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Implementation and Challenges of New Education Policy 2020: The Context of Cooperative Federalism in India

Vipin Patel [1]

ABSTRACT

Since the colonial period, the relationship between education and federalism has evolved. In 1917, the Sadler Commission declared education a state subject, assigning significant coordinating responsibilities to the central government. After India gained independence, the constitution-makers continued to delegate authority over education to state governments. However, the 42nd Amendment, in a substantial departure from the fundamental constitutional separation of powers, transferred education to the Concurrent List. This move made education a "joint duty," with the Union and the states becoming "equal partners." Nevertheless, the enactment of the National Policy on Education (NPE) in 1986 continued the trend toward centralisation in education. Under the leadership of Prime Minister Narendra Modi, the Union Cabinet adopted the new National Education Policy (NEP) on July 30th, 2020, paving the way for wide-ranging changes across the country's educational sector. The 34-year-old National Policy on Education (NPE) was replaced, aiming to make the present education system comprehensive, adaptable, and interdisciplinary for future generations. However, introducing the new education policy and related programs across the states is a concern, as they have been initiated in only a handful of states. In most of these states, the ruling party's government is at the centre. The central problem addressed in this research article is the implementation of NEP 2020 in the Indian federal state and its impact on India's cooperative federalism. These are some of the main points raised by experts and educationists who oppose NEP 2020. They argue that a nationalised education policy will not work in a diverse country like India. States ruled by opposition parties face many hurdles and opponents in implementing the new education policy. In such a situation, the diplomatic skills of the central government can prove decisive in pursuing this policy, which aims to decentralise the authority of states to make rules on education and promote cooperative federalism."

Keywords: Education, NEP, Cooperative Federalism, Implementation

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INTRODUCTION

The National Education Policy (NEP, 2020) is a government policy of the Government of India promoting education among the Indian people. The NEP, adopted by India's Union Cabinet on July 29, 2020, lays out the vision for the country's future educational system (Ministry of Human Resource Development, 2020). This is the first and most comprehensive policy of the 21st century for the education sector. In 1986, a policy document with multiple objectives was put forward for the education world for the last time. There is no doubt that the education sector in India is currently facing a crisis. Therefore, the challenge before the new education policy is to overcome these problems. In 1968, Mrs Indira Gandhi's government adopted the first education policy. At the same time, Rajiv Gandhi's government created the second education strategy in 1986 (Singh, 2022), with minor revisions

[1] ✉ PhD. Research Scholar, Department of Political Science, Indira Gandhi National Open University Delhi-110068, India. du.vipinpatel@gmail.com

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made by the Narasimha Rao government in 1992. The National Education Policy 2020 is independent of India's third education policy. Therefore, a 34-year-old education policy is presently underway; as the scenario changes and capabilities evolve, this will be ensured. At the same time, making education accessible to all will help build capabilities. The new education policy will bring about a radical change in the country's education landscape, making education in India inclusive, affordable, accessible, high-quality, and just (Ministry of Human Resource Development, 2020; Kumar, 2020). The new education policy for 2020 specifies that the educational plan must be set by 2030 (Ministry of Human Resource Development, 2020), which calls for more cooperation betweenthe federal and state governments on education issues. Through the new education policy, the development of every student is ensured. On the first anniversary of the NEP 2020, Prime Minister Narendra Modi said, "We are entering the 75th year of independence. In a way, implementing the new education policy has become a significant event in its own right. This policy will play an essential role in making a new India and preparing the youth for the future. The first year after the introduction of the National Education Policy (NEP) 2020 on July 29, 2020, has been a mixed bag. Following the NEP's suggestion, the former Ministry of Human Resource Development (MHRD) was renamed the Ministry of Education (MOE).

States are responsible for overseeing the implementation of NEP, which is a federal mandate. Therefore, the implementation of the NEP should be viewed as an opportunity for state governments to pursue competitive federalism. That is why they must grasp the initiative and put their provisions into action in full force and effect. Certain states have expanded their efforts. For example, the state governments of Karnataka, Madhya Pradesh, Himachal Pradesh, and Uttar Pradesh have taken the lead in implementing the NEP 2020. However, some states oppose the strategy because it is anti-federal and weakens state functions (Raveendhren, 2020; Raveendranath, 2020; Ghosh, 2020). It is an attempt to centralise education and limit state authority. This new education policy lacks the flexibility to reach the largest number of students in a country as linguistically diverse as ours. Rather, it will undermine the constitutionally mandated federal system. In this paper, we focus on the impact of the precise nature of Indian federalism on shaping the National Education Policy 2020 and its subsequent expansion. In the next part, we will discuss the relationship between the National Education Policy 2020 and the vision of cooperative federalism. This section examines the NEP's implications and challenges for the Indian cooperative federal system, as well as the implementation challenges of the new education policy. The last section of the paper gives a quick summary of the article and a few conclusions.

Principal of New Education Policy 2020

1. Recognise, discover, and nurture each student's unique skills by sensitising teachers and parents to the importance of each student's holistic development in academic and non-academic areas.
2. Flexibility: learners may pick their learning pathways and programs, hence their life paths, based on their abilities and interests.
3. Multidisciplinary and a holistic education, including the sciences, social sciences, arts, humanities, and sports, in order to maintain the unity and integrity of all knowledge;
4. Promoting multilingualism and language power in teaching and learning
5. Education decisions should be based on equity and inclusion so that all students can succeed in the education system.
6. Teachers and professors are at the core of the educational process; thus, they must be hired, trained, and supported in a healthy work environment.
7. Indian pride is a deep sense of belonging to the country's vast and diversified cultural and intellectual systems and traditions.
8. Significant investment in a robust, dynamic public education system and promotion and facilitation of truly philanthropic private and community engagement.

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9. Instead of relying on summative assessments to promote the current "coaching culture," there should be an emphasis on regular formative assessments that help students learn.
10. enhancing accessibility for Divyang students and eliminating language obstacles via substantial technology use in school

The Federal System of India

Federalism refers to the constitutionally enshrined system of governance in which authority is divided between two or more levels of government, typically the national and the provincial, state, or local (Saxena, 2021). A defining characteristic of a federal structure is the autonomy each tier enjoys within its designated jurisdiction, allowing both national and subnational governments to function independently and make decisions within their respective spheres of influence.

The United States (US), Canada, Switzerland, Australia, and India are among the world's most important federal polities, yet they are very different from one another. Daniel Elazar argued that Federalism is more than a set of governmental institutions; it is a form of political action that necessitates the establishment of particular types of cooperative relations across whatever political system it activates. The Indian federal system does not have all of the characteristics of a traditional federation (Kolhatkar, 2012; Singh, 2022). For example, the term "federal" is not used in the Indian Constitution. However, the Constitution establishes a government framework that is fundamentally federal in design. India is neither entirely federal nor purely unitary, but a mixture of the two. It is a unique sort of union or mixed state (Singh, 2022). Some believe that India has a "quasi-federal" structure since the states have little sovereignty under the Constitution. The Indian Constitution establishes independent administrations at the national and state levels, with separate legislative, executive, and judicial branches of government. It also outlines the legislative, administrative, and financial relationships among the federal government, the states, and their respective domains, authorities, and functions. India has three lists: List I, the Union List; List II, the State List; and List III, the Concurrent List. However, Cooperative federalism is a form of federalism in which the centre and the states work together to solve their problems through horizontal relations (Saxena, 2021). This concept of cooperative federalism makes clear that neither the centre nor the state is superior to the other. In the Indian constitutional framework, the Union and State governments are conceived not as hierarchical entities but as organically connected institutions operating under the principles of cooperative federalism. States are not subordinate extensions of the federal authority; rather, they are partners within a coordinated federal architecture (Saxena, 2021; Singh, 2022). The nature of Union-State relations is anchored in collaboration, with governance designed to foster mutual respect and joint decision-making. Nonetheless, this cooperative model operates within a structure where the Union holds constitutionally superior legislative powers. While states exercise executive authority under the ambit of Union legislation, they are constitutionally obliged not to impede the Union's execution of its powers within state territories. Accordingly, the legislative competence of State Assemblies over subjects enumerated in the State List remains subject to the overriding legislative authority of Parliament, particularly regarding entries in the Union and Concurrent Lists. The interpretation of State List provisions must therefore align with this constitutional hierarchy. Furthermore, Article 246 of the Constitution empowers Parliament to legislate on any subject for any region of India that does not fall within a state's jurisdiction, irrespective of whether the subject is in the State List, thus reinforcing the primacy of national legislation in areas beyond state boundaries. Taking into account the Union government's supreme powers, the Indian federation has frequently been described as a "quasi-federation," a "semi-federation," a "pragmatic federation," or a "federation with strong unitary characteristics (Saxena, 2021; Singh, 2022).

The Emergence of Education Federalism in India

Since colonial times, India's education policy has been influenced by the politics of federalism, when the Sadler Commission established education as a state subject (Kolhatkar, 2012) while granting the central government significant coordinating powers in 1917. After India gained independence, the constitution's makers maintained that education should be allocated to state governments while authorising the Union government with essential

obligations to promote educational equity and excellence. Entry 11 of List II of the Seventh Schedule to the Constitution provides that education, including universities, should be a state subject (Kolhatkar, 2012), subject to List I Entries 63, 64, 65, and 66 and List III Entry 25. Thus, education was primarily a state subject; at the same time, the Constitution vested the Union government with additional educational obligations. The Union List entries 62, 63, 64, 65, and 66 of the Seventh Schedule vest the Union government with exclusive jurisdiction over the specified areas: certain museums of national significance; certain central universities In India, such as the University of Delhi and other universities and institutions of technical education declared to be of national importance by Parliament or agencies that establish standards for institutions of higher education and science research. However, other laws and constitutional provisions, such as the Directive principle of state policy(Article 45 of the Indian Constitution), which provides for free and compulsory education for children under 14, are also vested in the Union. Thus, the Union's educational obligations are not new. They have been present since the beginning.

The responsibilities of the federal and state governments in various fields, including education, have been drastically altered by the 1976 adoption of the 42nd Amendment to the Constitution (Kolhatkar, 2012; Ghosh, 2020). In some circles, the change is seen as significantly different from the law's original intent to preserve education. As a result, India's whole education system is now under the control of the Concurrent List. The Union Government's inclusion of education on the Concurrent List made it a long-term partner of the States in education development. At the same time, the Constitution obliges both levels of government to ensure that constitutional obligations are upheld, including those set out in the Concurrent Lists of the Union and the Seventh Schedule. Apart from policymaking, planning, and regulation, the union government also intervenes in other ways, specifically in education. As a result, the union's power has increased, and its control over the state's subject list is contrary to the spirit of cooperative federalism. The Union government established dominance in the education sector through the centrally sponsored scheme, central schools, universities, and institutions, including central universities, central schools, NCERT and training, regional colleges of education, and other central institutions.[2] such as the CBSE, the National Institute of Open Schooling, and the University Grants Commission[3] (UGC), ICSSR, ICHR (Kolhatkar, 2012). The union government is responsible for financing, planning, implementing, and overseeing all aspects of these institutions and programs. The centralisation of the Union government increased in Indian federalism with the adoption of the 1986 National Policy of Education (NPE). However, with the Right to Education Act[4] (RTE) In 2009, the Centre gained more decision-making authority in education, with the Union guaranteeing free education to children aged 6 to 14.

National Education Policy 2020 and the vision of Cooperative Federalism

Education reform is always a top priority for governments worldwide. Education policies are under pressure to demonstrate their impact on global economic and social growth. In this regard, the Indian government has developed a new education policy (2020). The question arises: Will the National Education Policy 2020 differ from current educational trends? As many observers claim, will it significantly tip the balance in favour of the Union government? While it is still too early to determine how many roles and responsibilities each primary constituent entity or stakeholder will have to help meet the NEP 2020 goals, several apparent characteristics allow for some basic assumptions. The Union government serves as the anchor in drafting and shaping the critical

2 The CBSE, Central schools, the National Institute of Open Schooling, the University Grants Commission (UGC), ICSSR, ICHR. all are central government institutions.

3 The University Grants Commission of India (UGC India) is a statutory organization established by the Department of Higher Education, Ministry of Education, Government of India under the UGC Act 1956 to coordinate, determine, and maintain higher education standards.

4 The Constitution was amended in 2002 to declare primary education a fundamental right (Article 21A). The national Parliament approved the Right to Free and Compulsory Education Act, which covers primary education, in 2009.

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contours of the NEP. There should be no mistaking the Union's dominance over the roll-out processes. These were the tendencies in past policies, beginning with the 1986 NPE, and they will continue in the NEP 2020.

Since the same political party is in power at the Centre and in many states, there is a chance that the implementation of the NEP 2020 might become one-sided in certain areas—especially in rules and regulations. The policy recommends combining major regulatory bodies such as the UGC, AICTE, and NCTE into a single, powerful organisation called the Higher Education Commission of India (HECI) (Ministry of Human Resource Development, 2020; Wadia, 2022). This new body would look after important matters such as rules, money, approvals, and recognition of courses. Even though HECI would have separate divisions for each of these roles, it would still be a very strong central agency—unlike anything seen before in other large democratic countries.

Similarly, other ideas under NEP 2020 aim to centralise education further. For example, the National Testing Agency has been established to conduct a single, nationwide common exam for college admissions (Kumar,2020; Wadia, 2022). However, looking at the problems encountered during the rollout of NEET in 2016 for medical admissions, it is clear that having a single exam system for such a large and diverse country is not easy.

Education is listed under the Concurrent List in the Indian Constitution, meaning both the Centre and the states share responsibility. So, states must be treated as equal partners while making important decisions about education. However, the way NEP 2020 is being planned and rolled out sometimes seems to push the states to the side, rather than include them as full partners. States should be involved in every step—from making laws for public institutions, running education programs, helping regulate and manage them, and most importantly, helping pay for them.

That is why, to make NEP 2020 a real success, all major decisions must be taken together by the Centre and the states, through discussion and agreement, keeping both sides equally involved. However, NEP 2020 ideas suggest the opposite of cooperative federalism (Ghosh, 2020; Raveendranath, 2020). As part of the Concurrent list, education will require states to be crucial participants at every stage, from establishing the framework law for public institutions to rolling out actual policies, maintaining active partners in regulation and governance, and, most significantly, funding the program. Therefore, all critical decisions concerning the implementation of the NEP must be collaborative and consultative, including both the Centre and the states.

Implementation Challenges of the New Education Policy 2020

More than 1.5 years have passed since the new education policy came into force in India. Despite the challenges posed by the global health crisis, the NEP has reached several critical milestones. From the start, the government did a great job of getting people interested and raising awareness of the new education policy's goals and objectives within the education community. However, is the situation on track since implementing the new education policy? What are the significant challenges facing this comprehensive education policy in the coming decades? NEP 2020 has gained momentum for some time, but the way to its complete implementation is full of barriers.

Implementing a new initiative in a country as vast and diverse as India is akin to scaling a formidable mountain. Consider the sheer scale of India's school education system, which ranks second globally. The country hosts over 15 lakh schools, accommodating more than 25 crore students and staffed by approximately 89 lakh teachers. The higher education sector is equally expensive, with the AISHE report indicating that about 3.74 crore students are enrolled in higher education institutions. This includes nearly 1,000 universities, 39,931 colleges, and 10,725 standalone institutions. Undertaking the implementation of the National Education Policy (NEP) 2020 across such an extensive and multilayered system necessitates coordination across various governance levels—state, district, tehsil, and block (Ministry of Human Resource Development, 2020). The diversity of these regions further complicates the creation of a unified framework of responsibilities and ownership, particularly when engaging with the private sector. Undoubtedly, this represents a considerable administrative and political challenge.

The success of NEP 2020 is intimately tied to the collaborative dynamics between the Centre and the states, underscoring the centrality of cooperative federalism. While the central government has prepared the draft NEP,

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its implementation critically depends on the states' active engagement. Given that state governments are primarily responsible for delivering most educational services, the Centre must proceed with care, adhering to principles of cooperative federalism and decentralisation as it rolls out various NEP-related initiatives. Although the policy has been initiated in a few states, widespread adoption remains limited. Most of the early implementers, such as Karnataka, Uttar Pradesh, Madhya Pradesh, and Himachal Pradesh, are governed by the ruling party at the Centre (Kumar, 2020; Wadia, 2022). Unfortunately, recent developments have strained Centre-State relations, as several opposition-ruled states have strongly objected to specific provisions of the NEP 2020 and its implementation. Troubling signals have emerged, notably from West Bengal and Tamil Nadu, where the latter has opted not to implement NEP (Raveendhren, 2020; Raveendranath, 2020; Wadia, 2022), raising concerns about similar responses from other states under opposition leadership. Thus, restoring trust and aligning data frameworks between the Centre and the states is crucial for translating the NEP into action on the ground.

Furthermore, realising the goals and programs outlined in NEP 2020 demands sustained and substantial financial investment. The policy itself acknowledges that public expenditure on education must reach 6% of GDP to meet its ambitious objectives (Ministry of Human Resource Development, 2020). However, this target remains elusive, despite being set decades ago in the 1968 National Education Policy. Since then, government spending on education has consistently hovered below 3% of GDP, leaving states grappling with resource constraints in their pursuit of quality education (Ghosh, 2020; Wadia, 2022). Ironically, in 2020, the very year NEP was introduced, the Union Budget saw a reduction in education sector allocations (Ghosh, 2020; Wadia, 2022). This fiscal paradox deepens the challenge, highlighting the urgent need for robust financial planning and a long-term commitment if NEP 2020 is to reshape India's educational landscape truly. However, this year, due to the COVID-19 epidemic, the government's priorities have changed. Therefore, NEP 2020 is "very inappropriate" in a country characterised by enormous variety and regional inequalities. For example, in educational development, you cannot have a single system working for a state with a highly developed educational system, like Tamil Nadu, and another state with a somewhat underdeveloped educational system, like Bihar. "The federating states must be entirely autonomous in their decision-making. Indian federalism is distinct and complex, with substantial consequences for the development of the education sector by both the federal and state governments. However, new institutional mechanisms are being implemented to improve relations between the union and the states and clarify their respective roles in the nation's growth. Thus, the success of the NEP depends primarily on cooperative federalism. For this, the states will have to lead the reform process.

CONCLUSION

The National Education Policy (NEP) 2020 is, by all accounts, a transformative blueprint for India's educational landscape. Beyond its progressive stance on curriculum and pedagogy, the policy also seeks to address long-standing structural inequalities that have hindered access, equity, and quality. With a vision attuned to the demands of the 21st century, NEP 2020 strives to create an inclusive, comprehensive, and future-ready education system, one that equips learners not only with foundational skills but also with competencies tailored for a rapidly evolving global context.

This endeavour, however, is not without its complexities. India is poised to capitalise on its demographic advantage and tap into the vast potential of a knowledge-driven economy (Ministry of Human Resource Development, 2020). Realising this aspiration necessitates the effective and timely implementation of the NEP across all levels and sectors of education. The policy's success hinges on its ability to address entrenched challenges—ranging from infrastructure gaps and teacher training to digital literacy and curricular modernisation.

Despite the disruptions caused by the COVID-19 pandemic, the central government has acknowledged the urgency and transformative potential of NEP 2020. It has, commendably, undertaken a series of immediate measures to initiate its rollout. These steps signal a commitment to embedding educational reform within India's broader developmental agenda, one that recognises education as the cornerstone of national progress. However, NEP still has a long way to go. There will be a need for coordination and cooperation among various stakeholders, including the state, district, and private sectors. It is undoubtedly a challenging task due to its execution's sheer

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size and complexities. However, problems with the state's weak capacity and the availability of money will also have to be solved. The decrease in the education budget resulting from the government's increased welfare expenditure during COVID-19 is understandable. However, enormous financial resources will have to be juggled to raise education spending to 6% of GDP. However, the modus operandi of this entire exercise remains unclear. The 1986 National Policy on Education refers to "meaningful cooperation" between the union government and the states; nevertheless, in recent years, the union government has preferred "cooperative federalism" over "coercive federalism"to build a strong republic. For the implementation of NEP 2020 in the federal system, some critical observations on the principles presented in the draft text reveal an entrenched link between vested interests and corporate structures, with significant implications for the current educational system. This link paves the way for the expansion of privatisation and commercialisation of education, whether in the school or higher education sectors (Raveendranath, 2020; Kumar, 2020). It would undoubtedly undermine the welfare approach and instead multiply the existing inequalities in our society. Moreover, the constitution's intended federal and secular essence will be hijacked (Ghosh, 2020; Raveendhren, 2020). It would be a blow to the principles set in our country's constitution.

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