



ELEMENTARY EDUCATION



K. M. Hoque
Assistant Professor of Education
Nazir Ajmal Memorial College of Education



Outline

- 01 Elementary Education**
- 02 Constitution and Indian Education**
- 03 Constitutional Provisions of Education**
- 04 Fundamental Rights**
- 05 Fundamental Duties**
- 06 Directive Principles of State Policy**
- 07 Constitutional Provision of Higher Education and Research**



ELEMENTARY EDUCATION



Elementary education in India, often referred to as primary education, is a critical stage in the educational framework, encompassing formal schooling for children typically between the ages of 6 and 14 years. This phase is foundational for a child's cognitive, emotional, and social development, laying the groundwork for lifelong learning and active citizenship.

Elementary education in India is divided into two stages: **the primary stage** (grades I to V) and **the upper primary stage** (grades VI to VIII). The curriculum is designed to foster cognitive, emotional, and social development, preparing children for secondary education and beyond.

The Indian government has implemented several initiatives to ensure universal access to elementary education. One of the most significant programs is the **Sarva Shiksha Abhiyan 2001 (SSA)**, which aims to provide universal access and retention, bridge gender and social category gaps, and enhance learning levels.

Additionally, **the Right to Free and Compulsory Education Act, 2009** mandates free and compulsory education for all children in this age group, ensuring that every child has the right to quality education without discrimination.

CONSTITUTION AND INDIAN EDUCATION



The constitution of a country is the basic document which is regarded as the source of legislation. India got independence on 15th August, 1947. The constitution of the country was adopted on November 26, 1949 and came into force on January 26, 1950. The Constitution mirrors the hopes and aspirations of the people of India. Right from the time of independence, 1947 the Government of India has given importance to the matter of education in the country.

Our constitution aims at providing justice, liberty, equality and fraternity with an aim of eliminating all types of social inequalities, economic disparities and political privilege. As the preamble of our constitution declares - "We the people of India, having solemnly resolved to constitute India into a Sovereign, Socialist, Secular, Democratic, Republic and to ensure to all its citizens.

Justice : Social, economic and political.

Liberty : of thought, expression, belief, faith and -worship.

Equality: of status and of opportunity and to promote
among them all

Fraternity: assuring the dignity of the individual and the unity and integrity of the nation.

CONSTITUTIONAL PROVISIONS OF EDUCATION



The Constitutions of Independent India had taken number of constitutional provisions of education. We have already mentioned that in our Constitution, the Directive principles occupies an important place along with the fundamental rights. Directive policy though not enforceable through a court of law are regarded as "fundamental in the governance of the country". They are merely instructions or directives issued to the legislatures as the executive authorities for the day to day administration of the country. Education is given much importance in these principle.

Articles refer to education in the constitution are given below

Free and compulsory primary education: (Articles 45)

- Free and compulsory primary education will be provided by the state.
- It will be for the children of the age group of 6-14 years
-
- The target will be achieved within a period of ten years It is the joint responsibility of the Central Government, the various State Government and the local bodies as well as the voluntary organization to achieve the target



Women education (Articles 15)

- No discrimination shall be made against any citizen of India on the grounds of religion, race, caste, place of birth etc.
- Education aims at developing the human resources fully.
- The character of children should be moulded through education during infancy.
- Education of girls is more important for realizing all these objectives.
- Provision for education of women and children (Article 29)

Equal Education (Article 29) :-

- All citizens of India shall have the right to admission in any educational institution maintained out of state funds.
- No discrimination shall be made on the basis of religion, caste, language etc. in respect of getting admission into any educational institutions.
- All citizen of India have the right to converse their own language and culture.
- It provides equality of opportunity in educational institutions.



Secular Education (Article 28)

- Any kind of educational institution, funded by state cannot impart religious instruction.
- No person shall be force to attend any religious instruction against his will in such institutions.
- This article clearly focuses on the secular nature of the Indian Constitution.

Right of minorities to establish and administer educational institution (Article 30):

- It accepts the right of minorities to establish and administer educational institutions.
- The state shall not discriminate against any educational institutions in respect of grant-in-aid on the ground that it is under the management of a minority, whether based on language or religion.

Instruction in mother tongue (Article 350):

- It relates to the facilities for instruction in mother tongue at the primary stage.
- It provides for a special officer for linguistic minorities.
- It provides that minorities have been duly recognized on the basis of religion, languages, script and culture.
- This provision assures the minorities that their interest are safe.



Promotion of Hindi (Article 351)

- It relates to the development and promotion of the Hindi languages.
- It provides special provision to make Hindi language an official language of the Union.
- Development of Hindi, as a national language to serve as the medium of instruction for all elements of composite culture of India.
- Development of Hindi in non-Hindi areas.

Education of the weaker section: (Article 46)

- It provides for special care to the promotion of educational and economic interest and scheduled caste, scheduled tribes and other weaker sections.
- It provides for special care on the part of the Government for these weaker section.
- Government will protect them from all kinds of injustice.
- Special institutions would have set up for the education of the handicapped persons.

FUNDAMENTAL RIGHTS



Fundamental Rights are a cornerstone of the Indian Constitution, enshrined in Part III (Articles 12 to 35). They are essential for ensuring individual freedom, dignity, and justice, and serve as a safeguard against arbitrary actions by the state. These rights are considered fundamental because they are crucial for the overall development of individuals and the preservation of human dignity.

The Indian Constitution originally recognized seven Fundamental Rights, but the Right to Property was removed by the 44th Amendment in 1978, leaving six core rights today:

- **Right to Equality (Articles 14-18)**
- **Right to Freedom (Articles 19-22)**
- **Right against Exploitation (Articles 23-24)**
- **Right to Freedom of Religion (Articles 25-28)**
- **Cultural and Educational Rights (Articles 29-30)**
- **Right to Constitutional Remedies (Article 32)**



Right to Equality (Articles 14-18)

- Guarantees equality before the law and equal protection of the laws.
- Prohibits discrimination on grounds of religion, race, caste, sex, or place of birth.
- Ensures equality of opportunity in matters of public employment.
- Abolishes untouchability, recognizing it as a social evil.
- Prohibits the state from conferring titles, except for military and academic distinctions.

Right to Freedom (Articles 19-22)

- Protects six specific freedoms, including speech and expression, assembly, association, movement, residence, and profession.
- Provides protection against double jeopardy and self-incrimination.
- Guarantees the right to life and personal liberty.
- Mandates free and compulsory education for children aged 6 to 14 years.
- Protects against arbitrary arrest and detention.



Right against Exploitation (Articles 23-24)

- Prohibits human trafficking and forced labour.
- Prohibits the employment of children in hazardous industries.

Right to Freedom of Religion (Articles 25-28)

- Guarantees freedom of conscience and the right to profess, practice, and propagate religion.
Allows individuals to manage their religious affairs.
- Prohibits the state from imposing taxes for the promotion of any religion.
- Ensures freedom regarding attendance at religious instruction in educational institutions.

Right to Freedom of Religion (Articles 25-28)

- Protects the interests of minorities by allowing them to conserve their culture and language.
- Grants minorities the right to establish and administer educational institutions.



Right to Constitutional Remedies (Article 32)

- This right empowers individuals to approach the Supreme Court or High Courts for the enforcement of their Fundamental Rights. It is often referred to as the "heart and soul" of the Constitution, as it provides a mechanism for citizens to seek justice against violations of their rights.

Fundamental Rights are vital for:

- **Protecting Individual Liberties:** They ensure that citizens can exercise their freedoms without fear of oppression.
- **Promoting Justice and Equality:** They aim to create a fair society where all individuals are treated equally.
- **Upholding Democracy:** They act as a check on governmental power, preventing tyranny and abuse.

Fundamental Duties in the Indian Constitution



Fundamental Duties are a set of moral obligations enshrined in the Indian Constitution, aimed at promoting responsible citizenship and fostering a sense of unity and integrity among the citizens. These duties were incorporated into the Constitution by the 42nd Amendment in 1976, based on the recommendations of the Swaran Singh Committee. They serve as a reminder that rights come with responsibilities, and they encourage citizens to contribute positively to society.

The Fundamental Duties are outlined in Article 51A of the Indian Constitution, which is part of Part IV-A. Initially, there were ten duties, but an eleventh duty was added by the 86th Amendment in 2002. These duties reflect the ethical and moral responsibilities of citizens towards their nation.



The eleven Fundamental Duties as specified in Article 51A are:

- To abide by the Constitution and respect its ideals and institutions, the National Flag, and the National Anthem.
- To cherish and follow the noble ideals that inspired the national struggle for freedom.
- To uphold and protect the sovereignty, unity, and integrity of India.
- To defend the country and render national service when called upon to do so.
- To promote harmony and the spirit of common brotherhood amongst all the people of India, transcending religious, linguistic, and regional or sectional diversities, and to renounce practices derogatory to the dignity of women.
- To value and preserve the rich heritage of the country's composite culture.



The eleven Fundamental Duties as specified in Article 51A are:

- To protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for living creatures.
- To develop scientific temper, humanism, and the spirit of inquiry and reform.
- To safeguard public property and to abjure violence.
- To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.
- To provide opportunities for education to children between the ages of 6 and 14 years, ensuring that their child or ward gets basic education.

Directive Principles of State Policy



- The Directive Principles of State Policy (DPSP) are a unique feature of the Indian Constitution, enshrined in Part IV, covering Articles 36 to 51. They are guidelines or principles provided to the State (meaning all governing bodies including central, state, and local governments) to be kept in mind while framing laws and policies. These principles are intended to ensure social and economic democracy, alongside the political democracy guaranteed by the Fundamental Rights
- The concept of DPSP was inspired from the Irish Constitution. They were inspired by the Directive Principles of Social Policy in the Irish Constitution and were included in the Indian Constitution to establish a welfare state. Dr. B.R. Ambedkar described them as a “novel feature” of the Indian Constitution.



Article 36

In this Part, unless the context otherwise requires, "**the State**" has the same meaning as in Part III.

Article 37

The provisions contained in this Part shall **not be enforceable** by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty

Article 38

(1) The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.

2) The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing

Article 39



The State shall, in particular, direct its policy towards securing-

- (a) that the citizens, men and women equally, have the right to an adequate means of livelihood;
- (b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;
- (c) that the operation of the economic system does not result in the **concentration of wealth** and means of production to the **common detriment**,
- (d) that there is **equal pay** for equal work for both men and women;
- (e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;
- (f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.



Article 39 (A)

The State shall secure that the operation of the legal system promotes **justice**, on a basis of equal opportunity, and shall, in particular, provide **free legal aid**, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Article 40

The State shall take steps to **organise** village panchayats and endow them with such **powers** and authority as may be necessary to enable them to function as units of **self-government**.

Article 41

The State shall, **within the limits of its economic capacity** and development, make effective provision 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 42

The State shall make provision for securing **just and humane conditions** of work and for **maternity relief**.

Article 43

The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a **living wage**, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.

[43A. The State shall take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organisations engaged in any industry.]



Article 44

The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.

Article 45

[45. The State shall endeavour 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.]

Article 46

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.



Article 47

The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.

Article 48

The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.

48(A) The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.]



Article 49

It shall be the obligation of the State to protect every monument or place or object of artistic or historic interest, [declared by or under law made by Parliament] to be of national importance, from spoliation, disfigurement, destruction, removal, disposal or export, as the case may be.

Article 50

The State shall take steps to separate the judiciary from the executive in the public services of the State.



Article 51

The State shall endeavour to-

- (a) promote international peace and security;
- (b) maintain just and honourable relations between nations;
- (c) foster respect for international law and treaty obligations in the dealings of organized peoples with one another; and
- (d) encourage settlement of international disputes by arbitration.



Constitutional Provision for Higher Education and Research

The Indian Constitution has provisions for higher education and research, distributing educational responsibilities across three levels: Central, State, and Concurrent. The Union List (List 1), State List (List 2), and Concurrent List (List 3) outline these functions. Specifically, the Union List includes entries related to higher education. Entry 11 of the Seventh Schedule states that education, including universities, falls under the purview of the Union, subject to entries 63, 64, 65, and 66 of the Union List. These entries grant the Government of India authority in the field of education.



Institutions of National Importance (Entry 63)

The institutions known at the commencement of this Constitution as the Benares Hindu University, the Aligarh Muslim University and the Delhi University; the University established in pursuance of article 371E; any other institution declared by Parliament by law to be an institution of national importance.

Scientific and Technical Education (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.



Function of Union agencies

(Entry 65)

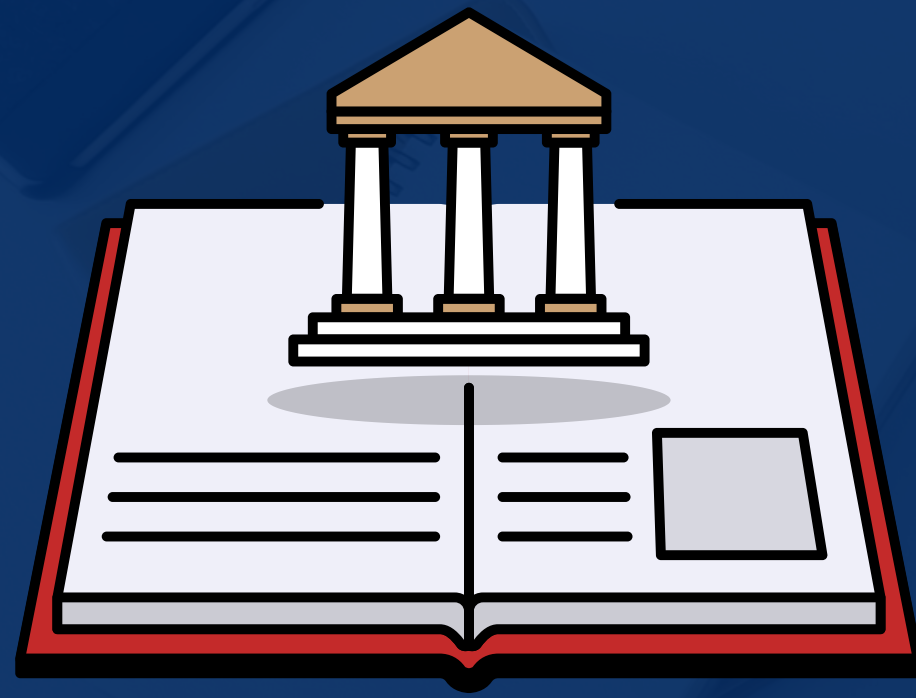
Union agencies and institutions for-

- (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 of crime.

Determining the standard institution national importance

(Entry 66)

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



THANK YOU

