
RIGHT TO EDUCATION AND NEW EDUCATION POLICIES 2020: NEW CHALLENGES

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ABSTRACT

Education plays a very vital role in the overall development of a human being. A child's future completely depends upon the kind of education the child receives. The kind of education provided to the child in home, school, society helps in developing the lifestyle of the child and also plays a very important role in the overall development of his/ her personality which includes his mental health, emotional development, ethical development, child's career, thought process, behaviour pattern, preferences, choices etc. the importance of education was realised since the beginning of the human civilisation and education was considered as the most essential part of a human life. Education is very important for the development of the human community and society at large. Right to education was included in the Indian constitution as a fundamental right and also an act called as "Right to education Act, 2009" was made with the purpose of achieving the aim of education for all with the motive to increase literacy rate in India. Later on as per the changing needs the New education policy, 2020 was also passed by the legislature for the enhancement of the same aim. The progress of any society or nation depends upon the education that nation provides to its citizens as an educated individual is an asset to the nation. The supreme court in its various judgements has supported the importance of education and also has established it as a basic fundamental right. The various committee submitted its report in favour and growth of education since independence. Education system of any country depends upon various factors like needs of that country, its culture, societal expectations, future expectations, past experiences, traditions etc. The new education policy adopts the requirement of the current society and various new innovative guidelines were made to adopt modern educational needs like introducing interdisciplinary and multidisciplinary form of education, etc. This paper aims at highlighting the importance of education, important features of Right to education and New education policy 2020, its merits, suggestions etc.

Keywords: Right to Education, New Education Policy 2020, Merits, Suggestions

INTRODUCTION

Education helps in developing the lifestyle of the child and has a larger impact on the overall development of the child. Jawaharlal Nehru once said “ Children are like buds in a garden and should be carefully nurtured, as they are the future of the nation and the citizens of tomorrow”. The future of the nation completely depends upon the children who are the foundations on which the nations strength, talent, growth lies. And this is only possible when a nation has healthy, well nurtured, educated and well developed children which is possible through education. It is rightly said that children are future of country and they reflect the overall image of country in oneself. With the passing of time more schools have been opened by the government in order to provide education to the children. Different policies have also been adopted, various modern methods of teaching, different kinds of facilities have been taken into consideration by the government in order to bring an updation in the education system as per the requirements of the modern society. The literacy rate of India has always been the matter of higher concern due to which the education system of India is always questioned.

HISTORY OF EDUCATION IN INDIA

From the Rigveda period itself our ancient education system has developed over years and it has focused on the overall development of the human being. The education focused on the development of both inner and outer self and focused on the growth of healthy mind and body. All the aspects of human life like morality, spirituality, physical fitness, development of intellect was given importance. The teachings of the values such as discipline, self-reliance, truthfulness, generosity etc were given importance. The importance of nature was taught to the children and also the relationship between nature and human was taught.

The ancient system of education was the education of the Vedas, Brahmanas, Upanishads and Dharmasutras¹. The works of the various sages or rishis such as Aryabhata, Athri, Vishwamitra, Jamadagni, Patanjali are great source of knowledge and were used to impart knowledge to the pupils in various disciplines. The writings of Charaka and Sushruta provides immense knowledge regarding medicines and surgeries. Sources of learning were drawn from various others disciplines such as Itihas (history), Anviksiki (logic), Mimamsa (interpretation)

¹ Class VI, Our Pasts-1, NCERT, 2017 ‘This birch bark manuscript of the Rigveda was found in Kashmir. About 150 years ago, it was used to prepare one of the earliest printed texts of the Rigveda, as well as an English translation. It is now preserved in a library in Pune, Maharashtra.’

Shilpashastra (architecture), Arthashastra (polity), Varta (agriculture, trade, commerce, animal husbandry) and Dhanurvedya (archery). Physical education was also an important part of education and sports, *vayamas*, *yogshadhanas* were taught to the students for their physical, mental, emotional well-being. So we can say that the both formal and informal methods of education was followed with the aim of promoting overall development of the students.

There were people in homes, society, villages, temples (the elders) who used to provide informal education to the children in the forms of moral stories so they live a pious life. Students used to reside with their gurus in gurukul or ashrams where they helped each other in the day-to-day chores. The main purpose was to develop inner and outer self of the person so that they have complete knowledge of various disciplines and live a disciplined life. Education related to disciplines such as history, *tarkshashtra*, art of debate, law, medicine, ²agriculture and industry etc were given to enhance their inner personality together with their outer personality.

Many universities such as Taxila and Nalanda were considered best for higher education and students from all across the globe used to come here for their education. Various women scholars such as Gargi, Lopmudra, Maiteri, Apala also used to run gurukuls and used to give various types of education like singing, dancing, vedic knowledge, archery etc. the women were also given equal opportunity in education and were taught same as men. But later the type of education provided to the women declined and they cannot study all types of discipline. Earlier education was provided to all four classes but later the issue of illiteracy started when education was restricted only to the brahmins and kshatriyas that is when the four classes of society became rigid.

POST – INDEPENDENCE ERA:

After independence, the government of the India realized that education is one of the most important pillars for the nation's progress and prosperity. A nation can progress only when it has the best education system and hence attention was given for the development of education. The problems underlying the educational reconstruction were taken into consideration by several commissions and committees and a thorough study was done by these committees in

² Singh, Y. K. & Nath, R. (2013). History of Indian Education system. Delhi, India: APH Publishing.

order to make a new education system which would be more effective and would help the government achieve its literacy rate.

The following committees were formed:

- The University Education Commission (it was formed under the chairmanship of Dr. Radhakrishnan).
- The Secondary Education Commission (it was formed under the chairmanship of Dr. Mudaliar).
- The Education Commission which is also known as the Kothari Commission (it was formed under the chairmanship of Dr. DS Kothari).

The Kothari commission examined the educational developments from all its dimensions. It also made a recommendation to the government that the central government should come up with the National Policy of Education in order to provide guidance to all local authorities as well the states.

1. **National Policy of Education, 1968:** This policy suggested that there should be certain educational system which provides such education to men and women that there is a development of ability and character in them in order to work for the development and service of the nation. Education should be such that helps in increasing the nation's prosperity and progress. It suggested certain policies like free and compulsory education should be provided to all the children of age group 6 to 14 years, sufficient emoluments should be provided to the teachers as well as non-teaching staffs, the three language formula should be adopted – hindi, english and a regional language, the state should provide equal opportunity to all the children irrespective of any discrimination, study for the growth of science and research should be promoted, agriculture and industry-based education should be provided, development of higher education should be done, games and sports should be introduced in the curriculum in order to promote physical and mental well being of the students, the minorities can establish their own educational institutions in order to promote education. Further the policy suggested that the schools should adopt 10+2+3 formula for education. The central government should in every five year review the progress of the education policy so that new changes and

modifications can be made from time to time as per the requirement.

2. **National Policy of Education (1986) with revisions (1992):** The previous policy had improved the education system and has also achieved certain milestones however, it was not sufficient for the accommodation of the new developments which were to be made as per the new education parameters set up in the entire world. Two committees namely – Acharya Ramamurti Committee and Janardhana Reddy Committee suggested certain changes which were necessary for the modification of the previous education policy. The policy was divided into 12 parts³.

The committees suggested that education is a unique investment which is very futile for the person. For the effective implementation of the policy, it is very important that there should be a partnership between the state government and the central government, the entire nation should work together as one and should pour their resources together to provide good quality education to all, the provisions should be made for providing education to the women, scheduled castes and tribes and other educationally backward sections so that the benefits of education also reach them. Further, it was also suggested that the disparities should be removed and the equal educational opportunity should be provided to all. Reorganisation of education at different stages should be done and the concept of open university, non-formal education, and distance learning was introduced as per the recent needs of society. There was a need for micro-planning for the transformation of education in rural areas.

BASIC HIGHLIGHTS OF RIGHT TO EDUCATION ACT, 2009

Many significant changes took place in the education system of India after the coming up of the education policy of 1986 and 1992. For illustration, the central legislature through 86th Constitutional Amendment inserted Article 21 (A)⁴ in the Indian constitution which made education as the fundamental right of all children. After this the Right to Education Act was passed in 2009.

- Right to education act made it obligatory for the state to provide free and compulsory

³ Government of India. (2009). The Right of Children to Free and Compulsory Education Act. New Delhi, India: Ministry of Law and Justice Retrieved from original on 20th september 2022.

⁴ Constitution of India Act, 1950 a. 21 A.

education to the children of 6 to 14 years of age group.

- No child shall be expelled or held back until the completion of his elementary education.
- The financial expenditure with respect to education will be shared between the centre and the state in a ratio of 68:32.
- Other facilities like the opening of new schools, construction of toilets, drinking water facilities, construction and maintenance of schools, emoluments for teachers, in-service training of the teachers, free textbooks, cycles, uniforms, mid-day meals etc would be provided to the children.
- The government should provide scholarships for meritorious students in order to encourage them for higher education.
- Elementary education was included as the fundamental right of children up to 14 years of age.
- Quality education should be provided to the children and no discrimination should be made on the grounds of category and degree of their disability.
- Regular appointments of the teachers should be made from time to time as per the vacancy of the posts so that there is no shortage of teachers.
- Annual in-service training of teachers should be done in order to upgrade the skills of the teacher.
- Special focus on the education of the girl children and the children belonging to the disadvantaged groups and weaker sections should be provided.
- The fresh recruited teachers should be provided 30 days training before the starting of their service.
- This act prohibits any form of physical punishment, mental harassment, no screening procedures should be followed for the admission of the children, no capitation fees will

be charged for admission in the schools from the parents.

- No schools are entitled to come in operation unless they have been recognised and have obtained the license.
- Under section 12 (1) (c)⁵ It is compulsory for the private unaided schools to reserve a minimum of 25% seats for economically weaker sections.
- The act ensures that the child-friendly environment with child-centered learning should be provided in the school and also value based education should be provided to the children from an early age with the aim of overall development of the child's personality.
- The states as per their resources and machineries can make effort to implement the provisions of the Right to education act.
- The student-teacher ratio that is 30:1 should be followed in all schools.

BASIC HIGHLIGHTS OF THE NATIONAL EDUCATION POLICY, 2020

The government with regard to meeting the current and future requirements to quality education, innovation and research framed a new education policy with the aim of making India a knowledge superpower and to also to curtail the shortage of manpower in the areas of science and technology, industries and academics. It aims at providing multidisciplinary and disciplinary liberal education⁶. There was a need for vocational activities in the curriculum from the early stages in order to develop positive attitudes in the students. In view of its significance, most countries have accorded an honoured place for education. India is certainly one of them⁷.

A committee under the chairmanship of Dr. K. Kasturirangan was formed in order to make recommendations for bringing such reforms in the education policy.

⁵ RTE Act, 2009 s. 12(1)(c).

⁶ Document on National Policy on Education 1986: [https:// www.education.gov.in/sites/upload_files/mhrd/files/upload_document/npe.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/upload_document/npe.pdf) Accessed on 20-Sep-2022 at 17:36.

⁷ Aithal, P. S., & Aithal, S. (2020). Implementation Strategies of Higher Education Part of National Education Policy 2020 of India towards Achieving its Objectives. *International Journal of Management, Technology, and Social Sciences (IJMTS)*, 5(2).

This policy of 2020 aims at providing a multidisciplinary and interdisciplinary liberal education.

- **CURRICULUM** : It has introduced 5+3+3+4 education system. The foundation stage includes pre school to grade 2 . It deals with early child care and basic learning. It is flexible and entirely activity based which includes learning by playing, discovery-based, fun study and it aims to teach small children about basic things in their local language. The basics such as colours, shapes, sounds, games, painting etc are taught to them with activity-based methods or by fun learning.

The preparatory stage includes grade 3 -5. Foundation literacy is very important for the growth of students lack of proper foundation may lead to many problems in higher classes. It is an activity-based interactive classroom where the teacher uses the method of fun learning and also focuses in the development of reading, writing, speaking skills of the children. The subjects such as languages, mathematics, science, arts, sports are introduced in this stage.

The middle stage includes grades 6-8. The teacher mostly uses the experimental method to make children learn various things. The subject teachers will provide more abstract knowledge to the children with respect of the subjects like science, maths, social science, humanities etc. It includes leaning by method of discussion and exploring interdisciplinary relations between various subjects.

The secondary stage includes grades 9-12. Here the method of imparting education is more formal. The students are asked to concentrate more on the subjects as it requires study in greater depth. Methods of critical thinking, flexibility and choice of subjects are provided to the children. This further helps the children to find their area of interest and makes them ready to pursue higher education.

- The architecture of higher education institutes: the development of professional skills of the students are done on this stage. It is further divided into three categories:-
 1. Under graduation education – It is of 3 to 4 years. The students will be given the option of multiple entry and exists and for each passing year, they will be provided with a certificate.

2. Post-graduation education – It will be a one-year course or a two-year course based on the previous degree. The students will also have an option of choosing five year integrated degree course in which the graduation and post graduation will be done together. The last year will include high quality of research which would indeed lead to the creation of professionalism in the students.
3. Research – It will be of 3 to 4 years and is considered as high-quality research or Ph.D. in any disciplinary subject. The students will also have an option of going for multidisciplinary research which can be of full time or part time. There will be a total of 8 credit works in research course which will including teaching, education and practical knowledge.

The one-year program of M. Phil is henceforth discontinued through the new education policy of 2020.

- Teaching faculty- In order to improve the standard of teaching a change has been brought in the course structure and course duration of Bachelor of Education. The course will now be of 4 years while for the students who have completed their master's degree in different disciplines or the students whose graduation was of 4 years for them the B. Ed. The course will be of 1 year. They will be trained with respect to the educational stage in which they are wishing to teach. So this will help in increasing the literacy rate in India.
- Adult education- Many people in India due to various reasons are not able to complete their basic education. In the new education policy, the government has also taken them into consideration and has decided to adopt the Central Institute of Adult Education. In order to improve the living standard of illiterate adults and also to provide them with options and opportunities to complete their education an education curriculum for them has been introduced. They will be taught life skill subjects like finance, digital-related, healthcare courses, childcare, vocational courses, basic education. They can also pursue higher education through open universities and distance learning. And a new section has been added in NCERT for this purpose.
- A new apex body will be made and the Ministry of human resource development will be reassigned to the Ministry of education. The prime minister will be the chairperson

of the Rashtriya Shiksha Aayog and various new regulatory bodies like general education council, national research foundation, higher education grants council etc will be set up to enhance the education policy. This apex body will be the supreme decision maker and all the other bodies like NAAC, NCERT etc will fall under it.

Merits of NEP, 2020:

The new education policy is brought up with the aim of enhancing the level of education in India and also with the target of bringing a great change in literacy rates and also in the quality of education in the next 10 years.

- The new 5+3+3+4 curriculum system is expected to impart more quality education to the students and will help in the development of intellect among them.
- The new adult education policy will attract more adults and help them to complete their education in any age.
- The multidisciplinary approach will help students to gain more knowledge and also to develop critical thinking in them regarding those subjects.
- This policy is also said to be student centric as the students can do more than one course at the same time one through an online mode or distance learning and another through an offline mode in any university.
- Vocational courses introduced in the school will help in the development of positive attitudes in the students and will lead to the prosperity of the country.
- The volunteers can provide quality education at the nearby local schools.
- The apex body created will act as a guard against all the other educational bodies. And all important decisions will have to be made through a proper meeting between the Rashtriya Shiksha Aayog and those educational bodies. So more transparency in the decision-making and function is being expected.
- The approval of the establishment of a branch of foreign universities in India.

- Midday meals, scholarships, uniforms etc will continue to be provided to the children.
- The preschool development of children will be done through the establishment of Anganwadi in nearby areas which will take care of the child and will also provide fun learning to them.
- The higher education and research were given more importance in the 2020 policy. Hence, various changes have been brought in to support the quality of intellect and also multidisciplinary and interdisciplinary will help them in leaning more than one discipline at a time.
- The integrated courses have been enhanced to increase the best possible education for the students.

Relationship between Right to Education 2009 and New Education Policy 2020:

Right to education aims at providing “education to all”. It made education a basic fundamental right of the children and hence created an obligation upon the state to provide the same. The establishment of schools have been made in many areas and various other benefits together with education are provided to the children. Further, the main aim of it was to establish an education system which would target all the sections of society and various provisions in regard of the implementation of the same has been made. It emphasised on the higher education.

While the New Education Policy 2020 is a step towards the development of higher education, research, vocational courses, multidisciplinary courses etc. it was made with regard to the demand of the present years with respect to future needs. It emphasises the overall enhancement in the intellect and the quality of education in order to create strong manpower.

The proposal for the revision of the age bracket of compulsory education has been made from 6-14 years to 3-18 years. Moreover, the central government will increase its participation together with other states and educational bodies so that effective decisions can be made. Further 25% reservation for other backward classes, scheduled caste, scheduled tribes have been introduced in aided and nonaided institutions. The pupil–teacher ratio has to be maintained and all the other provisions of the RTE Act 2009 have to followed. Further new

education policy helps in the enhancement of the Right to Education Act. And it will help to keep a check upon the functioning of unrecognised schools and coachings.

The recent data suggests that more than 3 million economically backward children are to be benefitted from the reservations provided in the act.

SUGGESTIONS OR IMPROVEMENTS TO BE INTRODUCED IN THE NEW EDUCATION POLICY 2020:

The new policy has been properly drafted however few improvements can be suggested:

- Publication of research papers should be made compulsory in post-graduation courses to improve the research skills I the students.
- Retired professors and other researchers with immense knowledge should be allowed to guide higher education students and research students.
- The online study material such as ebooks, journals, etc should be made easily available and accessible to all students.
- The students who fail to complete schooling should be allowed to attend an exam which is equivalent to boards so that they can continue their higher education.
- Scholarships should be given on a regular basis and other assistance should also be provided to the students.
- There must be regular training of teachers and professors from time to time to make them updated with the new teaching methods. And they must be regularly evaluated on the basis of their performance.
- Part-time jobs must be introduced so that the students who are doing vocational courses can make use of the same and can earn together with their studies.
- Ethical and moral classes together with basic healthcare should be introduced to do the inside-out development of the personality of the students from an early age.
- The provisions of the Right to Education act should first be enforced so that the best

benefit of both can be achieved.

CONCLUSION

Education is very important for the overall development of human resources which would ultimately help in the prosperity and growth of the country. The Right to Education Act 2009 was brought with the motive of providing “free and compulsory education to all”. However, the quality of education provided to all also plays a very important role. The New Education Policy introduced in July, 2020 was brought with the motive of improving the quality of education especially with respect to higher education, research, vocational courses, multidisciplinary courses etc. The main purpose was to bring a change with respect to the recent trends in education. The gap in the educational system was identified by the government and hence new policy was laid down. The NEP 2020 strengthens the Right to Education act by considering all three important instruments of education that is, the teacher, students and the parents. The new policy aims to strengthen the education system in rural areas and it also provides online methods of learning and distance education. If the rural areas have the self-developed infrastructure and are able to provide quality education to their residents then only there can be equitable distribution of education. Further, the new policy is a step towards the reinforcement of the provisions of the 2009 Act. Further right to education means the citizens have the right to call the state to provide the facilities of education to them according to their financial capacity.⁸

⁸ J.P. Unnikrishnan v. State of Andhra Pradesh 1993 SCR (1) 594.