

## AN ANALYSIS OF THE RIGHT TO EDUCATION IN RELATION TO THE EDUCATION OF CHILDREN IN INDIA

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### Abstract:

Education is a fundamental right and a critical driver of socio-economic development. In India, the Right to Education (RTE) Act, 2009, marked a significant step toward ensuring free and compulsory education for children aged 6 to 14 years. This paper analyzes the effectiveness of the RTE Act in improving access, equity, and quality of education, particularly for marginalized and underprivileged children. It examines key challenges, including inadequate infrastructure, teacher shortages, socio-economic disparities, and implementation gaps. Additionally, the study explores the role of government policies, judicial interventions, and public-private partnerships in strengthening educational outcomes. Through a comprehensive review of legislative frameworks, statistical data, and case studies, this paper highlights both progress and persistent challenges in achieving universal education in India. The findings suggest that while the RTE Act has led to significant improvements in enrollment rates, further policy reforms and targeted interventions are necessary to enhance educational quality and inclusivity.

**Keywords:** Right to Education (RTE) Act, Free and Compulsory Education, Educational Equity, Marginalized Communities, Policy Implementation, Socio-Economic Disparities, Public-Private Partnerships, Educational Quality

### Introduction

Gaining an education is a great first step towards improving one's social and economic standing. Individual agency, inequality reduction, and country advancement are all profoundly impacted by it. As a result of the Right to Education (RTE) Act, 2009, India officially recognised RTE as a basic right under Article 21A of the Constitution, a clear indication of the priority the country places on education. To guarantee that all children have access to high-quality learning opportunities, this legislation makes education free and mandatory for students aged 6 to 14. A major legislative effort towards the goal of basic school education for all is the RTE Act. School facilities, instructor credentials, curricular requirements, and anti-discrimination policies are all outlined in it. Nevertheless, a number of obstacles still stand in the way of completely accomplishing the goals of the Act, even with these provisions. Problems including uneven implementation across states, socioeconomic inequities, a lack of qualified educators, and outdated infrastructure all act as roadblocks to advancement. Equally important is the involvement of underserved populations, including as pupils with disabilities, children from low-

income families, and members of indigenous communities. The goal of this article is to examine how well the Right to Education Act has worked to raise the bar for educational opportunity, equity, and quality for Indian students. It looks at how public-private partnerships, judicial interventions, and government policies might improve educational outcomes. Furthermore, the report delves into the areas where the Act has not been fully implemented and proposes changes to policy that would improve its effectiveness. This analysis aims to provide light on the achievements and ongoing struggles towards the objective of universal education in India by evaluating statistical data, case studies, and legislative frameworks. Therefore, in societies as varied and ever-changing as ours, education must take on an even more active role as a catalyst for social transformation.

Therefore, society and education are not one-way streets; on the one hand, society can affect educational reforms, and on the other, educational reforms can impact societal developments. A shift can take place in society's priorities, ideals, and aims. Social roles and participation in the maintenance of social values will undergo profound transformations as a result of these shifts. For example, if equality is truly valued, it will bring about changes such as universal free and compulsory primary education, increased funding for and improvements to existing primary schools for all children under the age of fourteen, and special assistance for disadvantaged schools so that they can also take advantage of these improvements. The transmission of cultural traditions to subsequent generations is one of the primary functions of the educational system. Education is crucial in transforming a business into a civilised nation. It speeds up the country's growth in every area of national activity. With its "multiplier" effect, it fortifies the defence of every individual's right to personal autonomy. A person can use it to confirm the advantages of other rights. It guarantees every right imaginable, including those to life, liberty, property, and the arts[1][2]. The educational system of a developing civilisation should do more than only teach students about the past; it should also help them become flexible and adaptable, since cultures in development are always changing from one generation to the next. Nowadays, "the proportion of transition that has been anticipated or that has been a result of the indirect effects of deliberate developments is far higher than in the previous periods." Modifications to the educational system are also necessary in light of all these changes. Despite not being enforceable in court, the Constituent Assembly established free and compulsory education as Directive Principles of State Policy. These principles are fundamental to the country's governance and the State is obligated to apply them when making laws, although they did not initially make education a fundamental right. Part IV of the original Constitution dealt with education. Article 41 of the Indian Constitution states that the state must ensure the right to employment and education, within its economic capabilities and growth[3][4]. In addition, Article 30 of Part-III's Fundamental Rights guarantees religious and linguistic minorities the right to form and run schools according to their own preferences, in an effort to safeguard their educational interests. In addition, Article 26 states that all religious groups or denominations within them are allowed to create and run philanthropic and religious organisations. Modifications to preexisting

hierarchies, roles, and duties are all examples of what can be considered "institutional" social change. Responsible and sensitive citizenship education for the electorate is of the utmost importance in India since the country's introduction of democracy and adult franchise. In the end, it has the potential to influence educational institutions' content, pedagogy, and relationships between teachers. Alterations to the make-up and size of the population are possible. As the world's population grows—and grows at different rates in different countries, cultures, socioeconomic classes, and ages—the educational system will undergo a number of changes. Students from a wide range of socioeconomic origins, diverse castes, and religious communities, all crammed into the same classroom, have begun to get instruction from the same types of educational institutions, regardless of their IQ or educational aspirations[5]

The diversity of educational approaches, the complexity of the natural world, the wide range of human characteristics, the many tiers of schooling, the many philosophical traditions, and the wide range of ideologies all contribute to the pluralism of educational goals. The pursuit of knowledge knows no bounds. Limiting it to a handful of goals will be inadequate. Only by being guided by the ever-expanding goals will it be able to carry out its duty[6]. If it is directed by the most expansive objectives, it can accomplish everything. Modernity, vision, the future, clarity, and realism should characterise the goals of education. Our aspirations and our actions should be in perfect harmony. The goals of education, both short-term and long-term, must be balanced. Among the most important goals of education in a democratic society are the following: fostering each student's unique set of interests, aptitudes, and abilities; enhancing students' physical and mental capacities; imparting values, lifestyle, and character; facilitating students' holistic personal development; offering both liberal arts and vocational education; and inspiring students to strive for a better world[7].

Sociologists argue that society's demands, rather than individuals', are the driving force behind educational institutions. There is a connection between a society's educational system and its overall social system[8]. It is an interdependent component of the larger social system that continues to operate. The educational system is structured to carry out the functions laid out for it by the whole social system, which reflects the system's aims and demands. Keeping cultural traditions alive from one generation to the next is the primary goal of education in a static society. However, in a dynamic society, these tend to evolve through the years. As a result, schools in such a culture have a dual responsibility: passing on cultural traditions to the next generation while also helping students adapt to any changes that have already happened or are on the horizon[9].

Everyone has an inherent and inalienable right to an education. An essential tool for making a meaningful contribution to the fast-changing economy and societies of the modern day, it is also essential for achieving long-term prosperity and international harmony. Considering sustainable development via a rights lens necessitates beginning with the recognition that the right to education is fundamental to the progress of any individual or community.

Education not only aids individuals in reaching their personal economic, social, and cultural goals, but it also makes society safer, its leaders more effective, and equity more prevalent. Improving the standard of education will benefit not just individuals but also nations. Thus, in order to ensure that everyone has equal access to resources, fundamental rights must be upheld and fulfilled. There is a direct correlation between education and a decrease in poverty because, among other benefits, education gives people the tools they need to take part in development, increases their earning capacity, and generally improves their quality of life. In order to alleviate poverty, promote long-term economic progress, and advance human civilisation, education is crucial[11].

As a society evolves, so too must its educational system. The shift might be in sync with societal shifts and sufficiently address the new aspirations and needs of different social groupings. Otherwise, the educational system's aims and the society's demands become incompatible. After India gained its independence, numerous such holes appeared in the country's educational system, which serves a dysfunctional purpose in Indian society. A baby's basic physiological requirements are met the moment he or she is born[12].

### **Purpose Of Education**

As a result of the wide variety of educational contexts, pedagogical approaches, levels of study, philosophical traditions, and theoretical frameworks, as well as the many facets of the human condition, education serves a wide range of purposes. Education is not a confined activity. A handful of objectives cannot bind it. She will only carry out her responsibilities when motivated by the ever-growing objectives. Only by guiding them with the broadest potential objectives will the endless milestones be reached. Our educational objectives should be fresh, forward-thinking, creative, straightforward, and realistic. What we seek and what we alter must be synonymous. It is critical to strike a balance between short-term and long-term learning goals. Within a democratic framework, education aims to foster personal growth that is in line with each individual's desires, aptitudes, and talents; enhance physical and mental abilities; inculcate healthy behaviours, lifestyles, and character traits; provide a quality education at no cost; and foster a sense of purpose, determination, and success[13].

### **Concept of Compulsory Education and Right to Education**

Education is a fundamental human right. An essential tool for effectively engaging with the cultures and economies impacted by the rapid globalisation of the twentieth century is sustainable development, which encompasses both domestic and international peace and prosperity. When considering sustainable development via a rights-based lens, it is essential to recognise that access to quality education is a prerequisite for personal and societal growth. An individual's capacity to operate and reap the benefits of personal economic development and progress is severely constrained by social factors such as low IQ, bad health, and lack of education. In addition to bolstering the safety of society and its governance and making it more

egalitarian, training helps individuals accomplish their own social, cultural, and economic objectives. Improving the quality of education will benefit nations and individuals alike. Consequently, in order to ensure that all employees have equitable access to resources, it is critical to respect and maintain basic rights. Participation in development is made possible, and the necessary skills and certifications are implanted, allowing an individual to raise their earning potential and, consequently, their quality of life[14]. It's easy to see the differences between schooling and fighting poverty. Human development, long-term economic progress, and poverty alleviation all depend on training. Numerous good things can result from investing in people's education: better health, larger populations, more robust democracies and governments, more opportunities for personal growth and development, and more personal liberties and independence. One way to grow is through education. 'One of the most essential reasons to learn is that it gives you more leeway to succeed in the most basic forms of social interaction. Education empowers individuals to navigate and overcome risks to their safety (self-defence through education), as well as to address societal issues and promote informed collective demands for improved governance and more efficient use of public resources[15]. It is imperative that all children, especially those from economically disadvantaged backgrounds, as well as Dalits, tribal communities, and minority groups, go through mandatory primary education. Children living in poverty should have access to basic education and vocational training so that they can escape poverty and acquire the skills necessary to contribute to society. In order to achieve democratic stability, social integration, and the elimination of social tensions, the State has a fundamental responsibility to ensure that all children, even these, attend compulsory schooling. There is a two-way street between classroom instruction and societal transformation. Just as the elimination of conventional gender, class, and caste inequalities contributes to educational advancement, the expansion of education helps to transcend these types of inequality[7][8]. People are able to develop into their full potential and contribute to society when they have access to quality education that teaches them facts, values, and skills. In order to become responsible, active, and productive citizens, children need to develop the knowledge, abilities, values, and attitudes that education provides in a creative and emotional way. 'A child's development in all areas—mental, moral, and physical—can be facilitated by education, which also serves as a ladder to higher social ranks, promotes equality, and awakens the masses to the need for social change. Democracy is fostered by education on three levels: intellectual, moral, and social[9][10]. A child's training helps him or her adjust to a new environment, prepares him or her for further occupational training, and establishes the groundwork for good citizenship. The social, political, and economic demands of our industrialised nation should be balanced with educational initiatives that advance democratic principles, break down barriers based on race, religion, and class, and facilitate social change. As a child grows up, it learns to think critically rather than intuitively, which helps it reach intellectual milestones and inculcates values like honesty and fairness in its citizens. In the case of Avinash Nagra Vs. Navodaya Vidyalaya Samiti, the supreme court of India explains the value of education in this way. It is well-established that education helps improve social order. A smart



individual can step back, assess the situation, and figure out who they are. He is no longer confined by patriarchal structures and outmoded ideals; instead, he is open to new information and is willing to change with the times[11].

## Education and Society

Sociologists argue that societal structure, rather than individual wants, is the driving force behind educational opportunities. The functions of the social system are carried out by this subsystem. The social system as a whole is made up of the education system and its framework, which are priorities, needs, and the activities that the system intends to carry out. In a society that isn't evolving, passing the torch to the next generation is the primary function of education. But in a culture that is always changing, these shifts may serve to pass cultural treasures down through the ages while simultaneously preparing the next generation to deal with any challenges they may face[12][13]. As a result of planned changes or unintended consequences, more cultures are undergoing transformations "far higher in contemporary societies than was historically the case." Therefore, in a society as varied and dynamic as ours, training is required to play an even more active role as a catalyst for societal transformation. Because of this two-way street nature of the interaction, both society and the educational system are always shaping one another. Priorities, objectives, and ideals in society can change. Social roles and interactions can be directly impacted by shifts in societal ideals. For instance, in the end, a ten-point equal-value plan would make elementary and secondary education free and mandatory for all children under the age of fourteen, expand access to elementary schools for all children under the age of fourteen, and provide funding and other forms of assistance for remedial education programs so that they can make use of these expanded schools. Institutional changes can occur in society and involve long-standing systems, including changes to the structure, responsibilities, and content of those positions. It is crucial that voters in India receive training in responsible and sensitive citizenship due to the country's recent democratic transition and the introduction of adult franchise. At the end of the day, this could affect how schools teach and what students learn, as well as the dynamics between educators[14].

## Objectives

- To delve into the numerous roles and duties of early childhood education -
- To comprehend the societal effects of early childhood education -
- To deliberate on the constitutional assurance of the right to education
- In order to analyse how well private schools operate

## Social Change and Gaps in Indian Educational System

As society changes, so too must the educational system. It is important that the change coincides with the societal shift and satisfies the evolving needs and expectations of various demographics. Sometimes, the goals and expectations of society and those of the educational system end up

being at odds with one another. Many of these shortcomings, which manifested in the Indian education system following independence, contribute to the dysfunctional nature of Indian society. This has been openly acknowledged by the Kothari Commission. There is a wide chasm between educational goals and real-world needs, and the present system is widely recognised as being unfit for purpose, according to the report. Some parts of the educational system work to divide rather than unite; many public schools actively encourage students to identify with their caste rather than their ethnic group. Affluent children attend exclusive private institutions that charge tuition, whereas low-income children must scrape together the necessary funds. Your physical comfort is the only thing that is constrained by your newborn child's wants. When he doesn't obtain what he wants, for instance, when he's hungry he experiences negative emotions like exhaustion, depression, and a lack of a nice bed to sleep in. When his needs are fulfilled, he feels content. There is no way to tell him apart from a baby animal. But as he matures, he starts to make sense of everything. Every culture has its own set of norms and practices that people carry on from their parents and grandparents. Thus, in regards to ideas and practices, what is acceptable to one culture is not acceptable to another. Its seamless integration into society is a prerequisite for any civilisation that employs it. As a fundamental human right, the United Nations has pledged to ensure that all children have access to free and compulsory primary and secondary education, ensure that all students have equitable opportunities to pursue higher education, and fulfil the promise to provide basic education to those who have not received it. The elimination of discrimination at all educational levels, the establishment of minimum standards, and the improvement of quality are all obligations that must be met in order to ensure the right to education.

### **Educational Rights Under Indian Constitution**

As the highest law of India, the democratic Constitution serves as a guide for all citizens. The framers of the Constitution included a well-thought-out system of legislative representation in Part IV to ensure economic and social equality. State Policy Guidelines are more like ideas for effective leadership than a laundry list. In order to create a welfare state, the state must engage in affirmative action. In 1978, the Supreme Court of India broadened the scope of Article 21 of the Indian constitution. The Court subsequently determined that "the individual's right to life and integrity can only be protected if it is matched by a right to learn, the right to education derives directly from the right to life." Human, economic, and social innovations are primarily propelled by education because it helps both individuals and society. Lacking even a high school diploma makes it nearly impossible for people to exercise their civil, political, economic, and social rights. The Supreme Court's decisions in Mohini Jain's 8th and Unnikrishnan 9th judgements recognised the right to education as an inherent basic right. According to the court, education is closely linked to life, environmental security, the elimination of imperfections, the prevention of child trafficking, and other connected rights. In their analysis of the Constitution's functioning, the National Commission reached a similar conclusion. As a result, Article 21-A was ratified by Parliament in 2002 as part of the 86th amendment to the constitution.

As of 1 April 2010, the Law on the Right to Education of 2009 was enacted by Parliament, and this modification added a new and pressing responsibility for parents to teach their children to actively follow the Constitutional Order. The Act covers a wide range of topics, including the following: government involvement, public interest in primary education, facilities, teacher credentials, curriculum, and requirements.

## Research Methodology

Research entails systematically seeking out new and relevant information on a specific subject. Using dispassionate and methodical examination, it seeks to resolve societal and scientific issues. Discovering previously unknown facts is the goal of this quest for information. Knowing something means having information about it. A variety of resources, including first-hand accounts, interviews, books, periodicals, journals, and the natural world, might provide the data. New insights can be added to the body of knowledge through study. To advance in a field, one must engage in research.

A nation's economic, social, and political progress are all dictated by its research, which is civilisation in and of itself. Research findings frequently necessitate a shift in philosophical perspective on issues that transcend the narrow sphere of science. Science and technology are just two areas that research might cover. Many other fields offer a wealth of knowledge as well, including sociology, linguistics, literature, history, education, and philosophy. In order to find, understand, or change facts, occurrences, behaviours, or beliefs, research must be an active, thorough, and organised process of investigation. Another sort of research and development is using research results to improve human life or further our understanding of other topics. Extensive study, experimentation, and careful observation are the tools used in research. The many processes, plans, and algorithms utilised in research are referred to as research methodologies. Research methods encompass all the techniques employed by a researcher in the course of a research investigation. Planned, scientific, and value-neutral, that is basically what they are. Theories, experiments, numerical schemes, statistical methods, etc. all fall within this category. In order to solve a problem or gather data, we use research methodologies. In particular, explanations, rather than just reasoning, must be grounded in facts, measurements, and observations while doing scientific research. Only explanations that can be proven by experimentation are accepted by them. Research design is an organised approach to finding a solution to an issue. A research design is like a road map that shows us how to solve the problem. A solid approach is like a lift; it always gets us where we're going. Methodology is the study of research methods. Research design includes the basic steps that researchers use when describing, explaining, and forecasting occurrences. The study of information-gathering procedures is another definition. A research work plan is what it aims to provide

## Research Design in Study



A researcher must first select a problem to study in order to develop a methodology. Keep in mind that study designs can differ even when the approach used to solve two questions is same. Both the approach and the specific research methodologies needed for the study should be well-known to the researcher. In order to do their work effectively, researchers require a wide range of mathematical skills. These include, but are not limited to, the following: solving physical systems described by mathematical models, finding the roots of algebraic equations, and applying specific methods.

## Conclusion

Enshrined in Article 21A of the Constitution and executed by the Right to Education Act, 2009, the Right to Education (RTE) in India has been a game-changer in guaranteeing free and mandatory education for children aged 6 to 14. For historically under-represented groups, the law has been a powerful tool in increasing enrolment, decreasing dropout rates, and fostering a more welcoming environment. But there are still problems with infrastructure, with the quality of teachers, with financing, and with effective execution. Inadequate learning outcomes, high student-teacher ratios, and access inequities between rural and urban areas to excellent education persist as obstacles to the full realisation of this right. Also, the policy foundation is solid, but the enforcement mechanisms might need some improvement to close the gap between what the law says and what happens in practice. Moving ahead, a more all-encompassing strategy is required, one that incorporates technological advancements, improvements to teacher preparation, changes to curricula, and more stringent means of assessment. To make sure that every kid in India gets a good education that prepares them for the future, the government, the business sector, and civil society can work together to make the RTE Act even more successful. Improving access to education is an important step towards ensuring that all children in India have a fair chance to succeed in life and contribute to the country's economic and social development.

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