

“CHILD: MY RIGHT TO STUDY, TO MAKE MY
FUTURE RIGHT TO EDUCATION” BY
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By education I mean all-round drawing out of the best in child and man's body, mind and spirit.

Mahatma

Gandhi

Introduction

India's education system turns out millions of graduate each year in various sectors, as India being a developing country an on that bases India is going in development of education system in India. We can see that there are many top universities in India, which provide good quality of education and in fact the student from across the country like to have education from the Indian Universities. This manpower advantage underpins the India's recent economic advances, but masks deep seated problems within India's education system.

With 35% of the population under the age of 15, India's education system faces numerous challenges. Government invest 4% of GDP in the education system, as for them education is a crucial development. As today's youth is the tomorrow's future and education is the only thing which develops the youth of the country. The educations not only help to develop an individual but will help to develop the country and its economy. Today's education system has no doubt; make stand many top business and engineering schools in the country like IIMS and IITS. But after completing 62 years of Independence, India is still has many challenges to make India and educated India. "This IIMS and IITS are just a creamy and very decorative icing of a tasteless cake, which hides the reality of that cake, but once you taste it then you come to know about the real taste of the cake".

This paper is divided into four parts the first part of this paper will deal with meaning and definition of education and its history in India. Means how the education is started in the country and what all steps have been taken by the government of the country to develop the education of the country.

The second part of the paper talks about the education after Independent India and present educational system of the country.

The third part of this paper is about the loopholes of the education system of the country and what challenges the government is facing. This part will make to taste the cake and takes you to the reality of the education system of the country.

And then comes the fourth part, which will be the final part of the paper in which some suggestions will be given from the student point of view. This may help in the development of the education system and change the taste of the cake.

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This paper is an attempt to bridge the gap of “real India to a dream India”

Education and its History in India: The English term Education had been derived from the two Latin word *Educare* and *Educatum* which means to train or mould. The term *Educatum* means the act of teaching. It throws light of practice and principle of teaching. The term *Educare* means to develop the latent faculties in the child, which child himself is not aware of and the educator or the teacher find out that talent and then helps the child to develop it.

In Hindi we know education as *Siksha* which is derived from the Sanskrit word “Shash”. Which means to discipline, to control, to guide or to rule etc. Traditionally education means controlling or disciplining the behavior of an individual.

Therefore education can be defined as the “*manifestation of perfection already in man. Like fire in the piece of flint, knowledge exists in the mind. Suggestion is the friction, which brings it out.*”¹

History of education in India: Before finding out the solution of any problem, the first thing which is important is to find out the problem and for that its necessary to know form the problem arise and for which it becomes a compulsion to know the history of that particular problem.

From the ancient time education has always an important role to play. In those days education was to know the Vedas and therefore known as the Vedic system of education. The student go to gurkuls or ashrams and the gurus (generally Brahmins) used to give education, for which the student has to pay nothing to gain the education, mean the education was a free education and the second most important thing of that time education was that all the students were equal in the eyes of gurus and were given equal education. No matter the student is a son of king or of a poor all were given the same kind of education, there were no such special schools for the children of the king nor separate school for the poor, there used to be only ashrams of the gurus. As the education was free so, it won't create any difference in the students. All the students were making to learn the same thing. It was never compulsory, but if student desired based on the financial position, they can give some “guru dakshina” to his guru. The loophole of education at this time was that, the female were not given education.² They were not sent to ashrams, they were only making to sit in the home and learn the things from their mother or elder all the qualities for being a good house wife. But slowly and gradually the after the coming of Aryans in India women's were also given importance and were given education. The education was not only to know Vedas, but now it's for the development of an individual. Various education institutions were formed in the country for the first time in the whole world and too in India which was a great attraction to all the foreign countries all over the world. The various educational institutors were Nalanda, Takshila , Kashi etc.

After Vedic period comes the medieval period, it was the period when the Muslims rule in the country, so the education system was again changed. In this period the concept of primary and secondary education came in the country. The women's were given equal education at

¹ Swami Vivekananda

² Gosh S.C. 2007 History of Education System in India, Rawat Publications

that of the main. More education institutions were established in various parts of the country such as Agra, Delhi etc.³

After Mughal's, the Britishers ruled the country which again changes the education system. As they came in the year 1600 for doing business and trading and they established their own company in India, for which they need employees and workers, so for this reason they changed the education system of the country and the education which can help in development of their company was being given to the students. Females were given equal education as that of men. They started to get respectful status in the society⁴. And as they were from England so, they made whole education system to be in English. From this the English education system was system was established in the country. In this era the primary, secondary and university level of education was formed and the concepts of fees were brought for gaining education.⁵

Education system after Independent and Present Education System of India

Education after independence

Secondary Education System

After independence, the attention of the Government of India was drawn on the falling standard of the secondary education in the country. The secondary education at that time was termed as the weakest form of education. For this the Secondary Education Commission was brought up in the country in the year 1957, under the chairmanship of DR. A.L. Mudaliar to improve the secondary education system of the country. The main recommendations of this commission are as follows - ⁶

1. To establish new organizational pattern for the secondary level.
2. To start technical education in the country.
3. With the private schools public schools should also be there in the country and the government should give free student ship to some of the selected merit students.
4. Till secondary level the mother tongue should be the medium for imparting of education in the country, after that Hindi and English should be the compulsory subject.
5. Curriculum activities like arts, dance, music etc..Should be including as a part of the education.
6. Religious and moral instruction should also be included as a part of education.
7. The evaluation of the students should be based on the examination.

Kothari Education Commission

As the first education commission was not so fruitful and many hardships were being faced therefore the second commission was formed. This was the second education commission after independence which came in the year 1964, under the chairmanship of Dr. D.S.Kothari.

³ www.scribid.com/.../Muslim-Education-System-Past-and-Present

⁴ Charter Act of 1813

⁵ India education commission, 1882

⁶ Secondary Education Commission , 1957

This commission is also known as Kothari Commission. The main features of this commission are as follows –⁷

1. Introduction of work experience for the appointment of teachers in the schools.
2. Stress on moral education.
3. Vocationalization of secondary school.
4. Strengthening the centers of advance studying.
5. Special emphasis on training and quality of teachers for schools.
6. Education for agriculture and research in agriculture and allied science.

National Policy of Education :-This policy came in the year 1986, brought up by the Rajiv Gandhi, according to him – “education in India stands at the cross roads today, neither normal liner expansion nor the existing pace and nature of improvement can meet the needs of the situation.”

He made this policy with the aims that “the new policy would be egalitarians. An attempt would have to be made to give access to the best type of education to the most intelligent children, no matter from which section of society they came from.”

The salient features of this committee are as follows –⁸

1. The essence and role of education
2. National system of education
3. Education for equality
4. Re-organization of education at different stages
5. Technical and management education
6. Making the system work
7. Re-orienting the content and process of education
8. Special training for the teachers
9. Management of education
10. Resources and reviews
11. And to make the future of the students.

Rammurthy Review Committee – 1990: This review Committee bases the title a towards an enlightened and Human Society. The main objective of this committee is to implement the revision of the National Policy within a timeframe. Major recommendations are given on the following heads:

1. Removing deficiencies of the education system.
2. Preparing teachers for the view thrusts.
3. Internship model of teacher training
4. Training high school teachers
5. Preparing teacher educators for the leadership role
6. Continuing leader education
7. Universilization of elementary education

⁷ Kothari commission ,1964

⁸ National Policy of Education,1986

8. Early child hood care and education
9. Women education
10. Education of ST,SC AND OBC

Present education scenario: At the time of Independence, India inherited an educational system which was not only quantitatively small but was also characterized by striking gender and regional disparities. Only one child out of three had been enrolled in primary school. Thus challenge was to provide elementary education to all its children within a stipulated period of time. Accordingly, universal education for all children in the 6-14 age groups became a constitutional provision by Article 45 of the Constitution⁹. Special care of the economic and educational interests of the under privileged sections of the population also became a constitutional obligation. But these constitutional provisions still remain unfulfilled. Government's commitment to ensure elementary education for all children aged 6-14 years was later seen in its ambitious program me named 'Sarva Shiksha Abhiyan'.

Free and compulsory elementary education was made a fundamental right¹⁰ under Article 21A of the Constitution in December 2002 by the 86th Amendment. In bringing this into action, the 'Right of Children to Free and Compulsory Education Bill' was drafted in 2005. This was revised and became an Act in August 2009, but was enforced on 1st April 2010.

The Right to Education Act will benefit about one crore out-of- school children and a large number of drop-out children. As per an estimate, out of 22 crore children in the 6-14 years age group in the country, 4.6 percent children have no enrolment in any school. The Right to Education Act, which came into force on 1st April, 2010 after 62 years of independence, has made free and compulsory education a fundamental right of every child in the 6 to 14 age group. Now India has joined the group of those countries who provide for a constitutional guarantee to free and compulsory education. The enforcement of this Right has made it a joint responsibility of Central and State Governments to provide free and compulsory education to all children by all means.

Salient feature of the Act¹¹: The Right to Education Act is a detailed and comprehensive piece of legislation which includes provisions related to schools, teachers, curriculum, evaluation, access and specific division of duties and responsibilities of all concerned. Main features of the Act are as under:

1. Every child from 6 to 14 years of age shall have the right to free and compulsory education in a neighborhood school till completion of elementary education.
2. Private schools shall provide 25 percent reservation for weaker sections and economically disadvantaged groups in the admission.
3. All schools except government schools are required to meet all specified norms and standards within three years to avoid cancellation of their recognition.
4. The Act calls for a fixed pupil-teacher ratio, i.e., 30:1.
5. The Act mandates improvement in quality of education.
6. Financial burden will be shared between Central and State Governments

⁹ Constitution of India, Article 45

¹⁰ Constitution of India, Article 21-A

¹¹ Right To Education Act,2010

The Supreme Court first recognized the right to education as a fundamental right in Mohini Jain v. Union of India¹². It was observed in this judgment that: 'Right to life' is the compendious expression for all those rights which the courts must enforce because they are basic to the dignified enjoyment of life. It extends to the full range of conduct which the individual is free to pursue. The right to education flows directly from right to life. The right to life under Article 21 and the dignity of an individual cannot be assured unless it is accompanied by the right to education. The State Government is under an obligation to make endeavor to provide educational facility at all levels to its citizens.

With this many article has been added to the Constitution of India whose main aim is education of children. Some of the articles are as follows-

*In 1993 the Supreme Court narrowed the ambit of the fundamental right to education as propounded in the Mohini Jain case in the case of J P Unnikrishnan vs. State of Andhra Pradesh,¹³ the Court observed that: **The right to education which is implicit in the right to life and personal liberty guaranteed by Article 21 must be construed in the light of the directive principles in Part IV of the Constitution. So far as the right to education is concerned, there are several articles in Part IV which expressly speak of it. Article 41 says that the "State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want". Article 45 says that "the State shall endeavor to provide, within a period of ten years from the commencement of this constitution, for free and compulsory education for all children until they complete the age of fourteen years". Article 46 commands that "the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation..... The three Articles 45, 46 and 41 are designed to achieve the said goal among others. It is in the light of these Articles that the content and parameters of the right to education have to be determined. Right to education, understood in the context of Articles 45 and 41, meant: (a) every child/citizen of this country has a right to free education until he completes the age of fourteen years and (b) after a child/citizen completes 14 years, his right to education is circumscribed by the limits of the economic capacity of the state and its development.***

Constitution and Education: The constitution of the country provides many articles which tries to implement the dream of literate India some of the articles are as follows-

Article 21-A

It states that 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.¹⁴

Article 45 – provision for early childhood care and education to children below the age of six years

It states that “the state shall endeavor to provide early childhood care and education for all children until they complete the age of six years.¹⁵

¹² (1992) 3 SCC 666

¹³ 1993 SCC (1) 645.

¹⁴ Constitution of India , article 21 - A

Article 46 – promotion of educational and economic interest of Scheduled Castes, Scheduled Tribes and other weaker sections –

It states that” the state shall promote with special care the educational and economic interests of the weaker sections of the people, and , in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.¹⁶

Article 51 A

This article says with the right there are some duty of the citizen which they should do. Among the duty the article 51A (k) states that “who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.¹⁷

These were the some of the articles given in the constitution of India which emphasis on the education of the children of the country.

Loopholes and challenges : As we all know in today’s era, education is one of the basic needs like food, shelter and clothing. In every second of life you have to take a decision and it will be only possible if you are having good knowledge. And education is one of the best ways to be a knowledgeable person. Educated person will not only will help him or herself but will also be very much fruitful for the development of the nation. For all this reasons government of India has made education as one of the fundamental right. Various programs have been implemented by Central and State Government to make the country a educated one. Not only Government but many NGO’s (Reliance Foundation, CRY,etc...) has also shake the hand with Government to fulfill the dream of an “educated India”.

“A paper work is easier than a practical one”. In the same way no doubt, many steps have been taken by the Government but till now success has not been achieved. Many problems occur when the program is being implemented.

The various challenges of our education system are as follows-

1. Education a new trend of business

Article 21-A of the Constitution of India states that” 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.¹⁸

The section 3 of the Right to Education Act also talks about the right of child to free and compulsory education¹⁹

It states that “every child of the age of six to fourteen years shall have the right to free and compulsory education.”

In spite of this is education is literally being free today?

¹⁵ Constitution of India, article 45

¹⁶ Constitution of India, article 46

¹⁷ Constitution of India, article 51A(k)

¹⁸ Constitution of India, article 21 -A

¹⁹ Section 3, Right to Education Act 2010

As per our research the best way to earn or the best sector to do business in today's world is education. Education is not free, but it's the most expensive thing. It's a great investment. The more you invest the more secure and advance is the future of your child. So, how can we say that education is free and compulsory? The government has no doubt tried it all hard to give free education, in the same way as they said, but is the quality of the free education is same as that of the education which is given in the expensive institutions of the country. So, we can't say education as a free education, it is the most expensive and some time unaffordable too.

2. Inequality

The Government has taken steps for the free and compulsory education but no steps have been taken by the government to make the education equal. As in the paper we have come across to the ancient education, where education was equal irrespective of caste, class and income of the people. In that time there were ashrams and all the student gain education from the same ashrams. But now things have changed, education is not equal now. The quality of education changes as per the expenses done. The student who has gain free education will have less or no opportunities as compared to the student who has studied in the top school of the country and whose fees are of high rate.

3. Quality of education based upon the income of the parents

As same as the caste system, education has also being in three levels-

- Higher level
- Middle level
- Low level

This division is as per the earning capacity of the parents. A high class school gives all the facility like good transport, meals, high qualified faculties etc... but only high class people can afford to send their child. It mainly consists of all the private schools.

When it comes to middle level, the middle class people send their children in which they get good education, but not facilities are being given to them like meal, only some schools give transport facilities. Here come both private and public schools.

Third come the low level, where education is given at free of cost. Mainly consists of government school known as public schools. Facilities are provided to the students but they are not of good quality.

4. The reservation for SC and ST and OBC

A time was there when special reservation were necessary for the ST and SC, so that they develop themselves and they get equal position in the society, but it was necessary for only some years, now they have developed themselves and they have same status and income in the society as that of the general people. So now the reservation is a kind of misuse of the rights and creates biasness in the education system. With this special preference the most effected sections of the society is the general category of the people's. Because even by scoring less marks they get good schools and Universities, just because of the reservation and the general category of student missed that opportunity even by scoring more marks than that.

It may be like we are biased about something of the reservation. It's like that as the government implemented the reservation scheme for bringing backward classes to a reasonable level but as a large population has grown, so the rules should amended again with some new modification in it. The reservation should be there for the poor people but, not to get admission in good schools and Universities but reservation for the scholarship. The admission criteria should be fair and without any kind of biasness.

5. *Corruption*

Yes, corruption. It's really painful to say that as India is corrupted same is with its education system. The whole education system of the country is also corrupted. The education institutions take donations and give admission to the students without any evaluation, which snatches the opportunity from those students who are no doubt talented but can afford to give huge donations.

6. Is education till the age of fourteen years is sufficient?

The government has said "free and compulsory education till the age of fourteen years"²⁰. After completing the education up to fourteen years of age that is after completing the primary education will that child has enough knowledge or has that many capabilities to stand in his own legs, without the help of others and can earn. And if no, then what is the use of education up to fourteen years of age, when after that the child cannot go for higher education nor can do any job of value. Job or earning is literally a big word, will that child be able to take his decision without any anyone's need. And if the answer is no, then this education up to fourteen years is useless. It's just wasting the money of government, as this child cannot even help themselves then how they will help in the development if the nation. There is a great saying – "half knowledge or little knowledge is injurious". So in the same way, only education up to primary level is useless.

In India schools and colleges are known as "Vidhya ka Mandir". But in the "Temple of Education" there is lot of sine going on such as discrimination, corruption, biasness etc...

Suggestion

1. Equal quality of education should be there. If equality will be there in education, it will help in bring equality in the country.
2. It's high time to make education system as corruption free, a corruption free education is corruption free India. As education is given to the student so that they learn how to live there life, and corrupted education will also make them learn corruption. So, it's necessary to make education system corruption free.
3. The compulsory education should not be only up to primary level, but at least to the age which built the individual and makes him so that he or she can stand upon his legs without any one help.
4. The reservation of ST, SC and OBC should be abolished and fair evaluation of examination should be there.
5. The state governments are required to show promptness for the implementation of the RTE Act. The states who have not yet released any notification regarding the Act must do it without any further delay. The Central Government should impose a time

²⁰ Article 21-A, Constitution of India 1948

limit to release funds to the states. If any state government still shows apathy to release notification, then no funds should be released by the Centre to that state for the establishment of new schools. State governments should show full commitment for the implementation of the Act.

6. The equal facilities such as mid day meal of good quality, good infrastructure, good and clean and separate toilets for both boys and girls and transport facility for all kinds of schools.
7. . To meet the increasing demand of qualified and trained full time teachers, the teachers in required number must be recruited at the earliest. Pupil-teacher ratio must be maintained as per requirement. As more and more children move into the primary school age group, it becomes needful to build more and more schools and recruit more teachers for sustained improvement in the quality of education
8. Teachers' performance is the most crucial input in the field of education. Well qualified and highly motivated teachers are the key to effective implementation of the curriculum. They give impetus to the teaching-learning process. Top priority, therefore, should be fixed for the improvement in the quality and content of teacher education program.
9. To achieve the goals of Free and Compulsory Elementary Education, it is of upmost importance to develop curricula that is responsive to changing needs and facilitates the incorporation and integration of new content areas related to science, technology, population and the environment.
10. There is need to streamline educational administration. The pace of implementation of the Act can become faster if bottlenecks in administration are removed. Altogether, it is essential to adopt an integrated approach and establish linkages between education and other related areas such as child care, nutrition and health. Each state should formulate a 'State Program of Action' and each district and school should formulate a Program of Action of its own by taking into account the State Program of Action.

Conclusion:-Education is the only solution for all the problems of the country. Education is a very pure thing, as in India we pray to education in the form of goddesses "Saraswati". It's the only investments which lasts forever and whose market value will fall down but always increase day by day. So, it should not e made corrupted one. Right to education should not only consists of education but a good and quality education for everyone without any discrimination based on caste, religion, sex, color, income and creed. If education will be equal, good quality and corruption free then we are very close to the corruption free and a country where everyone is equal. In order to meet the challenges and surmount the hurdles that stand in the way of implementing Right to Education Act, it is needful to concentrate all efforts with full dedication and commitment. Not only the central and state governments but the nation as a whole should take responsibility in this regard. Community participation and support can make marked difference in achieving this goal. There exists a need for greater coordination amongst different agencies and functionaries involved in this task. To overcome population pressures and budgetary constraints, cost effectiveness and accountability must be ascertained at every level. Efforts should be focused on qualitative improvement of the whole program.