

UNIT 1

EDUCATION IN CONTEMPORARY INDIA, CONSTITUTIONAL CONTEXT

Education – meaning, definitions, nature, functions and aims Nature of education as a discipline Nature of education as a discipline. Types of education - Formal, informal and non-formal. Levels of education –Pre- primary, primary, secondary, senior secondary, higher, professional ,distance and optional education. Aims and purposes of education drawn from constitutional provision. Education as a means of social justice in the Indian constitution Constitutional values and education (preamble, fundamental rights and duties). The Right to Free and Compulsory Education 2010 (RTE). Education in the concurrent list and its implication.

Meaning of Education

The word Education has been derived from different Latin words.

‘Educare’ which means ‘to bring out’

‘Educere’ which means ‘to lead out’ or to draw out’

‘educatum’ which means ‘act of teaching’ or ‘training’

So, Education means discipling the mind and imparting knowledge.

Definition of Education

Educationists have given their views on education. Some important definitions are

1. **Mahatma Gandhi** – “By education I mean an all-round drawing out of the best in man – body, mind and spirit.”
2. **Rabindranath Tagore** – “Education enables the mind to find out the ultimate truth, which gives us the wealth of inner light and love and gives significance to life.”
3. **Swami Vivekananda** – “Education is the manifestation of divine perfection already existing in man.”
4. **Aristotle** – “Education is the creation of sound mind in a sound body.”
5. **Plato** – “Education is the capacity to feel pleasure and pain at the right moment.”
6. **Aristotle** – “Education is the creation of a sound mind in a sound body.”

7. **Pestalozzi** – “Education is natural, harmonious and progressive development of man’s innate powers.”

NATURE OF EDUCATION

1. Education is a life-long process- Education is a continuous and lifelong process. It starts from the womb of the mother and continues till death. It is the process of development from infancy to maturity. It includes the effect of everything which influences human personality.

2. Education is a systematic process- It refers to transact its activities through a systematic institution and regulation.

3. Education is development of individual and the society-

It is called a force for social development, which brings improvement in every aspect in the society.

4. Education is modification of behavior- Human behavior is modified and improved through educational process.

5. Education is purposive: Every individual has some goal in his life. Education contributes in attainment of that goal. There is a definite purpose underlined all educational activities.

6. Education is a training- Human senses, mind, behavior, activities; skills are trained in a constructive and socially desirable way.

7. Education is instruction and direction- It directs and instructs an individual to fulfill his desires and needs for his whole personality.

8. Education is life- Life without education is meaningless. Every aspect and incident needs education for its sound development.

9. Education is continuous reconstruction of our experiences- As per the definition of John Dewey education reconstructs and remodels our experiences towards socially desirable way.

10. Education helps in individual adjustment: A man is a social being. If he is not able to adjust himself in different aspects of life his personality can't remain balanced. Through the medium of education, he learns to adjust himself with the friends, class fellows, parents, relations, neighbours and teachers etc.

Aims of Education

Individual Aim

Educational practice shaped the individual. Education develops the inborn potentialities through maximum freedom.

Social Aim

Human being is considered to be a social animal. Education ensures peaceful existence of the society. By education students realize the importance of social values. With social aims, education gives direction to the society in its development.

Vocational Aim

Vocational aim has utilitarian dimension. Education provides knowledge and skills to an individual in a fruitful manner.

Cultural Aim

Education has a cultural aim also. By undergoing education, child becomes civilized and cultured. An educated person develops aesthetic sense and respects other's culture. Knowing the culture includes gaining or acquiring knowledge about existing beliefs of a society, art, morals, laws, etc.

Moral Aim

Education helps in building up of character of an individual. Most values like honesty, truthfulness, justice, goodness, purity, courage, punctuality, and dutifulness are nurtured through education.

Spiritual Aim

Education is necessary to promote spirituality among the individuals. He raises himself above self-interest and works for the welfare of others, which is called to be the state of self-actualization. He is not only preaches right or wrong, but also practices it in his life.

Intellectual Aim

Education provides opportunities to an individual to develop innate power or intellectual capacity to think rationally and lead his life independently with confidence.

Types of Education

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|---------------------|------------------------|--------------------------|
| FORMAL EDUCATION | IN FORMAL EDUCATION | NON -FORMAL EDUCATION |
|---------------------|------------------------|--------------------------|

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|---|--|---|
| <p>1. This education begins from school and goes up to university level. it is time bound The scope of this type of education is limited and narrow The sources or agencies of this education are school, religious Institutions, museums, library and art galleries.</p> | <p>1. This type of education is a lifelong process. The scope of informal education is vast. The sources or agencies of informal education are home, market place. (community) This education lays stress on practicability.</p> | <p>1. This type of education is a continuous process. The scope of this type of education is vast The sources of this type of education are structured organization and theatres etc.</p> |
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The Different levels of education:

- I. **Pre-primary school level (age 3 to 5)**
- II. **Primary school level (age 5-11)**
- III. **Middle school level (age 11-14)**
- IV. **High school level (age 14-16)**

V. Higher secondary level (age 16-18)

- **Pre primary or nursery level**

- Education given before the child starts going to a regular school.
- In India pre-primary education is provided for children between the ages **2 ½** and **5** years.

Aim: s to promote **physical health in children, provide sufficient opportunities to develop desirable social traits and intellectual abilities and fulfill the various psychological, social and emotional needs.**

- **OBJECTIVES OF PRE-PRIMARY EDUCATION**

Indian education commission (1964-66) had recommended the following eight objectives for pre- primary education.

- 1. Development of good health habits and basic skills** for personal adjustment, such as toilet habits, dressing, washing, cleaning etc
- 2. Development of desirable social attitudes and habits** in the children so that they should be able to participate effectively in groups activities and should be sensitive to the rights and privileges of others.
- 3. Development of aesthetic sense** in children
- 4. Development of emotional maturity** in children so that they should be able to understand, accept, control and express their feelings and emotions
- 5. Development and stimulation of intellectual curiosity** of the children concerning the environment so that they should be able to understand the world where they live in
- 6. Provision** of ample opportunities to the children to enable them to **explore, investigate and experiment.**
- 7. Provision** of opportunity **for self –expression** so that creativity in them should be encouraged and developed.
- 8. Provisions** of such conditions as are helpful in the **development of good physique, muscular coordination and basic motor skills.**

PRIMARY EDUCATION AND ITS OBJECTIVES

Formal schooling begins with primary education. Children who have completed the age 5 are admitted to class I of the primary school and they study for 5 years. Five years of primary education are crucial for pupils since the basic three R's (reading, writing and arithmetic) and fundamentals in Sciences, Social studies and other vital subject experiences are provided.

. Objectives of Primary Education

1. Providing essential infra-structural and educational facilities to all primary schools through the Sarva Siksha Abiyan Scheme (S.S.A)
2. Appointing only trained woman teachers as far as possible.
3. Arranging for free noon meal, uniform and text books to all children.
4. Adopting Activity Based Learning (ABL) for classroom instruction.
5. Teaching all children their mother tongue (or regional language), environment science, mathematics and social science.

SECONDARY EDUCATION

Meaning of secondary education

The constituents of secondary education viz. standards VI, VII, VIII, IX and X could be found in high schools and higher secondary schools. Middle schools contain Stds. VI, VII and VIII in addition to the five standards of primary education. VI, VII and VIII Stds of middle schools which form a part of secondary education go by the name 'Lower secondary classes.

OBJECTIVES OF SECONDARY EDUCATION

- 1 Encourage pupils to continue their education after the primary level.
- 2 facilitate to learn more in depth and breadth the subjects studied at the primary level and widen the knowledge and attitude of pupils.
- 3 Train them in citizenship so that the pupils may become good citizens of this democratic country
- 4 prepare them for higher education in academic subjects
- 5 prepare them vocational skills and prepare for employment.
- 6 Arrange for learning a third language at the lower secondary stage.
- 7 Focus on improving the standard of general education.
- 8 make all students learn the mother tongue, English, a third language, mathematics, general science, social science, physical education, and creative work related to fine arts and work experience.
- 9 Provide students subsidized transports and text books.
- 10 establish separate girls' schools wherever necessary.
- 11 establish a pace –setting school (Navodaya School) in each district.

HIGHER SECONDARY EDUCATION

Meaning of higher secondary education After Kothari education commission (1964-66) recommendations were accepted, our country opted for the uniform pattern of education i.e. 10+2+3. In this the +2 level is called higher secondary stage of education

. Objectives of Higher Secondary Education

Preparation for higher education and professional education

Strengthen the vocational stream of education so that pupils coming out of schools join the labour force and enhance its efficiency for productivity.

Development of social and national integration and consolidation of democratic way of life.

Striving to build character by cultivating social, moral and spiritual values

Training in citizenship and rational thinking.

HIGHER EDUCATION

Meaning of higher education

After completing twelve years of school education (higher secondary education), students join Degree colleges or university Departments to pursue three-year degree courses like M.Phil., Ph.D., D.Lit. etc. education pursued after the higher secondary course either in affiliated colleges or university departments is called “higher education” or “university education”.

According to Indian Education Commission (1964-66) The following are the objectives of university education:

- To seek and cultivate new knowledge
- To engage vigorously and fearlessly in the pursuit of truth,
- To interpret old knowledge and beliefs in the light of new needs and discoveries.
- To provide the right kind of leadership in all walks of life.
- To identify gifted youth, and help them develop their potentials to the full by cultivating physical fitness, developing the powers of the mind and cultivating right interests , attitudes and moral and intellectual values.
- To provide society with competent men and women trained in agriculture, arts, medicine, science and technology and various other professions.
- To promote equality and social justice
- To reduce social and cultural differences through diffusion of education
- To develop research attitude and enquiry spirit among the intellectuals.
- To help to spread adult education.

- To develop values needed for good life in individuals and society.

Education as a means of social justice in the Indian constitution

INTRODUCTION

India got Independence on 15th August 1947. Constitution framed by the Law

Minister Dr. B.R. Ambedkar, Constitution was adopted on November 26th 1949.

It

came into force on June 26th 1950.

Preamble of the constitution:

The introductory part of the constitution called the preamble of the constitution.

It states “We the people of India having solemnly resolved to constitute India into a sovereign, Socialist, Secular, Democratic, Republic to secure to all its citizens.

The fundamental objectives enshrined in the constitution are Liberty, Equality, Fraternity and Justice.

Fundamental Rights of Citizens:

- 1.** Right to Equality (Art 14-18)
- 2.** Right to freedom (Art 19-22)
- 3.** Right against Exploitation (Art 23-24)
- 4.** Right to freedom of Religion (Art 25-28)
- 5.** Cultural and educational right (Art 29-30)
- 6.** Right to constitutional remedies (Art 32)

1. Right to Equality (Art 14-18)

Art14: Equal protection of the laws with in the territor of India.

Art15: Prohibition of discrimination on religion, caste, sex, or place of birth.

Art16: Equality of opportunities in public employment. Right to free and compulsory education 2010(RTE) Art17: abolition of Untouchability.

Art 18: Abolition of (award) only to the citizen

2. Right to freedom (Art 19-22)

Art19: All citizens shall have the right to freedom of speech and expression to form association or unions to move freely through out the territory of India to practice any profession.

Art 20: Protection in respect of conviction for offences.

Art 21 Protection of life and personal liberty

Art22: Deals with protection against arrest and detention in certain cases.

3. Right against Exploitation (Art 23-24)

Art23: Prohibition of traffic in human beings and forces labour.

Art24: Prohibition of employment of children in factories etc.

4. Right to freedom of Religion (Art25-28)

Art 25: Freedom of free profession practise and propagation of religion.

Art 26: Freedom to manage religious affairs.

Art 27: Freedom for promotion of any particular religion

Art28: Freedom to attend any religious instruction.

5. Cultural and educational right (Art 29-30)

Art29: Protection of language script and culture of minorities.

Art30: Right of minorities to establish educational institutions.

6. Right to constitutional remedies (Art 32)

Right to move to the supreme court for the enforcement of fundamental Rights

Fundamental Duties:

- 1.** To abide by the constitution and respect its ideals and instruction
- 2.** To uphold and protect the sovereignty unity and integrity of India.
- 3.** To cherish and follow the noble ideas which inspired our national struggle
- 4.** To safeguard public property and to adjust violent.
- 5.** To develop the Scientific temper, humanism and the spirit of inquiry and reform.
- 6.** To defend the country and render National service
- 7.** To; value and preserve the rich heritage of our composite culture.
- 8.** To protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures.
- 9.** To promote harmony and the spirit of common brotherhood among all the people of India.
- 10.** To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement.

Directive Principles of state policy and Education

The Directive Principles of state policies in fact the directions given by the constitution to respective governments to adopt policy that commensurate (equivalent) and further the cause of social justice and create such situation and circumstance in which every citizen has ample opportunities for self fulfilment development progress in socially economically politically and vocationally.

Challenges to fulfil the constitutional obligation

1. Freedom

The freedom of speech is regarded as the first condition of liberty. Freedom of speech is the mother of all other liberties

2. Justice

Indian society has firm faith in the provision of justice in the Indian constitution. Article 45 of the constitution, the state would not discriminate with the citizen on the basis of caste, colour, religion and area.

Education is the only positive and powerful means for the achievement of justice. Everyone has the right to education. In our constitution had the provision to provide free and compulsory education from 6 to 14 years of age.

The provision has been made for justice in the modern Indian society.

3. Liberty

Modern Indian society has achieved Independence. Our constitution has provided to every citizen the fundamental right of freedom of expression, residence, forming association etc. Every individual can safeguard its civilization and culture. Religious freedom has also been given liberty is one of the main and important characteristics of Indian society which can be achieved through the medium of education.

4. Equality

Equality also occupies an important place as characteristics of Indian society.

Everybody is equal before the law. Every body is equal in the basis of caste, colour, class, religion, language and sex Education can awaken the spirit of equality among its citizens Only then the society would be enlightened with equality and every individual would get justice.

5. Fraternity

The characteristics faith in the dignity of the individual and the unity of the nation in society, But the individual can not be greater than nation. Education develops the spirit of national unity by teacher through curriculum, co curricular activities.

It prepares them mentally for national unity,. In this way education is a very important and powerful means for national integration

Right to Education Act

Features of RTE Act

1. All children from age six to fourteen have a right to receive free and compulsory education.
2. Children who could not continue their studies are eligible to join the standard according to their age getting appropriate special training.
3. Children have the right to leave one school and join another school. This provision is applicable only within government and aided schools.
4. Funding for implementing this Act is the responsibility of the Central and State Government.
5. There should not be any discrimination against the disadvantaged groups and weaker sections of the society.
 - a. Every child should be assured of quality education.
 - b. Teacher education, curriculum and content should be implemented within a time frame.
 - c. No screening test either for the child or the parent should be conducted.
6. No certificate of birth to prove age should be demanded at the time of admission.
7. No child should be held back or sent out before it completes its elementary education.
8. No child should be given corporal punishment or mental agony by the school.
9. No private school should be started without the approval of the Government or the authorised agency.
10. Government permission and recognition should not be granted to schools which do not have the prescribed standards.
11. Duties of teachers: Regularity and punctuality in coming to school completing portions of the syllabus within the allotted time assessing the learning ability of every child and providing special instruction.

Directive Principles of State Policy

Definition of State:

The term State has been used in different provisions concerning the F.R. Hence

(Art-12) has defined the term for the purpose of Part III.

According to it, state include the following

Government and Parliament of India, that is , executive and legislative organs of state Government.

Aims and purpose of education draws from constitution provision

Provisions in the seventh schedule

The seventh schedule of the constitution lists the educational responsibilities of the central and state governments. List I called the ‘Union List’ narrates the responsibilities of the central governments. List II pertains to the responsibilities of the state governments. List III called the” concurrent list “deals with those items that come under the joint responsibilities the central and state government.

a) Union list (list I)-(Higher education and research)

Parliament has the exclusive rights to enact legislation in respect of institutions and union agencies mentioned in entries’ 62, 63, 65 and 66 of List I (Union list).

Article 63: The institutions known at the commencement of this constitution as the Benares Hindu University, the Aligarh Muslim University and any other like institution financed by the government of India wholly or in part and declared by Parliament by law to be an institution of national importance.

[Note: By 32nd amendment made in 1973, Delhi University was also included in the list]

Article 64: Institutions for scientific or technical education financed by the government of India wholly or in part and declared by Parliament by law to be an institution of national importance.

Article 65: Union agencies and institutions for

- a) Professional, vocational or technical training including the training of police officers or
- b) The promotion of special studies or research, or
- c) Scientific or technical assistance in the investigation or detection o crime

Article 66: co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions.

EDUCATION IN CONCURRENT LIST AND ITS IMPLICATION

The Constitution provides educational functions at three levels- Central, State and concurrent. Till 1976, education was a state subject with certain provisions at the central level. In 1976, when Mr.M.C. Chagla was the education minister, by 42nd Amendment in the Constitution, education was put on the concurrent list. The amendment was suggested by a committee headed by Sardar Swaran Singh appointed by the congress party. From then onwards a debate on across the country supporting for and against keeping education a concurrent subject. Recently some states including Tamilnadu have started insisting for the restoration of education to the state list. Arguments in Favor of retaining education a concurrent subject

a) To Ensure Uniformity in Education

As long as education remains a state subject, a uniform policy on education as at present cannot be followed across the country. differential pattern structure of education (10+2+3, 11+1+3 or 10+2+2) will be in vogue putting people into various difficulties'. .education pattern should be of a uniform character in the entire country .this is possible only when education is made a concurrent subject.

b) Better utilization of funds

It has been noticed that states get money from the center for the purpose of education but spend them elsewhere. When the funds are allocated by the central government, it is in fitness of things that it should have a say in their utilization.

c) Better implementation of educational policies

It is said that we failed to achieve the constitutional directive (Article 45) because the State Governments did not come up to the expectations. When education is on the concurrent list, the centre will ensure that states implement its decisions in the right earnest.

d) Quality leadership from the central government

We are having leadership crisis in the field of education. The result is lack of direction. The centre should provide effective leadership. This should not be taken as a reflection on the intelligencia in the states but it is considered that the centre is better equipped to provide educations leadership at the national level.

e) Improvement in standards

Education being a concurrent subject, national level research findings could be better utilized across the country to improve the standard of education. The central government with vast resources at its command including the options of roping in foreign expertise, is better placed for striving to enhance standards in education at all levels in all aspects.

f) For better discipline

The center should have the power to overrule the decisions of the state government. Then better discipline will prevail in educational corridors. In Indian education service, men of caliber will like to join.

- Arguments against retaining education a concurrent subject There are also educationists who advocate that education should remain a state subject. They advance the following arguments: A. Based on democratic values: State governments have enjoyed the privilege of having education under their control. Why should they be now deprived of their rights or allow the center to interfere in the only sphere in which states have enjoyed full powers? Further democracy believed in decentralization. Why then education a concurrent subject, they ask?

B. States have better appreciation of local needs: The state government knows the needs of its inhabitants better. The center can not appreciate the educational needs of a remote rural school in TN or Assam. Further officers of India education service who do not know the local language cannot implement the educational programmes effectively

. therefore, let the education remain in the hands of the State governments. C. Free from red tapism:

If education continues as a concurrent subject, then the interference by more bureaucrats will be on the increase resulting in enormous delay in the implementation of decision taken by the policy –makers. States are forced to seek clearance from the center for everything. If we want education to be free from bureaucracy. Then let it be shifted back to the State list. D. Sense of security to minorities:

It comes only when education is a state subject. Minorities are closer to the State governments and hence may feel that they progress if education is a State subject.

When Indian culture boasts of ‘unity in diversity’ let each State has its own pattern of education to preserve its identity and culture.

Various Constitutional Provisions Relating to Education The following provisions found in the “Directive Principles” have a great bearing on the functioning of the educational system in India.

Article 45 : Provision for free and compulsory education Article 45 states: “The state shall endeavor to provide within a period of 10 years from the commencement of this constitution, for free and compulsory education for all children until they complete the age of fourteen years”. The expression ‘State’ which occurs in this Article is defined in article 12 to include “The government and parliament of India and the government and the legislature of each of the States and all local authorities within the territory of India or under the control of government of India”

Article 46: Promotion of educational and economic interests of weaker sections of society

This article states:” 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 “ It could be noted that no one could not approach the court for the enforcement of those articles mentioned in the fourth schedule.

Provisions safeguarding the Educational Rights of the minorities Article 28: Freedom as to Attendance at Religious instruction or Religious worship in educational institutions

Clause (1) No religious instruction shall be provided in any educational institution wholly maintained out of state funds

Clause (2) Nothing in clause (1) shall apply to an educational institution which is administered by the state but has been established under any endowment or trust which requires that religious instruction shall be imparted in such institution

