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INCLUSION MANDATES AND GOVERNANCE CAPACITY: A COMPARATIVE STUDY OF THE 25% EWS POLICY IN DELHI AND UTTAR PRADESH

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ABSTRACT

The 25% reservation for Economically Weaker Sections (EWS) in private unaided schools, as required by the Right of Children to Free and Compulsory Education Act, 2009, is one of India's important inclusion measures in school education. The legislative intent is grounded in distributive justice and educational equity, but implementation outcomes vary significantly across states. This review paper examines the relationship between inclusion mandates and governance capacity through a comparative analysis of Delhi and Uttar Pradesh. The paper examines how bureaucratic structures, financial reimbursement mechanisms, digital governance systems, and human resource capacity affect the implementation of the 25% EWS policy, based on academic literature, policy reports, and administrative studies. The analysis shows that policy effectiveness depends not only on legal provisions but also on institutional readiness and administrative coordination. Delhi's governance capacity, shaped by a relatively centralized and digitized framework, differs from Uttar Pradesh's more fragmented administrative system. This contrast shows how governance capacity influences policy outcomes. The review identifies research gaps related to inter-state comparative analysis, administrative burden on school management, and the long-term impact of inclusion mandates on institutional governance. The paper concludes by pointing out the need for governance reforms to align legislative intent with implementation capability in mixed public-private education systems.

INTRODUCTION

The Right of Children to Free and Compulsory Education Act (RTE), 2009 includes a provision requiring private unaided schools to reserve 25% of entry-level seats for children from Economically Weaker Sections (EWS) and disadvantaged groups. This inclusion mandate reflects constitutional commitments to equality and social justice while seeking to reduce socio-economic segregation in schooling. The policy represents an attempt to integrate marginalized children into private schooling spaces traditionally associated with higher socio-economic groups. Inclusion mandates often face governance challenges during implementation. Legislation sets normative goals, but administrative systems are responsible

for putting those goals into practice by managing procedures, handling financial aspects, conducting monitoring, and resolving disputes. Governance capacity, understood as the ability of state institutions to design, coordinate, and enforce policy, is central to determining whether inclusion objectives are realized. The implementation of the 25% EWS policy has varied across Indian states. Delhi and Uttar Pradesh provide a clear comparative case.

Delhi, as the national capital territory, operates under a relatively centralized administrative framework with higher fiscal capacity and stronger digital governance mechanisms. Uttar Pradesh, India's most populous state, faces challenges related to scale, bureaucratic

complexity, and uneven administrative infrastructure. This review paper examines how governance capacity shapes the implementation of the 25% EWS mandate in Delhi and Uttar Pradesh. The paper analytically synthesizes research on inclusion mandates, public administration, administrative burden, and inter-state variation to assess how structural factors influence policy execution, rather than simply summarizing existing literature.

LITERATURE ANALYSIS

Existing scholarship on the 25% EWS policy falls into three main areas: the normative justifications for inclusion mandates, the administrative and governance challenges faced, and the variations in implementation across different states. The normative literature places the EWS mandate within theories of distributive justice and rights-based policy design. Scholars argue that inclusion policies are essential in addressing historical inequities in access to quality education.

The 25% provision is used as a way to reduce socio-economic stratification and promote social cohesion within schooling environments. Normative arguments often assume that legal mandates automatically lead to social outcomes, but they tend to underestimate institutional constraints. The second strand of literature focuses on administrative challenges in policy implementation. Studies in public administration theory highlight the role of street-level bureaucrats in shaping policy outcomes. School administrators and district education officers use their discretion for verifying eligibility, processing reimbursements, and managing admissions. Administrative burden theory suggests that complex documentation requirements, delayed reimbursements, and procedural opacity impose costs on both beneficiaries and implementing institutions.

In Delhi, research shows a stronger connection to digital platforms for application and lottery-based admissions under the EWS quota. Online portals have increased transparency in allocation processes, but problems with reimbursement delays and school resistance remain. Some studies show that centralized monitoring and public grievance mechanisms in Delhi reduce discretionary variation and help

strengthen compliance. In contrast, literature examining Uttar Pradesh emphasizes administrative scale and capacity constraints. The large number of beneficiaries, along with uneven digital infrastructure and layers of bureaucracy, complicates coordination between district authorities and private schools. Reports suggest inconsistencies in reimbursement timelines, documentation verification processes, and grievance redressal mechanisms. These administrative inconsistencies create uncertainty for school managements and beneficiaries alike. Financial governance constitutes another theme in the literature.

The reimbursement mechanism, where private schools receive compensation at a per-child rate equal to government expenditure, has been a contentious issue. Scholars argue that delays and disputes over reimbursement amounts contribute to institutional resistance. Financial misalignment between government reimbursement and private school expenditure structures affects compliance incentives. Comparative governance literature emphasizes that policy success depends not solely on policy design but on the administrative ecosystem within which it operates. Delhi's higher fiscal allocation per child and relatively compact administrative geography aid coordination.

Uttar Pradesh's vast geographic expanse and demographic scale create coordination challenges that strain governance capacity. Human resource capacity also emerges as a recurring theme. Effective implementation requires trained personnel capable of managing digital systems, verifying socio-economic eligibility, and addressing complaints. Studies indicate that limited administrative staffing and high workload at district levels hinder timely processing of EWS admissions in larger states.

Overall, the literature shows that implementation challenges are more related to structural and administrative capacity constraints than to ideological resistance to inclusion. There is still limited integrative analysis that directly compares Delhi and Uttar Pradesh through a governance-capacity lens.

DISCUSSION

The comparative literature shows that governance capacity serves as a mediating variable between legislative intent and policy outcomes. Inclusion mandates, especially those that require coordination between public authorities and private institutions, rely on administrative coherence. In Delhi, relatively centralized governance, digitization, and fiscal stability contribute to more streamlined implementation processes. Even in Delhi, financial reimbursement delays and school-level compliance issues show that administrative efficiency does not remove structural tensions between public mandates and private institutional autonomy.

In Uttar Pradesh, administrative fragmentation, scale, and uneven digital penetration create challenges for implementation. Governance gaps appear as procedural delays, inconsistent enforcement, and uncertainty among beneficiaries. These differences show how state capacity affects policy credibility.

RESEARCH GAPS PERSIST IN SEVERAL AREAS.

First, there is limited empirical work examining long-term institutional impacts of inclusion mandates on private school governance structures. Second, inter-state comparative analyses remain underdeveloped, as most research often concentrates on single-state case studies. Third, the intersection between financial governance and human resource capacity requires deeper theoretical integration.

Emerging trends include increasing digitization of admission processes and growing judicial intervention in disputes related to reimbursement and eligibility. These developments suggest evolving governance mechanisms that may reshape implementation dynamics.

CONCLUSION

The 25% EWS policy is an important inclusion measure designed to increase access to private education in India. The success of such mandates depends fundamentally on governance capacity. The comparative review of Delhi and Uttar Pradesh shows that administrative coherence, fiscal alignment, digital infrastructure, and human resource capacity influence implementation outcomes. Delhi exhibits

relatively stronger governance mechanisms, but challenges remain in ensuring financial sustainability and institutional compliance. Uttar Pradesh faces systemic capacity constraints that complicate policy execution at scale. The analysis suggests that inclusion mandates must be accompanied by parallel investments in governance systems to align legislative ambition with administrative feasibility.

Future research should prioritize empirical inter-state comparisons, longitudinal studies on institutional adaptation, and deeper examination of financial governance structures. Strengthening governance capacity is essential to turning inclusion mandates from legal provisions into real educational equity.

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