondary school teachers in rural areas. Ensuring smaller classrooms is likely the most effective approach to create such an environment because it would relieve the strain on teachers and allow for better individualised attention for each student. SSSA needs to facilitate the development of such a collaborative school culture wherein the best leadership will allow both parents and the community to be actively involved in important decisions. Involve principals who stress the importance of teachers' welfare and support parents who contribute positively to the school environment, which will enhance job satisfaction for rural teachers. Such an arrangement would help offset some of these challenges posed by extremely remote and poorly serviced locations. SSSA should strive toward minimising non-teaching administrative burden for teachers and thus making it possible for them to devote much time and attention to instructional duties and student learning. Recognition programs that appreciate and reward teachers for their good performance, along with long-term incentives such as performance-linked bonuses, sabbaticals and opportunities for career growth, would be appreciable for the improvement and retention of teachers. SSSA should develop a monitoring mechanism for the attendance and performance of teachers in rural schools with the help of local education authorities for effective implementation.

RTE Implementation: Notwithstanding the enactment of the RTE Act, the implementation thereof within the territorial jurisdiction of the State of Nagaland has not been effectuated in its entirety, either in letter or in spirit. It is therefore expedient that the State Government take immediate and sustained measures to give full force and effect to the statutory guarantees contemplated under the said Act. The Government shall, for this purpose, ensure that all rules, regulations, and executive instructions issued under the Nagaland RTE Rules are harmonised with the substantive and procedural mandates contained in the RTE Act. The State Government shall further cause to be constituted and operationalised such authorities, bodies, and mechanisms as are required under the Act, including but not limited to the State and District Level Monitoring Authorities. This will ensure compliance with the prescribed norms and standards relating to infrastructure, pupil-teacher ratio, and admission of children belonging to disadvantaged groups and weaker sections as envisaged under the provisions of the act.

Compliance Audit: The Department of School Education shall be vested with the responsibility of conducting periodic compliance audits, issuing recognition certificates to eligible institutions, and initiating action against non-compliant schools in accordance with law. The Government shall also establish a transparent and accessible grievance redressal mechanism, in coordination with the state agencies for protection of child rights, to adjudicate and resolve complaints arising under the provisions of the RTE Act. It shall be the mandatory obligation of all educational institutions, whether government, aided, or unaided, to adhere to the obligations imposed by the said statute. Effective enforcement of the RTE Act within Nagaland shall thus serve to actualise the fundamental right guaranteed under Article 21-A of the Constitution of India, ensuring that every child within the State enjoys free, equitable, and quality elementary education as a

matter of right and not privilege.

Creation of Web-Portals: Through a simple and quick web gateway, comprehensive recognition standards that are relevant to both public and private schools are being developed, published, and made available as a corrective remedy. The portal would include checklists of papers categorised by school type and a step-by-step application instruction. A helpline for problems with application processing and frequent orientation sessions for school officials would also be part of it. The universal application of standards and the distribution of information throughout the state will be standardised by this methodical approach.

Additionally, it is suggested that a system for public reporting and the creation of public profiles for individual schools should be developed within each state. Such a mechanism would not only enhance the transparency and accountability in the education sector by making key information, but also, may provide a boost to school performance, infrastructure, teacher qualifications, quality educational outcomes, and compliance with regulatory standards, readily accessible to the public. This initiative would empower parents and guardians to make informed decisions regarding their children's education, while also encouraging schools to improve quality and maintain higher standards of K-12 education through increased public visibility and community engagement.

For-Profit Education: In the course of preparing this regulatory profile of Nagaland, it was observed that there exists a regulatory inconsistency between the provisions of the NBSE framework and the RTE Rules as applicable to the state. Specifically, while the NBSE guidelines permit proprietorship entities to establish and manage schools under its establishment norms, the RTE Rules, do not recognise proprietorship as an eligible form of school management. The RTE framework restricts recognition to institutions managed by registered societies, trusts, or government bodies, thereby creating a legal and administrative conflict in the recognition and affiliation processes. It is suggested that the State of Nagaland consider encouraging the for-profit education model as a means to strengthen the overall quality, accessibility, and innovation in the K-12 education sector. Globally, for-profit institutions have demonstrated an ability to operate with greater efficiency, responsiveness, and adaptability to the evolving needs of students and parents^[45]. By allowing private schools and educational entrepreneurs to function as for-profit entities, with appropriate safeguards for quality assurance, transparency, and accountability, the state may attract increased private investment, management expertise, and technological innovation into the K-12 education ecosystem. The current policy framework, which restricts educational ventures to non-profit models, tends to discourage entrepreneurial participation and limits the scope for creative, market-responsive solutions that could address persistent gaps in access and quality-particularly in underserved or remote areas.

Encouraging for-profit models would not mean compromising on educational integrity; rather, it would mean leveraging private sector efficiencies while maintaining strong regulatory oversight to ensure adherence to standards and equity objectives. For-profit entities often bring in better management practices, data-driven decision-making, and customer-centric approaches that prioritise student outcomes and satisfaction. Moreover, competition among providers-both non-profit and for-profit- can stimulate continuous improvement, reduce inefficiencies, and drive innovation in pedagogy, infrastructure, and learning technology. By creating an enabling environment for entrepreneurs and socially responsible investors, Nagaland may nurture a more diverse and sustainable educational landscape that delivers quality education at scale, while still ensuring transparency, affordability, and accountability to public interest at large.

[45] Lee Crawford, Susannah Hares and Rory Todd, "The Impact of Private Schools, School Chains and PPPs in Developing Countries", 39 (1) The World Bank Research Observer, 97-123 (February, 2024), available at: <https://doi.org/10.1093/wbro/lkad005> (last visited on: 13.11.2025). See also, Tommaso Agnisi and Ferraro Simona, "Measuring the efficiency of private schools Conceptual issues and empirical evidence", in Antonina Santalova, and Kaire Pöder (eds), Privatization in and of Public Education (Oxford Academic, New York, Online Edn., 2024), available at: <https://doi.org/10.1093/oso/9780197673508.003.0004> (last visited on: 13.11.2025).

Fee Regulations: Although the NBSE has released some guidelines regarding the control of school fees, these guidelines are primarily recommendatory in nature due to the lack of a statutory or mandatory compliance framework. As a result, there are inconsistencies in their implementation, which cause hardship for both students and educational institutions. Therefore, it is essential that the State Government create a legally binding fee regulatory mechanism by issuing rules or regulations in accordance with a suitable legislative mandate, after consulting with the Department of School Education and the NBSE. While maintaining a fair balance between institutional autonomy and safeguarding parents and students from capricious pricing practices, such a framework will provide transparent methods for charge determination, periodic adjustment, and disclosure. Additionally, the mechanism will establish a grievance redressal or appellate authority with the jurisdiction to decide issues pertaining to fee collection or fixation and to guarantee compliance by all schools, including government, assisted, and unassisted ones. The financial stability of educational institutions will be protected by the appropriate application of such fee regulatory standards, which will also preserve the values of accountability, transparency, and equity in school administration. This will guarantee that access to high-quality education is not jeopardised or commercialised.

The Report suggests creating SSSA as an independent statutory body in accordance with the NEP, 2020, to resolve conflicts of interest that arise from the current regulatory framework, in which the Department of School Education carries out both operational and regulatory duties concurrently and to lessen the burden on the private schools in the state. The proposed Authority will be tasked with establishing a uniform framework for quality assurance, accountability, and performance monitoring throughout the State's school system and ensuring fair and open oversight of all schools, government, aided, and unassisted.

The suggested changes aim to address the shortcomings that have been found while acknowledging and enhancing the institutional strengths that are part of Nagaland's educational system. Through systemic reforms, enforceable accountability measures, and the establishment of an open and effective regulatory framework in line with the goals stated in the National Education Policy, 2020, the Report's ultimate goal is to ensure that every child in the State has equitable access to high-quality education.

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