



# IMPORTANCE OF EDUCATION IN LIFE AND SOCIETY: AN ANALYSIS

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**Abstract:** Education is the process by which an individual freely develops himself according to his nature in a free and uncontrolled environment. It is a lifelong process of growth and development. Education plays a very vital role in the advancement of any society. Education has also become a basic commodity like food, clothing, and shelter. It develops a positive attitude in the society. For a long time, Education was not a fundamental right in the Indian Constitution. It was the year 2002, when education was made a fundamental right through the 86th constitutional amendment. Through this amendment, three changes were made in the Indian Constitution. Article 21A namely right to education, was inserted and article 45 for making provision for early childhood care and education to children below the age of six years. Amendment of article 51A parent or guardian to provide opportunities for education to his child. In order to ensure the implementation of these changes, in the year 2009, The Right of Children to Free and Compulsory Education Act was enacted by the Parliament, which was implemented from April 01, 2010 the title of the RTE Act.

**Keywords:** Fundamental Right, Constitution, Implementation, Article, Amendment.

## INTRODUCTION:

Education in stills in the child a sense of maturity and responsibility by bringing in him the desired changes according to his needs and the demands of ever-changing society, of which he is an integral part. Education bestows immense benefits upon a person. A well-educated person is known all over the region. He is able to meet the conflicting challenges. He tides over all the difficulties which confront him in day to day living. Education cultures the individual and helps him to fulfil his needs. Education develops the individual like a flower which distributes its fragrance all over the environment. Thus, education is a conducive process which develops a child's individuality in all its aspects-physical, mental, emotional and social. With this all-round development, he becomes a responsible, dynamic, resourceful and enterprising citizen of strong good moral character who uses all his capacities to develop his own self, his society and his nation to the highest extent by contributing his best to national honour, national glory, national culture and national civilization of which he is an integral part.

While education develops the personality of an individual in all fields and aspects making him intelligent, learned, bold, courageous and possessing strong good character, on the other hand, it contributes to growth and development of society. It is only through education that moral ideals and spiritual values, the aspiration of the nation and its cultural heritage is transferred from one generation to another for preservation, purification and sublimation into higher and higher achievements. With the growth and development of individuals, society also develops to higher and higher levels of attainments. Thus, education is essential for the growth and development of individuals as well as society.

Education means knowledge, which leads to liberation from ignorance. The role of education is of immense importance. Society has to be educated to make the best use of opportunities. The fundamental purpose of education is the same at all times and in all places. It is to transfigure the human personalities into a pattern of perfection through a systematic process of development of the body, the enrichment of the mind, the sublimation of the emotions and the illumination of the spirit. Education is preparation for living and for life.

Education is an end in itself and a means for realizing other rights. It is regarded as an empowerment right, which enables marginalized persons and communities to transcend poverty and obtain the means to participate fully in community life. Education improves the main dimensions of the development of an individual as it stipulates the quality of life of the entire population. Thus, the right to education is an important developmental right complementary to the non-derogable right to life, which is the foundation of all rights. Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labour and sexual exploitation, promoting human rights and democracy, protecting the environment, and controlling population growth. Therefore, it operates as a 'multiplier' by enhancing the enjoyment of all individual rights and freedoms. It enables a person to control the benefits derived from other rights. It is the key to unlock and protect other human rights. It embodies all civil, political, social, and cultural rights. Where the right to education is guaranteed, people's access to and enjoyment of other rights is enhanced and the chances of imbalances in life are lessened. The realization of the right to education depends on equal access to all regardless of physical location, gender, race, caste, sex, language or racial origin. The right to education straddles the division between civil and political rights on the one hand, and economic, social and cultural rights on the other. It embodies them all.

Increasingly, education is recognized as one of the best financial investments States can make. "Education is an important input both for the growth of the society as well as for the individual. Properly planned educational input can contribute to increase in the gross national products, cultural richness, build positive attitude towards technology and increase efficiency and effectiveness of the governance. Education opens new horizons for an individual, provides new aspirations and develops new values. It strengthens competencies and develops commitment. Education generates in an individual a critical outlook on social and political realities and sharpens the ability to self-examination, self-monitoring and self-criticism."

Education plays a cardinal role in transforming a society into a civilized nation. It accelerates the progress of the country in every sphere of national activity. No section of the citizens can be ignored or left behind because it would hamper the progress of the country as a whole. It is the duty of the State to do all it could, to educate every section of citizens who need a helping hand in marching ahead along with others.

As well it is the foundation of good citizenship. Today it is the principal instrument in awakening the child to cultural values, in preparing him for later professional training and in helping him to adjust normally to his environment.

The strength of a nation lies in democracy, education and educated citizenry. Education is essential for the democracy on which it is built. Democracy is not merely a form of government; it is a way of life. It is the rule of the people, for the people and with the people. Unless the people are vigilant, conscious of their rights and responsibilities, democracy has no meaning and no liberty can be safeguarded with the result that individual freedom and dignity would be endangered, and corruption, subjugation and authoritarianism would be rampant in the country. Without an educated citizenry democracy would not be a success and will fail. Thus, the right to education is a vital element to develop, strengthen and sustain democracy in a nation.

The need for citizens to be educated assumes profound importance in democracy as affairs of the state are to be left directly to the citizens or to their elected representatives. Education in the vision of democracy means an informed citizenry-individual who is able to think, reason and analyse. Education in the concept of democracy lies not in the development of specific skills, but in the creation of a truly educated citizenry. Hitler said, "How fortunate for leaders that men do not think." It makes clear how important is education in a democratic country, otherwise the purpose of democracy would be failed. Education played and will continue to play an important role in sustaining democratic forms of government. Thus, in a democratic set up like India, education of its citizens seemed to be an indispensable tool for the overall development of individual, society and nation.

## **FUNDAMENTAL RIGHTS: MEANING, IMPORTANCE AND DIFFERENCE FROM ORDINARY RIGHTS:**

Part III of the Constitution of India guarantees certain fundamental rights because they are considered necessary for the development of personality. These rights enable a man to chalk out his own life in the manner he likes best. These rights are manifests of man's inviolable and fundamental freedoms. The fundamental rights are calculated to protect the dignity of the individual and create conditions in which every human being can develop his personality to the fullest extent. These rights recognize the importance of the individual in the affairs of the state and seek to assure to every citizen full freedom to enjoy life, liberty and happiness as he likes. The development of a citizen's personality, the pursuit of his profession or vocation and the manner in which he seeks to enjoy the pleasure and comforts of life are basically his individual concern and the state can interfere with this basic right only if considerations of public good justify such interruption.

The fundamental rights included in Part III of the Constitution have been given special importance. **M. Nagaraj v Union of India**, the Supreme Court observed that fundamental rights are not a gift from the State to its citizens. Individuals possess basic human rights independently of any Constitution by reason of basic fact that they are members of the human race. These fundamental rights are important as they possess intrinsic value. Part III of the Constitution does not confer

fundamental rights. It confers their existence and gives them protection. Its purpose is to withdraw certain subjects from the area of political controversy to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. Every right has a content. Every fundamental value is put in Part III as fundamental right as it has intrinsic value. The converse does not apply. A right becomes a fundamental right because it has fundamental value. Fundamental Rights differ from ordinary rights in several respects. Ordinary rights are given by the ordinary law while the fundamental rights have been given by the Constitution. Ordinary rights may be taken away or curtailed or abridged by taken away except in so far as it is permitted by the Constitution itself or by amendment of the Constitution. Fundamental Rights form the basic structure of waiver of the Constitution and, therefore, they may be abridged by constitutional amendment but this cannot be abrogated or destroyed. The doctrine applies to the ordinary rights but it does not apply to the Fundamental rights included in Part III of the Constitution. Consequently, the ordinary right can waive his right but the person who is entitled to the person who is entitled fundamental rights has no such rights. The Supreme Court has that a person cannot waive any of the fundamental rights conferred upon him by the Constitution in Part III because the fundamental rights, though for the benefit of individuals have been put in the Constitution on the ground of public policy. In the case of infringement of the fundamental rights special remedy has been provided while in the case of infringement of the ordinary rights the remedy is to be sought under move by the Supreme Court by ordinary law. Article by appropriate 32 guarantees the right for the enforcement of the fundamental rights. Thus, in the case of infringement of fundamental rights. the right to move the Supreme Court, is itself a fundamental right" Besides, in the case of infringement of the fundamental right, the aggrieved person may go to the High Court under Article 226. Article 226 empowers the High Court to issue writs, direction or orders in the nature of Habeas Corpus, Mandamus, Certiorari, quo-warranto and prohibition for the enforcement of the fundamental rights and also for the enforcement of ordinary rights.

The Constitution of the U.S.A. has been the source of inspiration for the inclusion of the fundamental rights in the Constitution. The original Constitution of the U.S.A. did not contain the fundamental rights but in 1791 the Bill of Rights were inserted in the Constitution in the form of ten amendments. The framers of the Indian Constitution were influenced by the U.S. Bill of Rights but the fundamental rights contained in Part III of the Constitution of India differ from the U.S. Bill of Rights in several respects. The fundamental rights in Part III of the Constitution of India have not been declared in absolute terms while the U.S. Constitution declares the fundamental rights in absolute terms. Most of the Articles in Part III of the Constitution of India impose restrictions and authorize the State to impose restrictions thereon. An attempt has been made to maintain a balance between needs of the individual and those of the society. In India the Constitution itself imposes restrictions on the fundamental rights. In India the American doctrine of Police power has not been recognized. In India the issue of restriction on the fundamental right has not been left to be decided by the judiciary, however the issue as to whether or not a restriction is reasonable is to be decided by the courts.

Another difference between the U.S. Bill of Rights and the fundamental rights in Part III of the Indian Constitution is that in the U.S.A. the Legislature cannot alter or modify the Bill of Rights but in India Parliament can alter or modify the fundamental rights contained in Part III of the Constitution. In India Parliament has power to amend the provisions relating to the fundamental rights, although they cannot be abrogated or destroyed by Parliament because they form the basic structure of the Constitution and Parliament has no power to change the basic structure of the Constitution. In England there is no formal declaration of the fundamental rights. The protection of individual liberty in England, thus, depends on public opinion and democratic tradition.

Education was not a fundamental right in the Indian Constitution. It was the year 2002, when education was made a fundamental right through the 86th constitutional amendment. Through this amendment, following three changes were made in Indian Constitution:

1. A new Article 21A namely right to education, was inserted after Article 21, which states:

Article 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."

2. Substitution of new article for article 45 for making 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."

3. Amendment of article 51A: In article 51A of the Constitution, after clause (J), the following clause was added: "(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."

In order to ensure the implementation of these changes, in the year 2009, The Right of Children to Free and Compulsory Education Act was enacted by the Parliament, which was implemented from April 01, 2010. The title of the RTE Act incorporates the words 'free and compulsory'. 'Free education' means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any

kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. 'Compulsory education' casts an obligation on the appropriate Government and local authorities to provide and ensure admission, attendance and completion of elementary education by all children in the 6–14 age groups. With this, India has moved forward to a rights-based framework that casts a legal obligation on the Central and State Governments to implement this fundamental child right as enshrined in article 21A of the Constitution, in accordance with the provisions of the RTE Act.

### **SALIENT FEATURES OF THE RTE ACT:**

Some main salient features of the RTE act as:

- Every child of the age of six to fourteen years shall have a right to free and compulsory Education in a neighbourhood school till completion of elementary education.
- Neighbourhood school means a primary school in the vicinity of one kilometre and an upper primary school in the vicinity of three kilometres of every habitation.
- Unaided Private recognized schools and schools of special category to admit 25% children from economically weaker section and disadvantaged group in Class-I and reimbursement thereof.
- No capitation fee and screening procedure for admission
- No child shall be denied admission in a school for lack of age proof and in extended period of admission.
- The Act prohibits holding back in any class and expulsion of children admitted in a school till completion of elementary education.
- Prohibition of physical punishment and mental harassment to children.
- Constitution of School Management Committee in every school except unaided private. recognized schools. 75% representation from parent members, 50% representation from women. Representation from SC/ST and disadvantaged groups.
- The National Commission for the Protection of Child Rights shall review the safeguards for rights provided under this Act, investigate complaints and have the powers of a civil court in trying cases. Let us discuss the role and functioning of NCPCR and SCPCR for protection of child educational rights in detail.

### **N.V.O. ROLE OF NCPCR AND SCPCR IN CONTEXT OF RTE ACT:**

The National Commission for Protection of Child Rights (NCPCR) was set up to protect, promote and defend child rights in the country. The National Commission for Protection of Child Rights (NCPCR) emphasizes the principle of universality and inviolability of child rights and recognizes the tone of urgency in all the child related policies of the country. For the Commission, protection of all children in the 0 to 18 years age group is of equal importance. Thus, policies define priority actions for the most vulnerable children. This includes focus on regions that are backward or on communities or children under certain circumstances and so on. National Commission for Protection of Child Rights has been mandated under Section 31 of the Right of Children to Free and Compulsory Education Act, 2009 to examine and review the safeguards of the rights provided under the act and to recommend measures for its effective implementation; to inquire into complaints relating to violation of child's right to free and compulsory education and to take necessary steps as provided in the Commission for Protection of Rights, 2005. States constitute a State Commission for the Protection of Child Rights (SCPCR). Any person wishing to file a grievance must submit a written complaint to the local authority. Appeals will be decided by the SCPCR. Prosecution of offences requires the sanction of an officer authorized by the appropriate government. NCPCR has been effectively monitoring the implementation of the children's right to education through undertaking research studies, conducting fact finding enquiries, organizing public hearings, inquiring into and taking Suo motu cognizance of complaints, making field visits to interact with all the relevant stakeholders like officials from State education departments, school management committees, civil society organizations and district collectors; and to investigate and obtain the information regarding the gaps and challenges in the decentralized implementation of education to all children.. A special toll-free helpline to register complaints is set up by NCPCR for this purpose. NCPCR invites all civil society groups, students, teachers, administrators, artists, writers, government personnel, legislators, members of the judiciary and all other stakeholders to join hands and work together to build a movement to ensure that every child of this country is in school and enabled to get at least eight years of quality education.

The Commission has also been writing letters to the Ministry of Education on issues related to children's right to education that requires policy intervention. The Commission has also endeavoured in organizing consultations and meetings at the national, regional and state level, strengthening convergence and coordination between the State Commissions for Protection of Children Rights (SCPCR) and other allied departments of the Government.

Towards realizing its commitment of Universalizing Elementary Education, the Commission has undertaken varied activities providing for equity, inclusive, quality and sustainable education in India.

## CONCLUSION:

Education consists of all those experiences which affect the individual from birth till death. Thus, education is the process by which an individual freely develops himself according to his nature in a free and uncontrolled environment. It is a lifelong process of growth and development. It is not confined to the limits of time, place and individuality.

"Education is the most powerful weapon we can use to change the world" **Nelson Mandela**. Education is a step to the growth and development of humankind. Education shapes society into a better world. Education is important in every society. It is a source of growth and development to shape the lives of other people and achieve a better society. Education is an important input both for the growth of the society as well as for the individual.

Education is a fundamental human right. It is the key to sustainable development and peace and stability within and among countries, and thus an indispensable means for effective participation in the societies.

The Supreme Court has implied the "Right to Education" as a fundamental right from Article 21. The word 'life' has been held to include 'education' because education promotes good and dignified life. Article 21-A may be the most important fundamental right. without it, a citizen may never come to know of his other rights; nor would he have the resources to adequately enforce them. A free educated citizen could meaningfully exercise his political rights, discharge social responsibilities satisfactorily and develop a spirit of tolerance and reform. Therefore, education is compulsory. Education opens new horizons for an individual, provides new aspirations and develops new values. It strengthens competencies and develops commitment. Education generates in an individual a critical outlook on social and political realities and sharpens the ability to self-examination, self-monitoring and self-criticism.

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