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Human Rights, Education and Sustainable Development in India

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Abstract

The right to education is marked priority on the agenda of the international community since right to education is not only a human right in itself but also is quintessential for the exercise of all other human rights. India has emerged as the global leader and a strong democratic nation in the world. Human rights are rights that are basic in nature and entitled to every human being, irrespective of his nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. Human rights are commonly understood as basic fundamental rights that a person cannot be denied by any individual or any government simply because he or she is a human being. They are universal and same for everyone. Most of the basic ideas and norms of human rights existing now adopted as Universal Declaration of Human Rights by United Nations General Assembly in 1948. The framers of constitution realizing the importance of education have imposed a duty on the state under Article 45 as one of the directive policy of state to provide free and compulsory education to all children until they complete the age of 14 years within 10 years from the commencement. The object was to abolish the illiteracy. Elementary education is the foundation for the development of the every citizen and the nation. Education is an effective instrument not only ones personality but also for the sustained growth of the nation.

Keywords: Human rights, Right to education Act, Sustainable human development

1. Introduction

Human rights are rights that are basic in nature and entitled to every human being, irrespective of this nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. Such rights would include right to life, equality before the law, freedom of expression, the right to work, right to social security, right to education, collective rights, such as the rights to development and self-determination, etc. Therefore as is evident human rights are inseparable, interrelated and interdependent. The right to education is marked priority on the agenda of the international community since right to education is not only a human right in itself but also is quintessential for the exercise of all other human rights. India has emerged as the global leader and a strong democratic nation in the world. The overall development of the nation depends on the young generation that's why young generation consider as the wealth of the nation. When the young generation well educate and cared then only the nation becomes the super power nation in the world. The Indian education system recognizes the role of education in instilling the values of secularism, egalitarianisms and respect for democratic traditions, civil liberties and justice to all. It aims to create the citizen with the necessary knowledge, skills and to build a just and progressive society.

2. Objectives of the Study

The main objectives of this study are:

1. To study the developments of human rights.
2. To examine the role of education in protecting human rights.
3. To study the relation between human rights and sustainable development.

3. Concept of Human Rights

Human rights are commonly understood as basic fundamental rights that a person cannot be denied by any individual or any government simply because he or she is a human being.

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They are universal and same for everyone. Most of the basic ideas and norms of human rights existing now adopted as Universal Declaration of Human Rights by United Nations General Assembly in 1948 has its root from Second World War and every year 10 December is celebrated as Human Rights Day. Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, guaranteed by law. International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts in order to promote and protect human rights and fundamental freedoms of individuals of groups. Education has a very important role to play for promotion and protection of human rights. Education makes us aware about our civil and political right often called as the first generation rights and the social, economic and cultural rights as the second generation rights. Human rights are essentially a product of democracy. Man's struggle against tyranny has been long and sustained. At the international level the Universal Declaration of Human Rights 1948 for the first time took care of elementary education. Article 26 is divided into three parts. It guarantees every one the right to education. The education at the elementary and fundamental stage shall be free. Broadly speaking human rights are those fundamental and inalienable rights which are essential for human being. Human rights are the rights which are possessed by every human irrespective of his or her nationality, race, religion, sex. Human rights are those rights which are inherent in our nature and without which we cannot live as human beings. Human rights and fundamental freedom allow us to fully develop and satisfy our physical, spiritual and other needs. Human rights are called fundamental or basic rights.

4. The Education and Human Rights

There are three pillars of education i.e. expansion, inclusion and excellence. Education is made for knowledge and the knowledge is nothing but experience. Experience is for work hence the right to education is developed well known that education is a basic human right. For the success of the democratic system of government, education is one of the basic element. An educated citizen has to choose the representatives who form the government. Education gives a person human dignity who develops himself as well as contributes to the development of country. The framers of constitution realizing the importance of education have imposed a duty on the state under Article 45 as one of the directive policy of state to provide free and compulsory education to all children until they complete the age of 14 years within 10 years from the commencement. The object was to abolish the illiteracy. Elementary education is the foundation for the development of the every citizen and the nation. Education is an effective instrument not only ones personality but also for the sustained growth of the nation. India has emerged as the global leader and a strong democratic nation in the world. The overall development of the nation depends on the young generation that's why young generation considers as the wealth of the nation. When the young generation well educate and cared then only the nation becomes the super power nation in the world. The Indian education system recognizes the role of education in instilling the values of secularism, egalitarianisms, and respect for democratic traditions, civil liberties and justice to all. It aims

to create the citizen with the necessary knowledge, skills and to build a just and progressive society. There are three pillars of education i.e. expansion, inclusion and excellence. In the present context education policies and strategies have to reckon with emerging challenges and opportunities that come from increasing globalization. Globalization, Privatization and Liberalizations impose new ways of thinking by researchers, teachers and administrators in the process of management of the knowledge. In the era of globalization of education, there will be impetus to mobility of people including students, teachers and researchers. Therefore, the main challenge is to provide the requisite opportunities through investment in Schools, Colleges and Universities. The access to quality education for all will create an environment for the development and growing opportunities through investment in Schools, Colleges and Universities. The access to quality education for all will create an environment for development and growing opportunities are available to all sections.

5. Primary Education in India

According to Kofi Annan the former Secretary General of United Nations without education, we can see beyond ourselves and our narrow surroundings to the reality of global interdependence. Without education, we cannot realize how people of other races and religions share the same dreams, the same hopes. Without education we cannot recognize the universality of human aims and aspirations. Education is a tool for creating the real idea of human rights and making people know its importance in their day to day life. It is also a tool for eliminating the violations of human rights. An educated civilization can only know its rights and hence have the knowledge to protect it. UN mandates that education shall be directed to the strengthening of respect for human rights & fundamental freedom. It is now a global responsible of every person and the government to promote education and hence promote human rights. Article 51A (1) of Indian Constitution 1950 imposes a duty on all citizens to develop scientific temper, humanism and the spirit of inquiry & reform. Right to Education has also been incorporated. The Constitution mandates the state to direct its policy towards securing that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom & dignity and that childhood and youth are protected against exploitation and against moral & material abandonment. Indian state has an obligation to foster respect for international law and treaty obligations as laid down in Article 51 of the Constitution.

6. Fundamental Rights & Education

The positive role of Universal Elementary Education is strengthening the socio-economic base of nation cannot be over-emphasized. Recognizing the importance of it the original Article 45 in the Directive Principles of State Policy in the Constitution mandate the State to endeavor to provide free and compulsory education to all children up to age 14 within a period of 10 years. The National Policy on Education (NPE) 1986/92 states. In our national perception, education is essential for all. Education has a very crucial role. It refines sensitivities and perceptions that contribute to national cohesion scientific temper and independence of mind and spirit thus furthering the goals of socialism, secularism and democracy enshrined in our Constitution by way the 86th Constitutional Amendment. A new Article 21A was added in Part I of the Constitution of India to make free and compulsory

elementary education as a fundamental right for children. The Right of Children to Free and Compulsory Education (or RTE) came into force in India with effect from 1 April 2010. Even before the RTE came into force, the Government efforts were towards universalization of elementary education in the country.

7. Right To Education Act 2009

In a significant development the Right to Education (RTE) was made a fundamental enforceable legal right for children under Article 21A of the Constitution by the Eighty-Sixth Constitutional Amendment Act, 2002. India thus became one of the few countries in the world where the right to education is a fundamental right. The Right of Children to Free and Compulsory Education Act, 2009 (RTE Act) guarantees the right to free and compulsory education to every child between 6 and 14. However, it doesn't encompass children between 0 to 6 years old. The RTE Act, although progressive, is not accompanied either by a well laid-out implementation mechanism of the law or by a financial memorandum. Therefore, its implementation remains a challenge because of inadequate financial allocations and lack of effective enforcement mechanisms. While the Act does have provisions stating that the local authority may take up a complaint, it ignores the fact that this very local authority is also an implementing functionary. This could give rise to conflict of interest in certain instances, which would inhibit the proper enforcement of the right to education. In order to ensure a more efficient implementation of the RTE Act, states are required to frame their own set of rules.

Today access and enrolment at the primary stage of education have reached very close to universal levels. The number of out-of-school children at the elementary level has reduced significantly the gender gap in elementary education has narrowed and the percentage of enrolled children belonging to scheduled castes and tribes has increased successively. Despite this the goal of universal elementary education is yet to be achieved in the country. There remains the unfinished agenda of universal education at the upper primary stage. The number of children particularly those from disadvantaged groups and weaker sections of the group. The quality of learning achievement is not always entirely satisfactory even in the case of children who complete elementary education. With a view to address these issues the RTE has been introduced to directly counter the problems of illiteracy, poor quality infrastructure and learning level in the elementary education. The main provisions in the RTE Act include the responsibilities of appropriate government and local authorities towards establishing neighborhood schools sharing of financial and other responsibilities between the central and state governments prohibition of capitation fee and screening procedure for admission prohibition of detention, expulsion and corporal punishment specification of norms and standards for schools including those related to the infrastructure and teachers laying down of teacher qualifications and their duties prohibition of deployment of teachers for non-educational purposes and ensuring that curriculum and evaluation is in accordance with the Constitution of India and as per child-centered principles and values. Children with disabilities and those belonging to minority communities are also covered under the Act. As per the RTE Act, 2009 every child has the right to full-time elementary education of satisfactory and equitable quality in a formal school that satisfies certain essential norms and standards. The SSA was the most

prominent among all effort initiated in 2010 and was approved by the union cabinet in November 2000 as a centrally-sponsored scheme. 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 age group of 6-14 years. With this India has moved forward to a rights-based framework under the RTE Act that casts a legal obligation on the central and state governments to implement this fundamental right. The roadmap for universalizing the elementary education is derived from the definite time frames mandated in the RTE Act.

8. Human Rights and Sustainable Development

The architecture of the United Nations by its very Charter is built on three main pillars: peace and security, development and human rights. Conceptually, these three pillars were linked, interrelated and interdependent that there could be no peace and security without development no development without human rights and no human rights without peace and security. Sustainable human development today has become the prevailing development paradigm both in terms of process and outcome. It can only be achieved through the gradual integration and realisation of the basic human rights and fundamental human freedoms. In this sense, human rights and sustainable human development are interdependent and mutually reinforcing concepts. One cannot be achieved without the other. This is what is essentially meant by the rights-based approach to development.

9. Conclusion and Suggestions

- Equality shall be the primary consideration in actions concerning children, respect for the views of the child are the general principals of the Convention on the Rights of a child.
- There is no doubt that education has a major role to play for protection and promotion of human rights. From the above discussion we saw the importance and how education can play a vital role in this regard.
- Education should be imparted to each and every one so that they understand the importance of human rights.
- Education in their own mother language about human rights will make the learners more prompt about their values and ways to use them in their day to day life.
- It could upon the nation to remove the three main road blocks that is the decimation, poverty and in human treatment in the education. It also evolved a common goal to be adopted in imparting the elementary education.
- Now a day education is very much important for the development of human being as well as the development of the nation.
- Non-governmental organizations also takes initiatives to implement the Act itself.
- Government should take the initiatives to provide the quality education to the children then only people will attract to send their child in public schools.
- Rural and hilly area the government should establish the schools then only government will successful to provide the free and compulsory education to the children.
- Human rights and sustainable human development are interdependent and mutually reinforcing concepts. One cannot be achieved without the other.

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