
**JUDICIAL EXEMPTIONS FOR MINORITY INSTITUTIONS
UNDER RTE 2009: BALANCING ARTICLE 30 RIGHTS WITH
ARTICLE 21A OBLIGATIONS IN POST-PRAMATI
JURISPRUDENCE**

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ABSTRACT

This paper examines the critical link between India's Right of Children to Free and Compulsory Education Act, 2009 ("RTE Act") and the constitutional rights of minority institutions under Article 30(1). RTE implements Article 21A by mandating free education and a 25% reservation for weaker sections in private schools (Sec. 12(1)(c)), but Article 15(5) (93rd Amendment) explicitly exempts minority schools from such reservations. In *Pramati Educ. & Cult. Trust v. Union of India* (2014) the Supreme Court upheld RTE's validity but held that its provisions do not apply to aided or unaided minority schools. We survey post-Pramati case law up to 2026 – including *Azad Education Society v. Maharashtra* (Bombay HC, 2017), *M.A. Stephen Sundar Singh v. Tamil Nadu* (Madras HC, 2019), *Anjuman Isha'at-e-Taleem Trust v. Maharashtra* (SC, 2025), and others – that interpret this exemption.

Introduction:

The Right of Children to Free and Compulsory Education Act, 2009 ("RTE Act") was enacted to give effect to Article 21A of the Constitution (a justiciable right to free education for ages 6–14). Section 12(1)(c) of RTE requires all private unaided schools (and category schools) to reserve 25% of seats for children from "weaker sections and disadvantaged groups," providing them free education¹. However, Article 15(5) explicitly excludes "minority educational institutions" from any special admissions provisions². At the same time Article 30(1) guarantees all minorities the right to establish and administer educational institutions of their choice.

In *Pramati Educational & Cultural Trust v. Union of India* (2014), a five-judge Constitution Bench considered whether the RTE Act (enacted under Articles 15(5) and 21A) can be applied to minority-run schools³. The Court upheld the Act's validity but, by reading Article 15(5), declared that RTE's provisions (including the 25% quota and TET requirement) do not apply to aided or unaided minority institutions⁴. This created a wide "judicial exemption," essentially putting minority schools outside RTE's reach. Critics argue this deprives many children of the right to education, while supporters say it protects minority autonomy.

Since *Pramati*, courts have grappled with this dilemma. High courts (Bombay, Madras, etc.) often followed *Pramati* to exempt minority schools from RTE mandates. Most recently, in *Anjuman Isha'at-e-Taleem Trust v. State of Maharashtra* (Sept. 2025), a Supreme Court bench expressed "serious doubt" about *Pramati*'s breadth⁵ and referred key questions to a larger Bench.

Right of Children to Free and Compulsory Education Act, 2009 (RTE Act):

The RTE Act guarantees every child a fundamental right to free and compulsory education from ages 6 to 14⁶. Its core provisions (Chapter IV) place duties on governments and schools. Section 12(1) imposes on the "appropriate Government" the duty to establish schools where

¹<https://doi.org/10.5281/zenodo.17695650>

²<https://indiankanoon.org/doc/5282155/>.

³<https://indiankanoon.org/docfragment/199747328/?formInput=minority%20society>.

⁴<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>.

⁵The right of children to free and compulsory education act, 35 R.T.E. § 12(1) (Parliament in the Sixtieth Year of the Republic of India 2009).

⁶Ind. Const. § 15, cl. 5.

needed. Crucially, Section 12(1)(c) mandates: "Every school specified in sub-clauses (iii) and (iv) of clause (n) of section 2 shall admit in Class I, to the extent of at least twenty-five per cent. ... children belonging to weaker sections ..."⁷. Here clause (n)(iii)-(iv) covers unaided private schools and certain government category schools⁸. Thus, prima facie, RTE requires all private unaided schools to reserve 25% of seats for disadvantaged children, providing them free education. Section 23(2) (added later) requires teachers to pass a Teacher Eligibility Test (TET) for classes 1–8. Section 5(1) declares that "nothing in this Act shall apply to Madrasas, Vedic Pathshalas and educational institutions primarily imparting religious instruction."⁹ (This narrow exemption, under Sec.5, does not include typical minority schools offering general curricula.)

The Act also includes: Section 4(4) stating it is "subject to the provisions of Articles 29 and 30 of the Constitution"; Sections 13–15 banning capitation fees and screening; Section 19 prescribing infrastructural norms; and Chapters on implementation (SMCs, powers of NCPCR/State commissions, etc.).

Article 21A (86th Amendment, 2002): Article 21A makes education a fundamental right: "The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine."¹⁰ . RTE is that "law" envisioned. Important: Article 21A imposes the obligation on *the State* to provide education, implying that the State must enact laws (like RTE) and set up facilities, but it does not explicitly mandate duties on private individuals or institutions. Indeed, courts have interpreted Article 21A to mean the government's duty is fulfilled by enacting laws and providing schools, not by forcing private schools to operate under the same terms. In *Pramati*, the Court observed Article 21A casts an obligation on the State (as defined in Article 12) rather than on private unaided or minority institutions¹¹ . It noted the RTE Act was duly enacted under Article 21A¹²[5].

Article 15(5) (93rd Amendment, 2006): Article 15 prohibits discrimination by religion, race, etc. Clause (5) was added to allow quotas for backward classes in educational institutions (including private ones). Crucially, it specifies special provisions for education "including

⁷<https://indiankanoon.org/docfragment/199747328/?formInput=minority%20society>.

⁸<https://indiankanoon.org/docfragment/199747328/?formInput=minority%20society>

⁹<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

¹⁰<https://indiankanoon.org/doc/32468867/>

¹¹https://www.indiacode.nic.in/bitstream/123456789/19150/1/constitution_of_india.pdf

¹²https://www.indiacode.nic.in/bitstream/123456789/19150/1/constitution_of_india.pdf

admission to educational institutions, including private educational institutions, whether aided or unaided, other than the minority educational institutions referred to in clause (1) of Article 30."¹³ . Thus, by constitutional text the State may reserve seats in private schools, but not in minority-run schools. The RTE's 25% reservation derives from Article 15(5). Application of Article 15(5) (and the RTE Act) to minority schools would directly contradict its "other than minority" exemption¹⁴. The Supreme Court in *Pramati* largely based its minority exemption on this constitutional carve-out¹⁵ .

Article 30(1): Article 30(1) provides: "*All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.*"¹⁶ . This fundamental right secures minority communities' autonomy over their schools. Courts have long held that Article 30(1) ensures minority institutions cannot be deprived of their character by the State. At the same time, Article 30(2) forbids discrimination by the State in granting aid to educational institutions on grounds of religion or language. Article 29(2) is closely related: "*No citizen shall be denied admission to any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.*"¹⁷

Tension arises if Article 21A's aim appears to override Article 30(1) or 19(1)(g). Article 39(f) (DPSP) urges equal opportunity in education.

Pramati Educational & Cultural Trust v. Union of India (2014)

In *Pramati Educational & Cultural Trust v. Union of India*¹⁸, a five-judge Constitution Bench heard the matter and addressed various issues.

Background: Eleven writ petitions were consolidated by unaided private schools (some minority, some non-minority) challenging the RTE Act. They questioned the validity of Article 15(5) (Special Authority) and Article 21A, and whether RTE could compel private unaided schools to implement the 25% quota and other provisions¹⁹ . The matter came up via a reference

¹³<https://indiankanoon.org/doc/32468867/>

¹⁴https://www.indiacode.nic.in/bitstream/123456789/19150/1/constitution_of_india.pdf

¹⁵<https://indiankanoon.org/doc/32468867/>

¹⁶<https://indiankanoon.org/doc/32468867/>

¹⁷https://www.indiacode.nic.in/bitstream/123456789/19150/1/constitution_of_india.pdf

¹⁸ (2014) 8 SCC 1

¹⁹<https://indiankanoon.org/doc/32468867/>

in *Society for Unaided Private Schools of Rajasthan* (2012).

Issues: The Bench framed:

(1) Is Article 15(5) (93rd Amendment) constitutionally valid?

(2) Is Article 21A (86th Amendment) valid?

(3) If valid, are the provisions of RTE (notably Sec.12(1)(c)) intra vires these Articles, especially regarding private unaided (including minority) institutions?

Holdings: The Court unanimously upheld Articles 15(5) and 21A. It held Article 15(5) validly empowers the State to make special educational provisions for backward classes, but this power “shall not extend” to minority institutions (as Art.15(5) itself says)²⁰. The Act was held intra vires Article 15(5) for non-minority schools and intra vires Article 21A for all state responsibilities. Crucially, the Court read Article 15(5) to mean that Sec.12(1)(c) and allied RTE rules *cannot be applied to minority educational institutions* (whether aided or unaided)²¹. Therefore, it exempted *all* RTE provisions from minority institutions.

Reasoning: The Court reasoned that Article 21A’s obligation is on the State (government) to provide education, and does not abrogate Article 30. It noted Article 21A “does not impose any direct obligation on citizens or private schools”²². The bench observed that Article 15(5) was a political compromise: special reservation rights for backward classes exist, but the “majority” cannot impose them on minority-run schools²³. Thus, extending RTE quotas to minorities would violate the constitutional promise. The Court also invoked Articles 19(1)(g) (profitable occupation) and 30(1) in protecting minority administration rights, holding that “*nothing in this Act*” can infringe Article 30. It effectively read RTE’s Chapter IV as “subject to Article 30”.

On the 25% clause, the Court said: forcing a minority school to admit other weaker-section children (outside the community) would dilute its character. By parity of logic, it held that no RTE condition could be applied if it impinged on minority identity, thus extending the

²⁰https://www.indiacode.nic.in/bitstream/123456789/19150/1/constitution_of_india.pdf

²¹https://www.indiacode.nic.in/bitstream/123456789/19150/1/constitution_of_india.pdf

²²<https://indiankanoon.org/doc/32468867/>

²³https://www.indiacode.nic.in/bitstream/123456789/19150/1/constitution_of_india.pdf

exemption to TET, teacher qualifications, etc.²⁴ . The judgment contains broad language: it noted "*the provisions of the RTE Act would not apply to minority educational institutions*"²⁵ , without limiting the exemption to any one clause. In short, *Pramati* struck down RTE's application to minority schools altogether.

Criticism: *Pramati*'s sweeping approach has drawn heavy criticism. The Court itself later acknowledged the exemption was based on analysis of only Sec.12(1)(c) but was extended to the whole Act, calling that conclusion "legally suspect"²⁶ . Commentators note that *Pramati* left no accommodation for educating poor children attending minority schools or for enforcing quality standards there²⁷ . Some argue *Pramati* effectively *subsumed* Article 21A under Article 30 for minorities, thereby weakening children's rights. Indeed, a 2025 Supreme Court bench remarked that by taking minority schools "out of the ambit of RTE, the *Pramati* judgment may have inadvertently jeopardised the fundamental right to quality education"²⁸ . This tension sets the stage for the post-*Pramati* jurisprudence.

Post-*Pramati* Jurisprudence (2014–2025)

After *Pramati*, courts at both levels applied or questioned the minority-exemption rule in various contexts.

Key Cases on RTE and Minority-School Exemptions

Society for Unaided Private Schools of Rajasthan (2012):

A three-Judge bench had held the RTE Act constitutional. This decision (before *Pramati*) affirmed that Article 15(5) was valid and noted minority institutions under Art.30(1) form a *separate category*²⁹ .

²⁴<https://indiankanoon.org/docfragment/199747328/?formInput=minority%20society>

²⁵<https://theleaflet.in/leaflet-reports/grossest-abuse-supreme-court-imposes-rs-1-lakh-cost-on-petitioner-seeking-reopening-of-pramati-education-trust-which-granted-exemption-to-minority-educational-institutions-from-rte-act>

²⁶https://www.scobserver.in/wpcontent/uploads/2025/09/SCOLR_Judgement_Anjuman-Ishaat-E-Taleem-Trust-v-The-State-of-Maharashtra.pdf

²⁷<https://www.shankariasparliament.com/blogs/pdf/the-right-to-education-act-and-minority-educational-institutions>

²⁸<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

²⁹<https://indiankanoon.org/docfragment/199747328/?formInput=minority%20society>

Azad Education Society v. Maharashtra (Bombay HC, 2017): In this case, a Muslim aided school challenged a state rule making TET mandatory for all primary teachers. The Bombay High Court upheld the TET requirement, distinguishing it from *Pramati*. Relying on *Ahmedabad St. Xavier's College Society v. Gujarat* (1974) – which had allowed states to prescribe minimum qualifications even for minority colleges – the court held that insisting on TET was a neutral criterion that did *not* impair the school's fundamental Article 30 rights. The court reasoned that requiring qualified teachers did not prevent a minority school from choosing its staff; it simply barred unqualified candidates. Thus, Azad HS found no violation: “Article 30 does not confer immunity upon minority institutions to be completely absolved from following general educational standards”³⁰. It dismissed the writ petition and enforced the TET rule.

Stephen Sundar Singh v. Tamil Nadu (Madras HC, 2019): A teacher at a Christian minority aided school was denied confirmation for lack of TET. Stephen challenged this, invoking *Pramati*. The Madras High Court, following *Pramati*, held that RTE provisions (including TET) did *not apply* to minority schools³¹. The court directed the school to appoint Stephen despite his non-TET status. The State appealed to the Supreme Court (forming part of *Anjuman* below). This case illustrates that state courts often applied *Pramati* literally to exempt minority schools from RTE duties.

Other High Court Cases: Various state High Courts have followed *Pramati*. For instance, the Kerala HC (2015) held minority schools (aided) need not comply with RTE's 25% quota³².

Anjuman Isha'at-e-Taleem Trust v. Maharashtra (SC, 2025):

This recent Supreme Court decision revisited the issue. The case involved minority schools in Maharashtra contesting application of TET and other RTE norms. Justices Datta and Manmohan heard appeals in which the State and minority school trusts presented conflicting positions. The bench unanimously upheld that in-service teachers with less than 5 years to retire could be exempt from TET (a transitional relief) and those with more time must pass it³³.

³⁰<https://indiankanoon.org/docfragment/199747328/?formInput=minority%20society>

³¹https://www.scobserver.in/wpcontent/uploads/2025/09/SCOLR_Judgement_Anjuman-Ishaat-E-Taleem-Trust-v-The-State-of-Maharashtra.pdf

³²https://www.scobserver.in/wpcontent/uploads/2025/09/SCOLR_Judgement_Anjuman-Ishaat-E-Taleem-Trust-v-The-State-of-Maharashtra.pdf

³³<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

Crucially, while applying *Pramati* as binding on the CBI (the case in *Society (Rajasthan)*), the judges questioned *Pramati* itself. They asked why *Pramati* had extended exemption from Sec.12(1)(c) to the *whole RTE Act*³⁴. Noting *Pramati* gave no analysis for this broad sweep, they labeled the conclusion “*legally suspect*” and “*disproportionate*”³⁵. The bench outlined four questions for a larger bench to consider (involving Art.30 vs 21A conflict, Article 29(2), and interpretation of Sec.12)³⁶. Thus, *Anjuman* signals the Supreme Court is prepared to narrow or overturn *Pramati*'s exemption, pending the outcome of the reference.

Comparative Analysis

Other jurisdictions grapple with similar issues of religious/ minority schools versus state education requirements. A brief comparative view illustrates different balances:

- United States: U.S. law has no Article 30 equivalent. The First Amendment's Free Exercise Clause protects religious schooling to some extent. In *Pierce v. Society of Sisters*, 268 U.S. 510 (1925), the Supreme Court struck down an Oregon law requiring all children to attend public schools, holding parents have a fundamental liberty to send their children to private or religious schools³⁷. *Pierce* emphasized that the state cannot "standardize its children" by forcing public education³⁸. Similarly, *Wisconsin v. Yoder*, 406 U.S. 205 (1972), exempted Amish families from compulsory schooling beyond 8th grade for religious reasons. Unlike India, U.S. law does not allow affirmative quotas in private religious schools; rather, cases often focus on freedom from undue state coercion.
- European Human Rights: Under the European Convention on Human Rights, Article 2 of Protocol No. 1 states that "no person shall be denied the right to education" and the state shall respect the right of parents to have education in conformity with their religious convictions. The European Court has allowed states wide latitude to regulate schooling. For instance, it has upheld compulsory curricula and standards for all schools

³⁴https://www.indiacode.nic.in/bitstream/123456789/19014/1/the_right_of_children_to_free_and_compulsory_education_act_2009.pdf

³⁵<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

³⁶<https://24law.in/story/supreme-court-refers-applicability-of-rte-act-to-minority-institutions-to-larger-bench-tet>

³⁷<https://www.lawfultalks.net/news/right-to-education-vs-minority-rights-sc-refers-issue-to-cji-for-consideration>

³⁸<https://supreme.justia.com/cases/federal/us/268/510/>

(public or private), provided they do not discriminate religiously³⁹. Some countries mandate diversity quotas: e.g. England's School Standards and Framework Act 1998 now limits faith-based admissions. The ECHR thus promotes inclusive education with respect for parents' choices, but not absolute autonomy for religious schools.

- Other: In Canada, religious school rights exist only in provinces where provided by law (e.g. separate Catholic schools in Ontario by constitutional entrenchment). Otherwise, public education is secular. Australia's constitution prohibits religious discrimination in school funding (s.116), but states require all schools to meet national curriculum standards. These examples show a common theme: parental and institutional freedom is balanced against equal educational standards. India's model – a constitutional minority right (Art.30) directly colliding with a fundamental individual right (Art.21A) – is distinctive. Nonetheless, the global perspective suggests one can protect religious schools while still enforcing neutral rules of quality and access.

Doctrinal Analysis: Balancing Article 30 and Article 21A

The crux of the issue is reconciling Article 30(1) with Article 21A (and related rights). Several doctrinal points emerge:

- Fundamental Rights Weighing: Article 30(1) is a fundamental right protecting collective minority autonomy. Article 21A (and Article 14/21) is a fundamental right protecting individuals' access to education.⁴⁰ A strict “article priority” view is not imposed by the Constitution; instead, both rights must be harmonized.
- Article 15(5) & RTE Textual Context: By its terms, Art.15(5) forbids reservations in minority institutions⁴¹. Therefore, implementing Sec.12(1)(c) in such schools seems unconstitutional under Art.15(5). This is the main support for exemption. However, Art.15(5) was intended to deal with quotas for backward classes, not necessarily to address other aspects of RTE. If *Pramati* is read literally, any law for social justice cannot override minority schools at all. Critics argue that was beyond what Art.15(5)

³⁹https://www.coe.int/en/web/campaign-free-to-speak-safe-to-learn/tackling-discrimination/-/asset_publisher/4a3esYbkstv9/content/addressing-controversial-issues-intro

⁴⁰<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

⁴¹<https://24law.in/story/supreme-court-refers-applicability-of-rte-act-to-minority-institutions-to-larger-bench-tet>

meant. Some contend Art.15(5) might not forbid *voluntary* reservations by minority schools; it only prohibits forced quotas by the state.

- Article 29(2) Interaction: Minority aided schools receive state funds and so fall under Art.29(2), which prohibits denying any citizen admission on religious grounds.⁴² Thus, a harmonious interpretation might require that aided minority schools cannot discriminate via admissions.
- Proportionality and Narrow Tailoring: The Supreme Court in *Anjuman* criticized *Pramati*'s exemption as "disproportionate"⁴³ because it based a sweeping conclusion on a single provision. From a proportionality perspective, the state's aim (educating the disadvantaged) is compelling, but *Pramati*'s means (total exemption) may be overbroad. A narrower construction could satisfy both ends: for example, applying RTE's general norms to minority schools except where it directly interferes with religious character. If *Pramati* had limited its holding to Sec.12(1)(c), at least other RTE duties would have remained enforceable.
- Minimum Standards vs. Autonomy: Another doctrinal balancing act is distinguishing management autonomy (protected by Art.30) from academic standards (which the state can enforce).

Policy Implications and Critique

Beyond doctrine, the *Pramati* exemption has practical consequences:

- Educational Inclusion: The goal of RTE is to include disadvantaged children in mainstream schools. If all minority schools (including many that take poor students) are exempt, those children lose rights to free seats, midday meals, etc. This conflicts with national priorities of inclusion. Critics note a perverse incentive: after *Pramati*, many private schools applied for minority status to escape RTE (and avoid admitting

⁴²<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

⁴³<https://www.shankariasparliament.com/blogs/pdf/the-right-to-education-act-and-minority-educational-institutions>

poor outsiders)⁴⁴ . This undermines RTE's purpose.

- **Quality of Minority Schools:** Exemption means minority schools may not have to hire qualified teachers, maintain infrastructure norms, or avoid capitation fees. As one Supreme Court bench observed, “*the children in these [minority] institutions effectively remain outside the State's educational umbrella*”⁴⁵ . In the long run, this risks a parallel system of unchecked institutions.
- **Social Fabric:** India's vision (see Directive Principles, judiciary) has emphasized a *common schooling* system for national integration. Segregating a chunk of schools by community could hamper social cohesion. The Supreme Court has invoked the constitutional value of "fraternity" in education⁴⁶ . Uniform application of RTE is seen by some as vital to this ideal.
- **Legal Abuse:** The exemption has created a legal loophole. Reports indicate that only a small fraction of seats in minority schools go to poor or SC/ST children (e.g. 8.76% in one survey)[27]. Schools that remain “private in all but name” can register as minority and then charge hefty fees. This subverts RTE’s redistributive goal and fosters inequality.

These policy realities strengthen the argument against an absolute exemption. The countervailing need to deliver education to every child – a fundamental right – weighs heavily. Courts and policymakers must consider whether the cost to disadvantaged children of a broad exemption is justified. *Anjuman’s* questioning of *Pramati* reflects concern that constitutional rights should not be interpreted in isolation from social impact.

Practical Recommendations

1. **Nuanced Judicial Interpretation:** Courts should read *Pramati* narrowly. For example, insist that minority schools comply with RTE norms unrelated to admissions quotas – such as safety, health, and infrastructure standards. . Ultimately, balance Article 30 with

⁴⁴<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

⁴⁵<https://newsfirstprime.com/nation/supreme-court-initiates-steps-to-enforce-25-free-seats-in-schools-under-rte-10996788>

⁴⁶<https://indianexpress.com/article/explained/explained-law/minority-schools-exempt-rte-sc-question-2014-judgment-10226430/>

children's rights by requiring minority schools to admit at least *some* disadvantaged children (perhaps from their own community).

2. **Legislative Clarification:** The Parliament or state legislatures should clarify RTE's application. For instance, RTE rules could specify that Sections 12–15 apply to all schools except only those exclusively offering religious instruction (as Sec.5).
3. **Enrollment and Admissions Policy:** States should frame common admissions processes. If minority schools opt into RTE, states could reimburse them or supply textbooks. For those that do not, governments could ensure other nearby seats for disadvantaged students or support public schools adequately. Any regulation should prohibit "capitation fees" even in minority schools, aligning with Article 29(2) for aided institutions.
4. **Monitoring and Transparency:** Educational authorities (NCPCR/SCERTs) should monitor admissions in all schools. Data collection on minority school demographics can spot abuses (e.g. if no student is admitted from outside the community). Transparency measures, like requiring publication of admissions policies, can deter unconstitutional selection.
5. **Constitutional Amendment (Last Resort):** If needed, Parliament could amend Article 15(5) or Art.30 clarifying their interaction. However, given political sensitivity, judicial and administrative measures should be exhausted first.

Implementing these will help ensure that the constitutional promise of education (Art.21A/14) is realized for all children, while still honoring the pluralistic fabric (Art.30) of Indian society.

Conclusion

The debate over RTE's applicability to minority institutions pits two cherished constitutional ideals against each other. On one hand is the vision of *education for all*, social justice, and national integration embodied in Articles 21A, 14 and 15(5) (93rd Amendment). On the other is the protection of minority educational autonomy under Article 30(1). *Pramati* (2014) gave sweeping protection to minorities, effectively putting them outside RTE. In the decade since, however, its reasoning has been questioned as undermining the rights of children to education.

The Supreme Court's 2025 *Anjuman* decision reflects growing consensus that a more proportional balance is needed.