

UNIT I

Topic 2

***Prioritizing the aims of
education in the context of
national values enshrined in
the constitution of India***

Preamble

- WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure 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;
- IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, DO HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

Democratic PRINCIPLE

"We, the people of India ...in our constituent assembly do hereby adopt, enact and give to ourselves this constitution", signifies the democratic principle that power is ultimately rested in the hands of the people. It also emphasizes that the constitution is made by and for the Indian people and not given to them by any outside power.

values expressed in the Preamble

- sovereignty,
- socialism,
- secularism,
- democracy,
- republican character,

values expressed in the Preamble contd.

- justice,
- liberty,
- equality,
- fraternity,
- human dignity unity and integrity of the Nation.

SOVEREIGN

The word sovereign means supreme or independence. India is internally and externally sovereign - externally free from the control of any foreign power and internally, it has a free government, which is directly elected by the people and makes laws that govern the people.

Socialist

- The word was added to the Preamble by the forty-second amendment.
- It implies social and economic equality.
- Social equality – THE absence of discrimination on the grounds of caste, creed, colour, sex, religion or language. everyone has equal status and opportunity

Socialist

- Economic equality in this context means that the government will endeavor to make the distribution of wealth more equal and provide a decent standard of living for all.

Secular

- **Indian Government shall respect all religions. It would not uplift or degrade any particular religion.**

Democratic

- The people of India elect their governments at all levels (union, state and local) by a system of universal adult franchise popularly known as "one man one vote".
- Every citizen enjoys this right without any discrimination on the basis of caste, creed, colour, sex, religion or education.

Republic

a democratic republic is an entity in which the head of state is elected, directly or indirectly, for a fixed tenure. The leader of the state is elected by the people.

Forty-second Amendment

- *On 18 December 1976, during the [Emergency](#) in India, the [Indira Gandhi](#) government pushed through several changes in the [Forty-second Amendment](#) of the constitution. A committee under the chairmanship of [Sardar Swaran Singh](#) recommended that this amendment be enacted after being constituted to study the question of amending the constitution in the light of past experience. Through this amendment the words "socialist" and "secular" were added between the words "sovereign" and "democratic" and the words "unity of the Nation" were changed to "unity and integrity of the Nation".*

Justice

- The term 'justice' in the Preamble embraces three distinct forms-- social, economic and political.
- These are secured through various provisions of Fundamental Rights and Directive Principles.

Social justice

- denotes the equal treatment of all citizens without any social distinction based on caste, colour, race, religion, sex and so on. It means absence of privileges being extended to any particular section of the society, and improvement in the conditions of backward classes (SCs, STs, and OBCs) and women.

Economic justice

- denotes on the non- discrimination between people on the basis of economic factors. It involves the elimination of glaring inequalities in wealth, income and property.
- A combination of social justice and economic justice denotes what is known as 'distributive justice'

Political justice

- implies that all citizens should have equal political rights, equal voice in the government.

Liberty

- The Preamble mentions
- freedom of thought, expression, belief, faith and worship which are assured to every member of the community against all the authorities of States by Part-III of the Constitution.

Equality

- The term 'equality' means the absence of special privileges to any section of the society, and provision of adequate opportunities for all individuals without any discrimination.
- This provision embraces three dimensions of equality----civic, political and economic.

The following provisions on Fundamental Rights ensure civic

- a) Equality before the Law (Article 14).
- b) Prohibition of discrimination on grounds of religion, race, caste, sex of place of birth (Article 15).
- c) Equality of opportunity in matters of public employment (Article 16).
- d) Abolition of untouchability (Article 17).
- e) Abolition of titles (Article 18).

Fraternity

- stands for the spirit of common brotherhood.
- Democracy has been given the responsibility to generate this spirit of brotherhood amongst all sections of people.
- Article-51A(e) therefore, declares it as a duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities. Article 51A(f) further asks each citizen to value and preserve the rich heritage of our composite culture.

Dignity of the individual

- Fraternity and dignity of the individuals have a close link. Fraternity is only achievable when the dignity of the individual will be secured and promoted.
- Our Constitution acknowledges that all citizens, men and women equally, have the right to an adequate means of livelihood (Art.-39 a) and just and humane conditions of work (Art.42). Article-17 has abolished the practice of untouchability by declaring it as a punishable offence. Our Constitution directs the state to take steps to put an end to exploitation and poverty.

Unity and integrity of the Nation

- To maintain the independence of the country intact an enduring unity and integrity of the nation is very essential.
- Without a spirit of brotherhood amongst the people the ideals of unity and integration of people and nation seem unattainable. Our Constitution expects from all the citizens of India to uphold and protect the unity and integrity of India as a matter of duty.

Educational Provisions in the Constitutions

The following constitutional provisions have a great bearing on the functioning of the educational system in India.

Article 28 (1) prohibits religious instruction in any educational institution wholly maintained out of state funds.

Article 28 (2) states, “ Nothing in clause (1) shall apply to an educational institution which is administered by the state but has been established under any endowment or trust which requires that religious instruction shall be imparted in that institution.”

Article 28 (3) provides, “No person attending any educational institution recognized by the state or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or to attend any religious worship that may be conducted in such institution or any premises attached thereto unless such person is a minor and his guardian has given his consent thereto.”

Educational Implications of Article 28(1), 28(2) and 28(3)

ensure freedom of religion to all citizens. The constitution strictly prohibits any discrimination on grounds of religion. Secularism thus is a value in the sense that it supports our plural society. It aims at promoting cohesion among different communities living in India.

Article 29 states:

“ any section of the citizens residing in the territory of India or any other part thereof, having a distinct language, script or culture of its own shall have right to conserve the same.”

- “No citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds of religion, race, caste, language or any one of them.”

Article 30 states:

“All minorities whether based on religion or language shall have right to establish and administer educational institutions of their choice.”

“The state shall not discriminate against any educational institution in respect of grant in aid on the ground that it is under the management of a minority, whether based on religion or language.”

Educational Implications of Article 29 (1) & (2) and Article 30

Article 29 (1) & (2) and Article 30 ensure CULTURAL AND EDUCATIONAL RIGHTS to all citizens. The constitution of India defines minorities as group of people having a distinct language, script or culture of its own. The provisions of the articles and 30 further the ideals of the constitution as envisaged by the preamble which sets upon itself as a cherished goal to assure to all the citizens the liberty of thought, expression, belief, faith and worship.

Article 45:

- Before the constitutional amendment in 2002, Article 45 (Articles 36 - 51 are on Directive Principles of State Policy) of the Constitution “The state shall endeavor to provide within a period of ten years from the commencement of this constitution, for free and compulsory education for all children till they complete the age of fourteen years.”

Article 45 , 21 A & 51 A

- are based on the educational objective of the highest priority not only on the grounds of social justice and democracy but also for raising the competence of the average worker and for increasing national productivity. It aims to eradicate illiteracy, improvement in the quality of education and make children return to school who left the school for one or the other reason. The Act makes [education a fundamental right](#) of every child between the ages of 6 and 14 and specifies minimum norms in elementary schools.

- ***Short title and commencement.***- (1) This Act may be called the Constitution (Eighty-sixth Amendment) Act, 2002. It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Insertion of new article 21A

- . - After article 21 of the Constitution, the following article shall be inserted, namely, Right to education."21A. The State shall 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."

Substitution of new article for article 45.

- - For article 45 of the Constitution, the following article shall be substituted, namely, Provision for early childhood care and education to children below the age of six years. Article 45, “The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.”.

Amendment of article 51A

- .- In article 51A of the Constitution, after clause (J), the following clause shall be added, namely **Clause (k)** “who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.”

Educational Implications

Article 45 , 21 A & 51 A contd.....

- It requires all private schools to reserve 25% of seats to children from poor families (to be reimbursed by the state as part of the public-private partnership plan). It also prohibits all unrecognized schools from practice, and makes provisions for no donation or capitation fees and no interview of the child or parent for admission. The Act also provides that no child shall be held back, expelled, or required to pass a board examination until the completion of elementary education. There is also a provision for special training of school drop-outs to bring them up to par with students of the same age.

Educational Implications

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 scheduled tribes and shall protect them from social injustice and all forms of exploitation.”

Article 46

- provides for special care to the promotion of education and economic interests of scheduled castes, schedule tribes and weaker sections of the society.

Article 350-A: & Article 350-B:

- **Article 350- A** provides, “ It shall be the endeavour of every state to provide adequate facilities for instruction in the mother tongue at the primary stage of education to children belonging to linguistic minority groups and the president may issue such directions to any state as he considers necessary or proper for securing the provision of such facilities.”
- **Article 350-B:**
- It provides for a special offer for linguistic minorities.

Articles 350- A & 350- B

The Secondary education Commission has laid stress on the need of imparting education in the mother tongue to those children who belong to linguistic minorities. Supporting the claim of mother tongue as a medium of instruction, Kothari Commission remarked, “The medium selected should enable the students to acquire knowledge with facility to express themselves with clarity and to think with precision and vigour.”

Article 351

Article 351 provides that, “it is the special responsibility of the centre to develop the national language i.e. Hindi so that it may serve as a medium of instruction for all the elements of composite culture of India.”

Educational Implications Art. 351

- The constitutional provision regarding the development and enrichment of Hindi is quite in tune with national aspiration. The important educational implications emerging from this constitutional provisions are : Hindi could be used as the official language of the Union, Hindi to be propagated in non – Hindi speaking areas.

Article 15 (3)

- of the constitution empowers the state to make any special provision for women and this includes their education also
- . **Article 16(1)** that “state shall not discriminate against any citizen on grounds only of sex”.

Educational Implications Article 15 (3)

- ensures Right to Equality to all citizens. The concept of equality is the guiding principle of our social living. Dynamics of social change speak of the fact that equality in every sphere of life is very essential.