



Education policies and right to education in India– An overview

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Abstract

Governments all over the world play a major emphasis on education policies. There is a global pressure on increasing attention on the outcomes of educational policies and their impact on social and economic development. However, there is often a lack of understanding of how educational policies are formed and what constitutes an education policy. An attempt is made in this Article to analyse the nature of educational policy, basic features of education policies, the intended outcomes of these policies and its impact on right to education of children. The main objectives of this article is to understand the significance and meaning of Education Policy; To describe the developments in National Policy on Education; To discuss problems of implementation of National Policy on Education and to Appraise the importance and features of the RTE, 2009.

Keywords: Education policies, global pressure, developments

Introduction

Education policy refers to the rules and principles that govern the operation of educational systems. In the process of formulating educational policies, many crucial factors have to be taken into consideration. In India educational institutions have existed since the emergence of civilisation. It is essential to view the historical background of education policy in order to understand its current status. A sound understanding of education policy could be gained by dividing the historical analysis into two time periods, these being pre-independence and the period after independence.

Significance of Education Policy

The education policy in India recognises the pivotal importance of the goal of 'education for all'. The policy envisages as its goal the attainment of quality education for all. In the Indian context, education policy is a statement of goals for improving and enhancing educational system through state action, private initiatives and public and private efforts.

Powers of Union and State Governments in Education Policy

The Constitution of India divides the functions of governments operating at the Union, state and local levels into three lists – Union List, State List and Concurrent List. Education, including technical education, medical education and universities (subject to entries 63-66 of List 1) is placed under the Concurrent List. This means that both Parliament and State Legislature have the powers to legislate on 'education'. The constitutional framework, however, provides more powers to the Union Government to facilitate uniformity in educational standards throughout the country [2].

Education policy formulation is a complex exercise. It involves many institutions right from citizen forums, media, pressure groups, political parties, legislature and its special committees, Cabinet and its special committee and the concerned ministry e.g. Ministry of Human Resource Development and state Ministries of Education. There are many other agencies which guide the legislature and executive in the formulation of policy, e.g. NITI Aayog, Central Board of Secondary Education (CBSE), National Council of Educational Research and Training (NCERT), University Grants Commission (UGC) and international agencies like United Nations Educational, Scientific and Cultural Organisation (UNESCO). In addition to these, there are advisory committees at all levels of administration which guide in the formulation of the policy at various levels.

Developments in National Policy on Education

After India's Independence, a major concern of the GOI and of the State governments has been to give increasing attention to education as a factor vital to national progress. Problems of educational reconstruction were reviewed by several commissions and committees, notably the University Education Commission (1948-

49) under the chairmanship of Dr. Radhakrishnan, the Secondary Education Commission (1952-53) under the chairmanship of

Dr. Mudaliar, and the Education Commission (1964-66) under the chairmanship of Dr. D.S. Kothari. The Kothari Commission was the first since independence to examine educational developments from all angles^[3]. In its voluminous report, the Kothari Commission recommended that the Government of India should issue statement on the National Policy of Education to guide the state and local authorities. Accordingly, the Union Government issued in 1968 a statement of National Policy on Education.

National Policy on Education, 1968

The National Policy on Education, 1968, stressed that “the educational system must produce young men and women of character and ability committed to national service and development. Only then will education be able to play its vital role in promoting national progress, creating a sense of common citizenship and culture, and strengthening national integration. This is necessary if the country is to attain its rightful place in the comity of nations in conformity with its great cultural heritage and its unique potentialities.

The National Policy on Education, 1968 laid stress on: free and compulsory education for all children up to the age of 14; adequate and satisfactory emoluments to the teachers having regard to their qualifications and responsibilities; development of regional languages and implementation of three language formula; equalisation of educational opportunities; accelerating the growth of national economy, science education and research; development of education for agriculture and industry; production of quality text books for schools and Universities; facilities for Secondary and University education and spread of literacy and adult education; development of games and sports; protection of rights of minorities to promote their educational interests; and adoption of the 10+2+3 pattern in educational structure. This policy document also recommended a review the progress of education after every five years.

The National Policy on Education of 1968 marked a significant milestone in the history of education in post-Independence India. Besides promoting national progress, and a sense of common citizenship and culture, it aimed at strengthening national integration. It laid stress on the need for a transformation of the education system, to improve its quality at all stages, and gave much greater attention to science and technology, the cultivation of moral values and forging a closer relation between education and the life of the people.

National Policy on Education (1986) with Revisions (1992)

In the formulation of National Education Policy (1986), the previous reports of the national commissions on education were reviewed. The policy formulated in 1968 had served a useful purpose but could not accommodate the new developments. On 5 January 1985, then Prime Minister Rajiv Gandhi suggested the development of New Education Policy. He remarked that “I would strongly emphasise education’s organic link with the productive forces of society”. On 19 August 1985, the Education Minister K.C. Pant presented a status Report on Education to the Prime Minister entitled, “Challenges of Education – A Policy Perspective”. This was also placed before the Parliament. Wide-ranging discussions among educationists took place on this Report: Based on these discussions, the National Policy of Education (NPE) was adopted by Parliament in May 1986. The Policy was followed up by an elaboration through the Programme of Action (POA), which was adopted by Parliament, in August 1986^[4]. Based on the recommendations of two other committees (The Acharya Ramamurti Committee, Dec. 1990, and the Janardhana Reddy Committee, Jan. 1992) further modifications were introduced. The NPE – Revised Policy Formulations was placed on the Table of the House in May 1992.

National Policy on Education, 1986

NPE (1986) has been divided into 12 parts, and has the following salient features. It considers that education “is a unique investment in the present and the future. This cardinal principle is the key to the National Policy on Education (NPE). The NPE suggests that an era of partnership between the Union and the states should begin for the effective implementation of the policy. The policy states that the nation as a whole will assume the responsibility of providing resource support for implementing programmes of educational transformation, reducing disparities, universalisation of elementary education, adult literacy, scientific and technological research, etc. The NPE places special emphasis on ‘education for women’s equality’, education of Scheduled Castes and Tribes’ and ‘other educationally backward sections and areas, including minorities, handicapped, and adults. Removal of disparities and to equalise educational opportunity by attending to the specific needs of the deprived has an important place in the NPE.

National Policy of Education: Programme of Action (1986)

This Policy document, after having examined several issues related to education, suggested a series of follow-up measures for effective implementation of the NPE. It focused on

1. “making the system work”;
2. decentralisation of management and establishment of district boards of education, district institutes of education and training (DIET), provision of autonomy and establishing accountability of institutions, systems and teachers;
3. working out the details, mechanics, funding arrangements for the national system of education;
4. manpower planning and demand forecasting;
5. media and educational technology with special reference to adult education, non-formal education, open and continuing education;
6. development and periodic review of curricula and teaching-learning
7. processes; and
8. strengthening the data-base, monitoring and evaluation system. Besides emphasising the need for training of educational planners, administrators and heads of educational institutions, the Policy document recommended creation of an All India Educational Service.

Education Policy: Need for Continuous Revision

Since the formulation of the National Policy on Education, 1986/92, significant changes have taken place in India and the world at large. India’s political, social and economic development is passing through a phase which necessitates a robust and forward-looking education system. It, therefore, needs constant revision. An example of such revision is the insertion of Article 21A in the Indian Constitution, through an Amendment. In 2009, it was made obligatory on the part of the state to provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.

The NDA government led by Narendra Modi in 2015 set up a committee under former Cabinet Secretary TSR Subramanian to chalk out a New Education Policy for the nation. The committee submitted its report in May 2016 and thereafter HRD Ministry prepared ‘Some Inputs for the Draft National Education Policy, 2016’. Both these documents are treated as inputs for policy formulation. It also urges that vocational oriented activities be infused in the curriculum from early stages to develop positive attitude towards dignity of labour and develop skills in children ^[5]. It further suggests that academic aptitude tests will be conducted at various stages to assist students in identifying their true potential and areas of interest.

The Government is in the process of framing a New Education Policy (NEP) for meeting the current and future requirements with regard to quality education, innovation and research, with a view to make India a knowledge superpower by equipping its students with the necessary skills and knowledge and to eliminate the shortage of manpower in science, technology, academics and industry. The need for reforms in education is continuous. A Committee on New Education Policy, under the Chairmanship of Dr. K. Kasturirangan, has been constituted to make recommendations for reforms ^[6].

Education Policy in Ancient India

There are no available literary sources for getting an authentic understanding of educational policies in ancient India. Literary sources of 1000 A.D. and onwards give a reasonably adequate knowledge of the policies that governed the ancient education system in India, the prominent sources being the Rigveda, the Aranyakas, the Upanishads, the Epics and the Puranas. The Aryans entered India in II B.C. These Aryans were the first to make a significant attempt in formulating an education policy in India. The Aryans had clearly defined the nature of their educational system and the natives who were referred to as ‘Dasyus’ had to adhere to the norms that the Aryans had laid down.

Ancient Indian thinkers regarded education as an instrument which puts an ignorant person on the path of an intellectual, progressive, moral and virtuous course of life. Students in ancient India were required to study the subjects not only from the point of view of making themselves capable of handling life, but were also required to study them basically from the point of view of engaging in research and work towards creating an advanced body of knowledge in the area. As a result, when students reached the status of learned persons, they were greatly respected and revered. In the ancient period a pride of place was accorded to education that primarily drew its inspiration from religion.

After the Vedic period, there developed large kingdoms of powerful kings who wanted to develop an advanced course of life in their society. They took keen interest in promoting the interests of higher education by giving rich donations and lands to learned scholars. And more importantly these kings enacted policies to redefine and reconstruct the education system in India. The major universities in ancient India were Nalanda and Taxila were known for their scholarship. There was a long struggle between Buddhism and Brahmanism during the period of 400 BCE to 1000 CE to gain prominence in interpreting the world. While Buddhism was more people-centric Brahminism tried to reinforce hierarchies. Quite significantly, Buddhist education was different and not based on Vedic study and teachers were not Brahmin. The educational policies of Buddhism were more radical and based

on equality and opened up the doors of knowledge to all castes^[7]. 'During the Mughal period the rulers did not make any significant efforts to universalise the existing educational system, but tried to spread Islamic education in India'.

Education Policy in British Period

The introduction of western education was an event of great historical significance for the emergence of an education policy in India. Before the introduction of modern education, opportunities for learning were generally confined to a very small portion of the population. Those from castes and classes placed lower down in the social hierarchy had hardly any access to education. The pioneering work in the field of education under the British was done by missionaries. They did make efforts to spread education but often it was motivated by the desire for the spread of Christianity among the natives of India^[8]. One important result of the great efforts by missionaries was to stir up governments both in England and in India to realise that it was their duty to do something for the education of the people under their rule.

Sir Warren Hastings, the first Governor-General of India, established the Calcutta Madrasa for the cultivation of Arabic and Persian studies and he also founded the Benares Sanskrit College in 1791 to promote classical studies in Sanskrit. One of the prominent motives of establishing these institutions was to train Indian assistants to English Judges, in order to explain the principles of Hindu and Muslim laws (Basu 1982)^[9]. The Christian missionaries started providing education to Indian masses in the beginning of 18th century. But they were allowed to preach and teach in India only after the passage of the Charter Act of 1813, which actually committed the East India Company to allow Christian missionaries to carry on their educational activities in India. The Company was initially reluctant to allow the missionaries to carry on their educational activities because of the resistance that might be put up by Indians who had an apprehension about proselytization. Hence, the missionaries and their supporters in England began an agitation with a view to protesting the anti-missionary policy of the East India Company^[10]. Their agitation received considerable support and ultimately led to the formation of the Charter Act of 1813. The Act laid down the condition that the British Government shall set apart a total amount of 1 lakh of rupees for the education of Indians (Basu 1979). This was the first time in India that a formal educational policy was put in place for directing the course of education in the country. As the objectives of the Charter Act of 1813 were not clearly defined, the clause relating to the promotion of the education of Indians led to differences of opinion between the Classicists and Anglicists^[11]. In fact, no educational policy could be implemented during this period. It was at this juncture that Lord T.B. Macaulay came to India as the President of the Committee of Public Instruction. He was a pro-Anglicist and supported the education of the masses. He made a vigorous plea for spreading western education through the medium of English (Gosh 2007).

Macaulay in his Minutes stated that the aim of promoting knowledge of the sciences could only be accomplished by the adoption of English as the medium of instruction. He brushed aside the claims of the mother-tongue on the ground that Indian languages were not equipped to serve as media of this knowledge transmission. He rejected the claims of Arabic and Sanskrit as against English. Macaulay's unjust criticism of classical Indian languages was primarily rooted in his ignorance of the richness of these languages and attracted wide spread resentment among not only admirers but also those who were aware of the strength of these languages. However, Macaulay believed that English education would have a positive effect on the Indian minds and advocated its implementation strongly. Macaulay's arguments in favour of English language were as follows: English is a modern language and is more useful than Arabic or Sanskrit. Among the languages of the west, English occupies a pre-dominant position.

The Charter of the East India Company had to be renewed every 20 years. Accordingly, while renewing the Charter in 1833 the British Parliament increased the total amount of money from one lakh (1813) to one million yearly for promoting the cause of education in India. Since India had numerous educational problems and it was realised at the time of renewal of the Charter in 1853, it was decided to formulate a clear education policy that would set a framework for creating a well laid out education system in India. Therefore, a committee was set up to offer suggestions for introduction of educational reforms in India under the chairmanship of Charles Wood. The document which this committee prepared is popularly known as the Woods Education Despatch. It had far reaching implications for the development of an educational system in the country.

Education Policy in Independent India

After the Sargent Commission, there were no major commissions or reports in the British period. Even the Sargent Commission's Report did not see the light of the day. Following the transfer of power, the Central Advisory Board of Education (CABE) decided to set up two Commissions, one to deal with university education and the other to deal with secondary education, recognising the fact that the requirements of independent India would be different. It became imminent that the education system in India would be restructured. This decision

came at a time, when the promises made to the people in the field of education during the freedom struggle, were to be implemented. Provision of free and compulsory education up to the age of 14 years was being debated in the Constituent Assembly, and these debates ultimately found expression in the Directive Principles of State Policy of the Constitution of India.

The goal set for the country's educational policy was to work out a system of universal elementary education by 1960. Necessary changes were also effected in the system of secondary and higher education in keeping with the felt needs of the country (Saikia 1998). A new chapter in education policy began with India becoming independent. A number of problems and challenges had surfaced in the country because of the sheer diverse character of Indian society. The Government established education commissions in order to address these challenges and recommend comprehensive policies for educational problems and also for the improvement of the education system in India. After independence India adopted the Constitution in 1950^[12].

Education became the responsibility of both state and central governments. The Constitution makers recognised that the stability and progress of the country which adopts a democratic course depends to a large extent on a well-educated electorate. The Constitution not only emphasised the principle of 'equality of educational opportunity' but also the achievement of social justice through a policy of 'positive discrimination'. In independent India education policies have been closely influenced by the Education Commissions that were set up from time-to-time. In the section that follows the highlights of the recommendations of these important commissions have been presented.

University Education Commission (1948)

The first Commission to be appointed in independent India was the University Education Commission of 1948, under the chairmanship of Dr. S. Radhakrishnan, to report on the status of Indian university education and suggest improvements and extensions that would be desirable to suit the present and future requirements of the country (Aggarwal 1993). The Commission, which produced a comprehensive and voluminous report, set for itself the task of not only reorienting the education system to face the challenges emerging from a long period of colonisation but also to increase the country's general prosperity, create an effective and functional democracy and reduce socio-economic inequalities.

Higher education for the next generations was envisaged as one of the principal aims of the education policy that the country was proposing to formulate^[13]. This Commission had aimed at creating universities which would provide knowledge and wisdom for a comprehensive development of the personality. It considered university education as a pivotal step for higher level of learning. The main goal of establishing a university in a particular region was to make higher education accessible to all sections of society, irrespective of region, caste, gender and region^[14]. This report proposed the re-construction of education system in tune with the vision of the Indian constitution. Likewise, the Secondary Education Commission (1952), Indian Education Commission (1964 – 66) also known as Kothari Commission, National Policy on Education (1968), National Policy on Education (1986), National Policy on Education (1992) played a main role on the Right to Education of Children.

Critical Observations

India joined the list of 135 other countries in making education a right. However, there are many issues and problems. Some of the most important ones are cited below:

First, there is an acute shortage of trained and committed teachers. The quality of education provided by the government school system is not good. While it remains the largest provider of elementary education in the country, forming 80% of all recognised schools, it suffers from shortage of teachers and infrastructural gaps. Second, Children admitted to the private schools are seen to be at an advantage, thereby accentuating the inequalities in education. Even most

of the children from the lower strata have not been seeking admission in government schools because of their poor standards and deplorable conditions.

Some unaided private schools petitioned the Supreme Court of India claiming that the RTE Act violates the constitutional right of private managements to run their institutions without governmental interference^[15]. The parties pleaded that providing 25 percent reservation for disadvantaged children in government and private unaided schools is unconstitutional. The apex court, in its judgement held that providing such reservation is not unconstitutional

Despite the apex court's rulings there are apprehensions that the approach of the RTE Act with regard to quota in private schools will not motivate schools in the public domain to improve their standards or their infrastructure.

National Education Policy 2020

It is believed that Education is the key factor for achieving human potential and developing an equitable and just society, and thus promoting national development. Therefore, providing universal access to quality education is

the underlying factor to India's continued ascent, and leadership on the global stage in terms of economic growth, social justice and equality, scientific advancement, national integration, and cultural preservation. India is supposed to have the highest population of young people in the world over the next decade, and the ability to provide high-quality educational opportunities to them will determine the future of our country.

The global education development agenda reflected in the Goal 4 (SDG4) of the 2030 Agenda for Sustainable Development, adopted by India in 2015 - seeks to "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" by 2030. This goal will require the entire education system to undergo an overhaul to support and foster learning, so that all the targets and goals (SDGs) of the 2030 Agenda for Sustainable Development can be achieved. The world is undergoing rapid changes in the knowledge domain with various dramatic scientific and technological advances, such as the rise of big data, machine learning, and artificial intelligence, and as a result many unskilled jobs worldwide may be taken over by machines, while the need for a skilled workforce, particularly involving mathematics, computer science, and data science, in conjunction with multidisciplinary abilities across the sciences, social sciences, and humanities, will be increasingly in greater demand.

Climate change, increasing pollution, and depleting natural resources, and the growing emergence of epidemics and pandemics will also call for collaborative research in infectious disease management and development of vaccines and the resultant social issues will heighten the need for multidisciplinary learning. There will be a growing demand for humanities and art, as India will move towards becoming a developed country and also among the three largest economies in the world. The aim must be for India to have an education system by 2040 that has access to the highest-quality education for all learners regardless of social or economic background and with the quickly changing employment landscape and global ecosystem, it is certainly important that children not only learn, but more importantly learn how to learn. Education Pedagogy must evolve to make education more experiential, holistic, integrated, inquiry-driven, discovery oriented, learner-centred, discussion-based, flexible, and, of course, enjoyable.

The curriculum must include basic arts, crafts, humanities, games, sports and fitness, languages, literature, culture, and values, in addition to science and mathematics, to develop all aspects and capabilities of learners; and make education more well-rounded and useful.

The teacher must be at the helm of the fundamental reforms in the education system. The new education policy must help re-establish teachers, at all levels, as the most respected and essential members of our society, because they truly shape our next generation of citizens. Education is the best tool for achieving economic and social mobility, inclusion, and equality. Initiatives must be in place to ensure that all students from such groups, despite inherent obstacles, are provided various targeted opportunities to enter and excel in the educational system.

The implementation of previous policies on education has focused largely on issues of access and equity. The National Policy on Education 1986, was modified in 1992 and a major development since the last Policy of 1986/92 has been the Right of Children to Free and Compulsory Education Act 2009 which laid down legal underpinnings for achieving universal elementary education. The purpose of the education system is to develop good human beings capable of rational thought and action and the National Education Policy 2020 focuses on creative imagination, with sound ethical moorings and values. It aims at producing engaged, productive, and contributing citizens for building an equitable, inclusive, and plural society as envisaged by our Constitution. A dedicated unit for the purpose of building up of digital infrastructure, digital content and capacity building will be created in the HRD ministry now Ministry of Education to look after the e-education needs of both school and higher education.

Conclusion

Since India is dominated by villages, it is relevant that State imparts education to all without discrimination on the basis of social and economic backwardness of a child. Private sectors or non-state entities may provide education at the cost of high fee structure and it could hardly be accessed by poor and backward categories children. Lack of good infrastructure and qualified dedicated teachers in the remote areas fails to provide quality education to the children, even at the foundational or elementary level. Government, due to its failure to upgrade public schools and colleges with the state aid, failed to compete with the private entities with good infrastructure and dedicated team of experts to raise the standard of education. National

Policy on Education 1986 provides for the Universal Elementary Education to all but the upgradation and privatisation of education sector became a road block for its implementation.

Even the RTE Act, 2009 failed to accomplish the expected rate of growth. It is also noteworthy that quality education can only be considered if the holistic growth of a child is taken care. Literacy alone would never suffice the growth of a child but a comprehensive quality education which takes care of the development of a child is necessary. Due to lack of effective implementation of Constitutional provisions on education through

National Education Policies and RTE, the education for many has become a dream especially the socially and economically backward section of the children. Being a fundamental and human right, the State is obliged to implement the right to education on a war footing to render justice to all without discriminating on the basis of socio-economic considerations. In essence education plays a significant and remedial role in balancing the socioeconomic fabric of our country.

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