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## RIGHT TO EDUCATION UNDER ARTICLE 21A: A CRITICAL AND ANALYTICAL STUDY OF LEGAL FRAME IN INDIA

*“The true purpose of education is to replace an empty mind with an open one.”*

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### ABSTRACT

*Education is the most vital element for the development of any nation. This article presents a critical analysis of the Right to Education in Indian, tracing its judicial origin from history foundations Article 21A to modern legal frameworks. The study emphasizes historical shift of education of transition from industry schooling, the economic aspect of education, highlighting the importance of allocating 3% to 6% of GDP to improve infrastructure and quality. It also references UNESCO'S reports regarding the global efforts to reduce educational gaps and the historical challenges in achieving universal literacy. A major focus of this research is the judicial evolution of Article 21 and Article 21A through landmark judgments like Mohini Jain and Unni Krishnan, which transformed education into a justiciable Fundamental Right. Furthermore, the article explores the integration of Modern Technology in classrooms, discussing how digital tools are reshaping the learning experience. As instrument for social empowerment, the analysis conclusion that for a successful transition from 'Rote Learning' to 'Critical Thinking' the government must bridge the implementation gap*



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*and ensure that quality education remains accessible to all sections of society, fulfilling the dream of a truly de-colonized and empowered Indian.”*

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## **INTRODUCTION**

The Right to Education is not just a legal provision under Article 21A, but a social-economic necessity for India. To understand the legal depth of this right, we must first look at its impact on our nation's progress and global standards. Education is not merely a means to achieved literacy or acquired a degree; it is the destiny of nation of and the definitive key to unlocking its economic potential. Education is the fundamental planner of human character and strong base of the social justice. Education clears our mind that we think deeply, it means we don't accept without thinking but rather understand the why and how behind it. This is most important that we learn to act as responsible human, not just for ourselves, but for whole society. From an economic perspective, it is observed that if a country's average schooling increased by just one years, its Gross Domestic Production (GDP) can experience a permanent increase of 3% to 6%. However, the true value of education when is change the mind of a person who just placed and watches the world into, a person who starts contributing to the progress of the world challenge injustice and work for a better tomorrow. Beyond classroom learning, it acts as catalyst for critical thinking, empowering individual to Research by UNESCO confirms that education is the “protective shield of civilization.” If universal access to secondary education is the achieved globally, the like hood of wars and civil conflicts could be reduced by 50%. It is evident that an educated mind prioritizes dialogue over violence. In today is a digital era, education is needed to bridge the gap between human intelligence and technological advancement and developing, ensuring a sustainable and ethical future for all. In today's times where there is plenty of information everywhere, education is the only Parth that saves us from going astray and shows us the right path for the welfare of the entire humanity.

## **THE ROLE ARTICLE 21A IN DRIVING SOCIAL AND ECONOMIC CHANGE**

The Right to Education under article 21A is the fundamental of a country's economic and social progress. It is not merely a legal provision but a definitive key to unlocking India's economic potential. When a person take education does not mean, he is doing a job but also contribute to the GDP of the country. Even a small grow in schooling can increase a country's income 3% to 6%. Erudite people invent new technology, new business and new ideas, which eliminate poverty in the nation and raise the standard of living for the people. Education is not only a path for an economic progress, but it is also for basic a better



society. When people are educated, they speak out against the wrong things happening in the society and stop them from happening. In older time, many wrong customs was followed, but our learned individuals have worked towards removing these elements from our community. I truly believed that the law is successful only when the people are educated and aware of their fundamental rights. Education is not only refining our mind but also character of the entire nation.

Education is not just a social and economic need but also, the fundamental right under Article 21A of our Indian constitution, therefore it becomes a fundamental right. It is not just limited to reading and writing, but every citizen of our country should know his legal rights and duties. So that justice reaches the grassroots level. If we look beyond social change, education is the real key to legal power. The law protects those who understand it. Through education, we understand rules and regulations, and because of this, exploitation of poor or weak people can be stooped.

Nowadays people get lost in computers and technology, but they forget what is wrong and what is right. It teaches us how to use technology in a correct and ethical way, so that we can face new problem oh the times to come. With education we can not only think about our own needs but can also fulfil the needs of others with our knowledge. We need people who are intelligent but also have honesty and moral.

### **ISSUES INVOLVED**

The Article 21A guarantees the right to education, there are several critical issues that need an analytic study. Firstly, there is a growing concern about whether delivering degrees or provides real knowledge. Secondly, significant ‘Digital Dived’ exists, where a massive gap in technology and internet access persists between metropolitan cities and regional or rural areas. Furthermore, there remains a huge skill gap between formal education and actual employment opportunities. Lastly, the biggest legal challenge lies in making citizens truly aware of their fundamental rights and duties. Addressing these issues is essential to ensure that the constitutional mandate of the ‘right to education’ us fulfilled in its true spirit.

### **SCOPE**

The study aims to examine how this legal mandate acts as a catalyst for social and economic change in India. It covers the practical challenge of our educational system, focusing on whether it provides real knowledge system, focusing on whether it provides real knowledge or just degrees. Furthermore, the scope includes an analysis of the technology gap in employment, and the essential task of making citizens aware of their fundamental rights. By connecting these elements, the study explores the full potential of Article 21A in building an ethical and progressive nation.



## HISTORY SHIFT OF EDUCATION

The history of educational is change as per the need of society. Firstly, Industry Era 18<sup>th</sup> and 19<sup>th</sup> Century. During this era, the repaid emergency of new factory and industries create a demand for a specific type of workforce. These industries required individual who could operate like machine consistently, punctually, and without deviation. To fulfil this economic necessity, the educational system was intentionally restructured to mirror the instil absolute students were designed to instil absolute discipline and obedience, ensuring that student was prepared to join the labour force as efficient and compliant works.

The education system of that time focused heavily on training children for factory life. This included instilling habits for factory life. This included instilling habits such as standing in lines, strict punctuality, and absolute obedience to seniors or authorities. These rules were enforced with extreme rigidity and were expected to be followed without question.

Just as a factory manufactured identical products, the educational system of that era was designed to produce children with uniform skill and throughs. The curriculum was standardized so that every student learned the same thing in the same way, preparing them for repetitive industrial tasks.

During this time, individual intelligence or creativity was not a priority. Instead, the focus was on how a priority. Instead, the focus was on how quickly a child could learn to perform a task and how strictly they could adhere to discipline. Education was limited to basic literacy and arithmetic, serving the sole purpose of turning human being into efficient 'products' for the industrial market. The 20<sup>th</sup> century marked a significant shift in education as learning became more specialized. With the emergence of major university, individual gained the opportunity to pursue diverse career parts based on their interests, specifically in professional fields like law, medicine, and engineering.

Currently, academic degrees serve as a symbol of social prestige. There is a direct correlation between the level of one's education and the respect they receive from society. Consequently, many pursue higher education as a means of upward social mobility to elevate their status and transition into a different social class. People pursue education because they want to change their social class. Historically, access to Knowledge was confined to the pages of books. However, the advent of the internet has revolutionized our world, making information our world, making information more accessible than ever. This digital transformation has simplified task across all field, empowering individual to excel in both academics and diverse professional endeavours.



In the past, people used to rely on rote learning memorization just to remember facts. But today, this task is handled for us by AI. Now, the true purpose of learning is to develop Critical thinking and creativity.

Historically, we have seen that during the Industrial Era, a child was often treated as nothing more than a resources or a product. However, in modern times, our Article 21 and 21A has profound changed this old mindset. Today, education is not just for securing a job, but for living a life of dignity.

Where the old system focused on creating ‘machines’, today Article 21 and Article 21A work together to create aware and informed citizens. Ensure that every child has the legal right to an education that develops their full potential as a citizen of a democratic nation.

## **THE TRANSFER FROM INDUSTRIAL SCHOOLING TO CONSTITUTIONAL RIGHT UNDER ARTICLE 21A**

In the past, a student’s role was limited to rote learning, they would memorized facts just to clear examination. However, in the modern are, education is no longer about mere memorization. Since information is now available at the click of a button on the internet. Our true task is to develop a deep understanding of new concepts. In this modern age, understand is the real necessity. Article 21A, education is now seen as a clearing exam. This legal right ensure that student move beyond memorization to achieve a deep understanding of concepts.

“Critical thinking is more than just the act of asking questions, it is about the quality of leaning. Education should create an environment where a student’s knowledge is not confined to what the teacher says. Instead, students should be encouraged to question the validity of what they are taught and continue seeking answer until they are truly satisfied. This process of inquiry sharpens the mind, improves cognitive function, and fuels a sense of excitement and curiosity in the learning journey. The constitution vision of the Right to education encourages a classroom environment where inquiry is a fundamental right. This process of questioning fuel the curiosity needed for a democratic.

Our “New Education” system does not merely teach children how to remember answers. Instead, its teachers them how to approach and solve a problem. The true meaning of education is not just to identify a problem but to develop the ability to find its solution. Article 21A aims to create problems-solving. The legal mandate is to provide education that empowers children to find solutions to social and economic challenge.

The modern education system encourage student to develop their own unique perspective and point of view. This approach empowers children to make information and independent take decisions in life. By



fostering critical thinking, students can distinguish between right and wrong within society, enabling them to actively contribute to the creation of a better and more aware community. It is a collective effort to shift from mere memorization to meaning understanding. Ultimately, the goal of the Right to Education is to develop independent citizen with their own unique perspectives, enabling them to actively contribute to the nations progress as per constitutional values.

## **EDUCATION AS AN ARTICLE 21A: A LEGAL INSTRUMENT FOR SOCIAL EMPOWERMENT**

The constitution mandate of Article 21A, acts as a powerful catalyst for social empowerments by making people aware of their legal and constitutional rights. This awareness serves as a shield, protecting citizen from being cheated or exploited by others in society. The right to education provides the necessary skills for better career opportunities, which directly leads to ‘liberty’ forms poverty’ and helps families improves their financial status. Beyond economic benefits, Article 21A is essential for abolishing discrimination, its transformations traditional mindsets and helps eliminate social evils like casteism and gender bias. By fostering an environment of equality and dignity, education ensures that every individual can live a better and more respected life.

## **ROLE OF TECHNOLOGY FULFILLING THE VISION OF ARTICLE 21A**

In the present time, technology has made education much better. In schools and colleges, we can see that it is no longer just about old blackboards. Today, in modern education, smartboards, laptops, and the internet are widely used. This makes it easier for children to understand something through text; they can learn it through pictures and videos. Because of the internet, children can gain knowledge about things from all over the world. This makes learning interesting and not boring. Although technology has not reached many places yet, the government is making efforts so that every child can get knowledge of this new world.

This digital changing is a big step toward achieving the curriculum, we ensure that the Right to Education is not just about physical attendance, but about providing ‘quality of education this is important for modern time. The use of digital tools helps in breaking the barriers of traditional learning, making the constitutional promise of education more inclusive and effective for every child in the modern time.



## CONTEMPORARY CHALLENGES AND THE NEW PARADIGM OF EDUCATION OF EDUCATION

We are now currently living in a modern era of information explosion and Artificial Intelligence. In this age the definition of education has evolved. In this digital era the means of education is totally change and most of the people are aware from technology. The following points explain this new changing:

In today's modern world, a great scholar is not someone who merely memorizes everything or possesses all the skill acquired through experience. Rather, we consider someone a true scholar if they embrace and learn new things. In early time people gains their all their knowledge solely from books, but in today's era, people use digital tools and AI to gather information.

Therefore, we can consider that a great scholar is one who adapts and evolves according to the changing times.

Educated people can take better care a about of themselves and their families because they are aware of what actions will negatively and positively impact their health and lifestyle.

Data and reports indicated that educated mother can significantly improve the survival rate of children, increasing it by 50%.

Education is a most power full weapon in any democracy country. An educated citizen serves as a shield against correction. It empowers individual with the knowledges and awareness.

Education is the most cost-effective and sustainable way to combat climate change. Societies with educated woman, have found to be more resilient in the grace of natural disaster

The goal of the "Article 21 of the Indian constitution", is not only provide to a citizen for free and compulsory education but also provide a dignified life is impossible without the light of education. Education empowers the marginalized to recognize their rights and fight against social injustice.

The main purpose of education is not just filling the minds, of scholar but rather to open, it so that it can decide between right and wrong. In this context, Article is no longer just about literacy, it is about Digital Literacy and Adaptability. The legal right to education must now encompass the ability to navigate through Artificial Intelligence and massive data. Therefore, the new paradigm focuses on creating lifelong learnings who can evolve with changing technology.



## JUDICIAL POINT OF VIEW ON RIGHT TO EDUCATION

The Supreme court of India has played a monumental role in making education a Fundamental Right. The Judiciary has ensured that education is an essential part of the ‘Right to Life’ under Article 21, so that every citizen can lead a life of dignity. Now, people can legally claim their right to education. There are several landmark cases where the Supreme Court has given historic judgments to strengthen the educational framework of the country. In the case, **Mohini Jain v. State of Karnataka (1992)**: the Supreme Court clearly stated that the Right to Education is a part of the Article 21 of the Indian Constitution. The court observed that without education, a person cannot live a life with dignity. Therefore, Education is not just a simple right, but a fundamental and vital part of human life itself. The logic was further strengthened in **Unni Krishnan v. State of Andhra Pradesh (1993)**: In this case, the Supreme Court took the Mohini Jain Judgment a step further. The court ordered that every child up to the age of 14 years has a “right to free and compulsory education.” This landmark judgment established. This landmark judgment established education as a fundamental right. Because of this historic decision, the parliament later added Article 21A to the Indian Constitution, making the right to education a permanent law. Finally in the **State of Uttar Pradesh v. Anand Narain Singh (1964)**: In this court has emphasized the government’s responsibility to ensure every child has access to school and quality education. These cases paved the way for the RTE ACT (2009).

### **OBSERVATIONS**

Education is like a protective shield for the society, which teaches people to solve their problems through discussion instead of violence. The success of law is directly linked to the people’s ability to fully comprehend and follow it. Under Article 21A, it is observed that education is finally thinking, through the focus must remain on real knowledge rather than just degree. While technology has modernized classroom, a digital divide’ still exists between rural and urban areas. Our article 21A is providing to be a vital tool for social empowerment and abolishing discrimination. Although the judiciary has made education a fundamental right, more awareness is needs at the ground level to ensure its benefits reach the poorest sections of society. Today, mere bookish information is not enough, there is a great need for true moral education.

### **CONCLUSION**

“In conclusion, education is not just a formality; it is deeply connected to our “Human Dignity” and “Right to Life” under Article 21, seen in the Mohini Jain and Unni Krishnan cases, without education, a person



cannot effectively exercise their legal and fundamental rights. For the growth of society, we must be educated to solve our social and economic problems. Education does not mean just bookish knowledge; it also includes learning about new technology. The government should not only focus on making laws but also ensure that quality education is reaching everyone when we move away from ‘Rote Learning’ towards ‘Critical Thinking’ only then will our society progress and the nation will prosper.

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