

# UNIT 18

## Constitutional Provisions and Educational Policies in India

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### Learning Objectives

In this unit we shall discuss the various constitutional provisions regarding education and some of the major educational policies. Hence, following the study of this unit you should be able to:

- know about the constitutional provisions regarding education;
- deliberate upon the policies on education; and
- reflect upon the linkages between educational policies with the educational provisions enshrined in the Constitution.

### 18.1 Introduction

In the previous unit we have discussed the expansion and growth of education in India and seen that education, over the years, has continuously evolved to become more inclusive and that it has also diversified into various streams. Such growth and expansion has not been an undirected movement. It has been directed, through certain guidelines on various issues in education. But from where do we get such guidelines? In this unit we shall take up this discussion it would include deliberations upon the constitutional provisions regarding education that happen to be the fountainhead of all policies, rules and regulations enacted for educational administration. Thereafter we shall bring forth some of the legislations that have been enacted to regulate certain aspects of education in India. Finally we shall introduce you to some of the major policies that have been framed to regulate matters pertaining to education in India. These policies, besides regulating education, also serve as points of reference for educational issues and ensure uniformity in approach. Discussing all the provisions, legislations and policies on education in detail would not be feasible in this unit. Hence, we shall restrict our study to a brief deliberation on these aspects.

### 18.2 Constitutional Provisions Regarding Education

A society has several aspirations that are formulated as its goals. These aspirations are generally related to social development and security, which are to be achieved through tasks like ensuring the general well being of the people, economic growth, preservation and transmission of culture, etc. To fulfill these aspirations and reach its goals, societies have acknowledged the potential of education as the means to attain these ends. This has led to the inception of the formal educational system and education gradually becoming a social responsibility. But in the past such privileges were enjoyed by a miniscule part of the population. Later on it was realized that education has become more inclusive and encompass larger sections of the population in order that development is widespread and sustainable. As has been the United Nations, equitable social development is a development and it is also necessary for eradicating

poverty. Hence, there is the need to improve and enhance well being and the quality of life of all people and through social integration create "a society for all", where every individual has an active role to play. Education is the key to attaining all these objectives. Besides, it is also the means of promoting cohesiveness in a multicultural society like India. Therefore, to fulfill these needs of society, the founders of our Constitution included certain provisions to serve as beacons for the process of development of education. In this section we shall discuss these provisions briefly.

In the beginning, education was primarily a State subject and was exclusively the responsibility of the States, the Central Government being concerned directly with certain areas like coordination, determination of standards in technical and higher education etc. In 1976, following a Constitutional amendment (42<sup>nd</sup>), education became the joint responsibility of the Central and State Government, i.e. a concurrent subject. However, the Constitution still places certain educational matters within the exclusive jurisdiction of the Union. These are: maintenance of Central Universities and institutions of national importance, declared as such by Parliament by law; all Union agencies and institutions for professional, vocational or technical training or for promotion of special studies or research; and the coordination and determination of standards in institutions of higher education or research and scientific and technical institutions (Entries 63,64,65 and 66 of List I). As per Article 239, the Government of India, being responsible for the administration of the Union Territories, has the executive and legislative authority for all subjects including education.

We shall now discuss the constitutional provisions regarding education briefly. There are several fundamental rights in Part III of the Constitution provided to the citizens of India and some of them have a bearing on education too. In keeping with these rights there are several provisions with a bearing on education, about which we shall discuss now.

As per **Article 28** there is the freedom to attend religious instructions or worship in certain types of educational institutions. However, as per Clause 1, of this article no religious instruction shall be provided in any educational institution wholly maintained out of State funds. But as per Clause 2, nothing in Clause 1 shall be applicable 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 an institution. The third Clause states that a person attending an educational institution recognized by the state or receiving aid out of state funds shall take part in any religious instruction that may be imparted in such institution or attend any religious worship that may be conducted in such institution or in its premises only if such person consents to it or if s/he is a minor, his/her guardian consents to it.

**Article 29** pertains to the Cultural and Educational Rights of the citizens. Clause 1 of this Article states that any section of the citizens residing in the territory of India or any part of it, having a distinct language, script or culture of its own shall have the right to conserve the same. Clause 2 states that 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 these.

**Article 30** is regarding the right of minorities to establish and administer educational institutions. Its Clause 1 states that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice. The second clause states that the state shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

Article 21A is regarding the proposed Right to Education. It has been inserted by the 86th Amendment of the Constitution in December 2002, but is yet to be brought into force. It states that the state shall provide free and compulsory education to all children in the age group of six to fourteen years in such manner as the State may, by law, determine.

**Directive Principles of State Policy on Education:** This has been included in the part IV of the Constitution and some of these principles have a bearing on education. Article 41 pertains to right to work, to education and to public assistance in certain cases. This Article urges the State to make effective provisions 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 deals with the provision for free and compulsory education for children. This Article states that the state shall endeavour to provide, within a period of ten years from the commencement of the Constitution, for free and compulsory education for all children until they complete the age of fourteen years. But now, following an amendment as discussed above, this has been converted into the right to education (yet to be implemented), while this Article now pertains to early childhood care and education. It provides for early childhood care and education for children below the age of six years.

Article 46 deals with promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections. This Article 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.

We thus see that while certain educational provisions flow from the fundamental rights provided to the citizens, there are certain Directive Principles of state policy that urge upon the state to develop an egalitarian society by equalizing educational opportunities.

The Constitution of India also includes certain **Fundamental Duties** of the citizens, which are prescribed Article 51 A. It states, among other things, that it shall be the duty of every citizen of India:

- 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.
- 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. Added by 86th Amendment of December 2002, but yet to be brought into force.

The educational implications of the fundamental duties are immense. They are reflected in the curricular and co-curricular activities, in the teaching-learning process, administration of educational institutions, i.e., in all efforts to make the children and the youth aware of them. For instance, the curriculum has to take care of the development of scientific temper in children, respect for cultural heritage, etc. Similarly value education, environmental education, being imparted in schools, etc., are also in keeping with these duties.

#### Reflection and Action 18.1

There are constitutional provisions that seek the advancement of the weaker sections of society. In your view what has been their impact on the educational attainment of these sections?

Part XI of the Constitution deals with the relationship of the Center with the states. In the seventh schedule (Article 246) there are three Lists, List I, Union List; List II, State List, and List III, Concurrent List.

### List I (Union List)

Entry 63: Institutions known at the commencement of the Constitution as Benares Hindu University, Aligarh Muslim University and Delhi University; the Universities established in pursuance of Article 371E; any other institution declared by Parliament by law to be an institution of national importance are included in this list. Later on other institutions too have been included in this List.

Entry 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 institutions of national importance.

Entry 65: Union agencies and institutions for professional, vocational or technical training, including the training of police officers; or the promotion of special studies or research; or scientific or technical assistance in the investigation or detection of crime.

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

### List II (State List)

This list includes educational issues of the state including universities (subject to the provisions of List I and Entry 25 of List III)

Entry 12: Libraries, museums, and other such institutions controlled and financed by the states; ancient and historical monuments and records, other than those declared to be of national importance.

### List III (Concurrent List)

Entry 20: This provision has an indirect but significant bearing on education and is concerned with "Economic and Social Planning". Education Planning being an essential element of economic and social planning, the Government of India and the State Governments are to work together in preparing and implementing the national plans for the reconstruction of education.

Entry 25 - Vocational and technical training of labour:

Article 350A facilities for instruction in mother tongue at primary stage. This Article requires the Government to safeguard the interests of the children belonging to linguistic minority groups and to ensure adequate facilities for them to receive at least primary education through their mother tongue.

**Article 351:** places a special responsibility on the Government of India for promoting the spread of Hindi language and its development so that it may serve as a medium of expression for all in the composite culture of India.

**Article 343** deals with the Official language of the Union. This Article states that:

- a) The official language of the Union shall be Hindi in Devnagari script. The form of numerals to be used for the official purposes of the Union shall be the international form of Indian numerals.
- b) Notwithstanding anything in clause (1), for a period of fifteen years from the commencement of this Constitution, English language shall continue to be used for all the official purposes of the Union.

At present Hindi is the Official Language of the Union of India and English is the associate official language. Thus the Constitution has provisions to regulate the language policies to be implemented in schools.

Article 15 prohibits discrimination on grounds of religion, race, caste, sex or place of birth. The third clause of this Article empowers the state to make special provisions for women and children and this includes education too.

#### Reflection and Action 18.2

You have read about the constitutional provisions regarding education. How would you summarize the social reasons for including such provisions?

### 18.3 Educational Policies

Now that we are aware of the constitutional provisions regarding education, let us discuss some of the major National Policies on education. The Government of India through its various agencies formulates policies on education and also revises them. We know that the Republic of India is governed on the basis of the Constitution of India, which came into force on 26<sup>th</sup> January 1950. Educational policies are framed by various agencies of the central as well as state governments in the perspective of the provisions in the Constitution. The policies framed by the agencies of the central government have a national jurisdiction and prevail over the policies framed by the states in case of conflict between them. These policies have a direct role in shaping the educational scenario and assist educational administration by ruling out doubts and ambiguities.

The constitutional provisions were framed way back but since then with the changing socio-economic milieu, there has been new thinking on social issues including education. Therefore, to comply with the demands of a changed socio-economic order the country and also to cope with those put forth by a changing global situation, policies on education have been changing. To accommodate these changes the constitutional provisions regarding education too have been amended from time to time. Therefore, the policies on education are dynamic in nature and are framed to respond to the existing political, social, economical and cultural needs of society. Policy decisions on individual issues can also be taken by the government or its agencies as and when felt necessary - in the form of Resolutions, Schemes, Guidelines, Orders, etc. The policies framed are a reflection of the existing philosophy of education and strongly display the outlook of society, and especially of the government, regarding educational issues.

#### Reflection and Action 18.3

Do you think we have succeeded in fulfilling the constitutional obligation regarding universalisation of elementary education? Justify your answer.

Apart from the Constitution that has provisions on education, educational policies are also articulated through legislations. Some of the important Central legislations having a bearing on the subjects allotted to the Department of Secondary and Higher Education are:

**The University Grants Commission Act, 1956:** The University Grants Commission (UGC) was established through this Act to regulate important issues pertaining to the functioning of the universities.

**The All India Council for Technical Education Act, 1987:** It led to the establishment of an All India Council for Technical Education basically for the proper planning and coordinated development of the technical education system in India.

**The National Council of Teacher Education Act, 1993:** It led to the establishment of a National Council for Teacher Education for achieving planned and coordinated development of the teacher education system, the regulation and proper maintenance of norms and standards in the teacher education system and for other related matters.

**The National Council for Minority Educational Institutions Act, 2004:** This Act regulates the educational institutions of the minorities of India.

**The Copyright Act, 1957:** This Act is regarding the various aspects related to copyright of literary, artistic, and architectural and other such aspects.

**The Apprentices Act, 1961:** This Act is regarding apprentices and their training.

**The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995:** This Act is an important step in ensuring equal opportunities for people with disabilities and their full participation in nation building.

We thus see that policies on education emerge mainly from the constitution and also from the legislations/agencies of the government. Now let us discuss some of the major policies on education.

### **National Policies on Education**

In India since independence, there have mainly two comprehensive statements regarding the National Policy on Education, viz. those of 1968 and 1986. The former contained decisions of the Central Government mainly based on the recommendations of the National Commission on Education, 1964-66. The latter was a result of the renewed priority assigned to Education by the government then. The 1986 policy was thereafter reviewed by a Committee constituted in 1990 under the chairmanship of Acharya Ramamurti. On the basis of the recommendations of this Committee, certain provisions of the 1986 policy were modified in 1992.

**National Policy on Education, 1968 (NPE 1968):** Several policies were formulated on various aspects of education. For instance a policy was made that the state should put in strenuous efforts to implement Article 45 and provide free and compulsory education to all children in the age group of 6-14 years. There were also policies regarding status, education of teachers, development of languages, equalization of educational opportunities, etc. But one of the most significant policies was that regarding the uniform educational structure with 10+2+3 pattern to be followed in all the schools of the country. We shall not discuss NPE, 1968 in detail, as there has been another national policy after it in 1986.

**National Policy on Education, 1986:** The adoption of the educational policies formulated in 1968 led to considerable expansion in educational facilities all over the country and schools came up even in many parts of the rural areas within a radius of one kilometer of habitations. There was sizeable augmentation of facilities at other stages of education also. However, problems of access, quality, etc. that had accumulated over the years had assumed such massive proportions that they had to be dealt with utmost urgency. Apart from these reasons, a variety of new challenges and social needs made it imperative for the Government to formulate and implement a New Education Policy for the country.

It has been rightly mentioned in NPE (1986) that every country develops its system of education to express and promote its unique socio-cultural identity and also to meet the challenges of the times. During this period India reached a stage in its economic and technical development when a major effort had

to be made to derive the maximum benefit from the assets already created and to ensure that the benefits of such development reach all sections and it was also felt that education is the highway to reach this goal. So as to fulfill these aims, the Government of India initiated the formulation of a New Education Policy for the country and this is how the National Policy on Education (NPE, 1986) came about.

**Programme of Action (POA, 1992):** In order to implement the provisions of NPE, 1986, a Programme of Action was developed. The POA 1992 was circulated in 1993 to all the States and Union Territories to draw their own State Programme of Action (SPOA) by 31 December 1993 as per the decision taken in the 49th Meeting of the Central Advisory Board of Education (CABE) held on 15 October 1993.

Now that we are aware of the backdrop of NPE 1986, let us discuss the policies that emerged following the formulation of NPE (1986) and the POA, 1992. We shall bring to you the various sections of the entire policy so that your idea about the policies on various aspects of education is comprehensive.

- **The Essence and Role of Education**

Education has been considered by the NPE, 1986 to be essential for all as it is fundamental to all-round development - material and spiritual. It has also been expressed that education has an acculturating role and that it refines sensitivities and perceptions that contribute to national cohesion, scientific temper and independence of mind and spirit, which in turn further the goals of socialism, secularism and democracy as enshrined in our constitution. Education is thus considered as a unique investment in the present as well as the future and this cardinal principle is the key to the National Policy on Education.

- **The National System of Education**

NPE, 1986 vouched for a National System of Education, which would imply that up to a given level, all students, irrespective of caste, creed, location or sex, have access to education of a comparable quality and to achieve this, the Government will initiate appropriately funded programmes.

- **Education for Equality**

NPE, 1986 accords great importance to removing disparities and equalizing educational opportunity by attending to the specific needs of those who have been denied equality. There would be efforts to uplift weaker and neglected sections of society like women, Scheduled Castes (SCs) and Scheduled Tribes (STs). The policy aspires to use education as an agent of basic change in the status of woman. Special educational facilities for students of weaker sections of society like SCs and STs and recruitment of teachers from these sections were also envisaged. Similarly educational facilities would also be provided to other groups like those from other educationally backward sections and areas, physically handicapped people and the minorities as certain minority groups are yet to advance educationally Hence, greater attention will be paid to the education of these groups in the interests of equality and social justice. For the handicapped the objective is to integrate the physically and mentally handicapped with the general community as equal partners, to prepare them for normal growth and to enable them to face life with courage and confidence. Policies regarding adult education have been formulated to strengthen the cause of adult education through various and systematic programmes of adult and continuing education.

#### **Reflection and Action 18.4**

There are constitutional provisions that seek the advancement of the weaker sections of the society. In your view what has been their impact on the educational attainment of these sections?

- **Reorganization of Education at Different Stages**

Policies have been made for the reorganization of education at different stages:

**Early childhood care & education (ECCE):** The National Policy on Children emphasizes investment for the welfare of young children, particularly those who are from those sections of the populations, where most of the children happen to be the first generation learners. Further, the programmes for (ECCE) would cater to the holistic nature of child development, viz., nutrition, health and social, mental, physical, moral and emotional development. ECCE will receive high priority and be suitably integrated with the Integrated Child Development Services programme, wherever possible.

**Elementary education:** Regarding Elementary education the policy places thrust on two aspects: (i) universal enrolment and universal retention of children up to 14 years of age, and (ii) a substantial improvement in the quality of education. Also there would be a child centered approach that would be warm, welcoming and encouraging so that children are attracted to school and motivated to learn.

Primary schools would be provided with essential facilities. The scope of Operation Blackboard will be enlarged to develop and upgrade the infrastructure and it would be extended even to the upper primary level. The number of teachers would also be increased.

**Non-formal education:** The Non-formal Education Programme, would be strengthened and expanded to provide education to school dropouts, children from habitations without the facilities of schools like border or remote areas, working children and girls who cannot attend whole-day schools.

**A Resolve:** The New Education Policy accords highest priority to the problem of dropout and resolves to arrest the high rate of dropout of children from schools by adopting strategies based on micro-planning, applied at the grassroots level all over the country so as to ensure retention of the children enrolled in schools.

**Secondary education:** This policy envisaged widening of access to secondary education with an emphasis on enrolment of girls, SCs and STs, particularly in science, commerce and vocational streams. It also desired that Boards of Secondary Education be reorganized and vested with autonomy so that they can improve the quality of secondary education. Providing computer literacy in secondary level institutions so that children are equipped with necessary computer skills and are prepared for the emerging technological world was also considered.

**Pace setting schools:** To provide quality education to children with special talent or aptitude and offer them opportunities to utilize their potential, pace setting schools would be set up for them, and, if required, free education, would be provided to them.

**Vocationalisation:** The introduction of systematic, well-planned and rigorously implemented programmes of vocational education was envisioned as it is crucial for educational reorganisation and to enhance employability, bridge the gap between the demand and supply of skilled manpower and to provide an alternative for those not interested in pursuing higher education.

**Higher education:** Higher education contributes to national development through dissemination of specialized knowledge and skills and being at the apex of the educational pyramid, it has a key role in producing teachers for the education system. In the context of the unprecedented explosion of knowledge, higher education has to become dynamic. It was also decided that

urgent steps would be taken to protect the system from degradation.

**Open university and distance learning:** As per the NPE, 1986, open learning system has been initiated to augment opportunities for higher education, as an instrument of democratising education and to make it a lifelong process. The flexibility and innovativeness of the open learning system are particularly suited to the diverse requirements of the citizens of our country, including those who had joined the vocational stream. It was decided that Indira Gandhi National Open University, established in 1985 to fulfill these objectives, will be strengthened and establishment of open universities in the states would be supported. The National Open School will be strengthened and open learning facilities extended in a phased manner at the secondary level in all parts of the country.

**Delinking degrees from jobs:** A beginning will be made in de-linking degrees from jobs in selected areas. However, this cannot be applied to occupation-specific courses like Engineering, Medicine, Law, and Teaching etc. Similarly, it would not be applicable to services requiring specialists with academic qualifications in humanities, social sciences, sciences, etc.

**Rural university:** The new pattern of the rural university will be consolidated and developed on the lines of Mahatma Gandhi's ideas on education so as to take up the challenges of micro planning at grassroots levels for the transformation of rural areas.

- **Technical and Management Education:** It was decided that although the two streams of technical and management education are functioning separately, it is essential to view them together, because of their close relationship and complementary concerns. It was also decided that the reorganisation of Technical and Management Education should take into account the anticipated scenario by the turn of the century, with reference to the likely changes in the economy, social environment, production and management processes, the rapid expansion of knowledge and the advances in science and technology.
- **Making the System Work:** It was envisioned that all these tasks related to education could not be performed in a state of disorder. Hence, education needs to be managed in an atmosphere of intellectual rigour, seriousness of purpose and, at the same time, with freedom essential for innovation and creativity. While far-reaching changes will have to be incorporated in the quality and range of education, the process of introducing discipline into the system will have to be started.

#### Reflection and Action 18.5

In your view what should be the considerations leading to policy formulation on an educational issue?

- **Reorienting the Content and Process of Education**

This involved the following:

**The cultural perspective:** The existing schism between the formal system of education and the country's rich and varied cultural traditions need to be bridged. The preoccupation with modern technologies cannot be allowed to sever our new generations from the roots in India's history and culture. Education can and must bring about the fine synthesis between change-oriented technologies and the country's continuity of cultural tradition.

**Value Education:** The growing concern over the erosion of values is necessitating readjustments in the curriculum in order to make education a forceful tool for the cultivation of social and moral values.

**The Evaluation Process and Examination Reform:** Assessment of performance is an Integral part of any process of learning and teaching and hence, NPE, 1986 considered the following as necessary:

The objective will be to re-cast the examination system so as to ensure a method of assessment that is a valid and reliable measure of student development and a powerful instrument for improving teaching and learning; in functional terms, this would mean:

- a) The elimination of excessive element of chance and subjectivity;
- b) The de-emphasis of memorization;
- c) Continuous and comprehensive evaluation that incorporates both scholastic and non-scholastic aspects of education, spread over the total span of instructional time;
- d) Effective use of the evaluation process by teachers, students and parents;
- e) Improvement in the conduct of examination;
- f) The introduction of concomitant changes in instructional materials and methodology;
- g) tradition of the semester system from the secondary stage in a phased manner;
- h) The use of grades in place of marks.

Policies were also developed on many other issues like books and library, languages, media and educational technology, environmental education, population education, yoga, physical education, role of the youth, mathematics and science teaching.

- **The Teacher**

As per the NPE 1986, the status of the teacher reflects the socio-cultural ethos of a society and it is said that no people can rise above the level of its teachers. The Government and the community should endeavour to create conditions, which will help motivate and inspire teachers on constructive and creative lines. It was also expressed that teachers should have the freedom to innovate, to devise appropriate methods of communication and activities relevant to the needs and capabilities of learners and the community.

- **Teacher education**

Teacher education is a continuous process, and its pre-service and in-service components are inseparable. As the first step, the system of teacher education will be overhauled. The new programmes of teacher-education will emphasize continuing education and the need for teachers to meet the thrusts envisaged in this Policy.

- **The management of education**

An overhaul of the system of planning and the management of education will receive high priority. The guiding considerations will be steps such as evolving a long-term planning and management perspective of education and its integration with the country's developmental and manpower needs; decentralization and the creation of a spirit of autonomy for educational institutions; giving pre-eminence to people's involvement, including association of non-governmental agencies and voluntary effort, etc.

- **Resources**

NPE 1986 stated that resources, to the extent possible, will be raised by mobilizing funds from the community, involving them to maintain school buildings and supplies of some consumables, raising fees at the higher levels of education and saving resources through the efficient use of facilities

- **Review**

NPE, 1986 expressed that the implementation of the various parameters of the New Policy must be reviewed every five years. Appraisals at short intervals will also be made to ascertain the progress of implementation and the trends emerging from time to time.

- **The future**

According to NPE, 1986, the future shape of education in India is too complex to envision with precision. Yet, given our tradition, which has almost always put a high premium on intellectual and spiritual attainment, we are bound to succeed in achieving our objectives. The main task is to strengthen the base of the pyramid, with about a billion people. Equally, it is important to ensure that those at the top of the pyramid are among the best in the world. It has further been expressed that further intensifying the nation-wide effort in Human Resource Development, with education playing its multifaceted role, is now possible.

We have not discussed the policies in details here, nevertheless you would find that NPE, 1986 covers all the major aspects related to education and the process of implementing these policies all over the country has started.

#### **Reflection and Action 18.6**

You have read that policies on educational matters are formulated on the basis of the constitutional provisions and the legislations. There has been a directive from the Supreme Court of India to teach environmental science in schools and similarly with the funds from UNICEF, some teacher education programmes are now preparing to impart education related to AIDS. How would you relate them to the fundamental duties and other constitutional provisions on education?

## **18.4 Conclusion**

Since independence, there has been considerable growth and expansion of education in India. The goal of a modern secular and democratic society like India is to strive for egalitarianism through equalization of educational opportunities and also to enable itself to meet the challenges of the modern world. Therefore, education has to be more inclusive and reach the vast majority of our population and at the same time equip the learners with the knowledge, skills and attitudes necessary for ensuring the development of the nation. To fulfill these demands the growth of education has to be well directed and along certain guidelines. These guidelines are the educational policies framed by the government and its agencies from time to time. These policies are formulated in the perspective of the constitutional provisions regarding education, which, following an amendment of the Constitution is a concurrent subject and is the joint responsibility of the center and the states. However, certain educational matters are still within the exclusive jurisdiction of the Union.

Our Constitution provides us with certain fundamental rights. In keeping with these rights there are several provisions with a bearing on education, for instance, freedom to attend religious instructions or worship in certain types of educational institutions in certain cases; in keeping with the cultural and educational rights of minorities, the right to set up educational institutions and administer them, etc. Similarly some of the Directive Principles of State Policy too have a bearing on education, as for instance Article 41 urges the state to ensure the right to work, to education and to public assistance in certain cases. Article 46 is for the promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections. The Constitution of India also includes certain Fundamental Duties of the

citizens and through education learners are to internalize them. Besides the Constitution has provisions regarding the use of mother tongue for providing instructions, promotion of Hindi, etc.

From these provisions and the different legislations made by the government, policies on education have emerged. In 1968 we had the first national policy on education and thereafter in 1986 we had the new national policy on education. In 1992, Programme of Action was developed to implement the NPE, 1986. NPE, 1986 has accorded great importance to the role of education for the development of the nation and has reiterated the importance of national system of education. It envisages education to bring about equality among the different sections of the population. It also aspires to reorganize education at different stages right from early childhood to higher education, vocational education, distance education, etc. It provides directions for technical and management education, reorienting the content and process of education, for the general well being and professional growth of teachers, planning and management of education, etc. Thus the policies on education provide a direction to the field of education in our country.

In your view have we succeeded in fulfilling the constitutional obligation regarding universalisation of elementary education? Justify your answer.

In your view what should be the considerations leading to policy formulation on an educational issue?

## 18.5 Further Reading

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