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FREE AND COMPULSORY EDUCATION

Dr. Sunil Ganguly

Associate Professor in Physical Education,

Union College, West Bengal

Abstract: *Everybody has the right to education and education should be free, at least in the elementary and fundamental stages. Elementary education should be necessary. Technical and professional education shall be made usually accessible and higher education shall be similarly available to all on the basis of merit. Education shall be focused to the full development of the human personality and to the consolidation of respect for human rights and important freedoms. It shall encourage sympathetic, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the preservation of peace. Parents have the right to choose the kind of education that shall be given to their children.*

Keywords: *education, equality, social and cultural rights, provision of compulsory education*

INTRODUCTION

The right to education has been documented as a human right in a number of international conventions, with the International Covenant on Economic, Social and Cultural Rights which make out a right to free, compulsory primary education for all, an obligation to develop secondary education available to all with the liberal introduction of free secondary education, as well as an responsibility to grow reasonable access to higher education, preferably by the progressive overview of free higher education. In 2021, 171 states were parties to the Agreement.

THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT

India's parliament passed Right to Education Bill 4 August 2009. This act labels the modalities of the establishment of free and compulsory education for children between 6 and 14 in India under Article 21A of the Indian Constitution. What is Article 21? Article 21. Protection of Life and Personal Liberty: No person shall be deprived of his life or personal liberty except according to procedure established by law. Article 21A Right to Education: – “The State shall provide free and compulsory education to all children of the age of six to fourteen years in such way as the State may, by law, determine.”

1. Every child between the ages of 6 to 14 years has the right to free and compulsory education. This is stated as per the 86th Constitution Amendment Act added Article 21A. The right to education bill seeks to give effect to this amendment
2. The government schools shall offer free education to all the children and the schools will be accomplished by school management committees (SMC). Private schools shall admit at least 25% of the children in their schools without any fee.
3. The National Commission for Elementary Education shall be established to monitor all aspects of elementary education as well as quality. No child shall be held back, expelled, or required to pass a board examination until accomplishment of elementary education
4. A child who completes elementary education to be improved in three years, else appreciation cancelled Financial burden will be shared between state and central government History: 1950: Constitution of India contained Article 45, as one of the directive principles of State policy, which states that: “The State shall effort to provide within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years.” First National Commission for education under Dr. Kothari submits its reports. It introduced several far-reaching modifications as unbroken curriculum for both boys and girls, mathematics and science as required subjects etc. It also proposed a Common School System. 1976: Constitution amendment making education a concurrent subject (responsibility of both state and center) was passed. 1986: National policy on Education (NPE) endorsing Common School System (CSS) was formulated. Subsequent NPE's endorsed CSS but it has never been implemented. 1993: The Supreme court in the case Unnikrishnan vs State of Andhra Pradesh ruled that the right to education is a fundamental right that flows from the Right to life in Article 21 of the Constitution. 1997: Constitution Amendment making Education a fundamental right was introduced. 2002: 86th Constitution Amendment added Article 21A stating that “The State shall provide free and compulsory education to all children of the age six

to fourteen years in such as a way as the State may, by law, determine.” The 86th Amendment also modified Article 45 which reads as “The state shall endeavor to provide early childhood care and education for all children until they complete the age of 6 years”. 2005: CABE committee report constituted to draft the Right to Education Bill submits its report. Every time a new version was placed till it was tabled in Parliament in 2008.

CONCLUSION

Education in all its forms is crucial to safeguard dignity of all persons. The aims of education as set out in the International human rights law (IHRL), are all absorbed to the understanding of the individual’s rights and dignity. These include, among others, safeguarding human dignity and the full and holistic development of the human character; fostering physical and cognitive development; permitting for the gaining of knowledge, skills, and talents; contributing to the understanding of the full potential of the individual; improving confidence; hopeful respect for human rights; shaping a person’s sense of identity and association with others; enabling socialization and significant communication with others; allowing a person to shape the world around them enables their contribution in community life; contributing to a full and satisfying life within society; and authorizing and allowing for the augmented enjoyment of other human rights.

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