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## **Study of awareness among secondary school students towards constitutional provisions relating to education in district Sirsa, Haryana**

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### **Abstract**

The present paper analyzed the level of knowledge about constitutional provisions relating to education in Secondary school students of Sirsa, Haryana. The stratified random sampling technique was adopted to select the sample size of students for the study, in a descriptive survey design research. The instrument used was questionnaire, designed by the researchers to collect data for the study. The simple percentage was used as statistical tool for the analysis of data. The findings indicated among others, that there is good awareness about RTE and as it is a matter of various seminars, workshops, conferences, electronic, social and print media. Other provisions which are not much discussed are not well recognized by the students. The study recommended inter alia, that the state should seek to consciously promote Educational provisions Awareness, by making the study of subjects which contains elements of the constitution as core, especially for those in Secondary level of Education.

**Keywords:** Constitutional Provisions, Sirsa, Secondary school students, Awareness, legal awareness

### **Introduction**

Education gives us insight into all affairs of life and teaches us what is just and what is unjust. Education, therefore, is not merely gathering of information but developing a sort of vision in the light of which different ideals and objects can be seen and understood in totality. Education is thus concerned with moral, political, social and economic development of human beings.

It is a well known fact that knowledge is power and the main gateway to knowledge is education. The education, therefore, is the fundamental requirement not only for the individual but also for the success of democratic system of government. Education gives a person dignity and discernment which, in turn is used to wisely elect the representatives of the government. It is for this reason, perhaps, that framers of the constitution realized the importance of education and has, thus, provided certain very important provisions related to education.

An educated person has a totally different approach to things as compared to an uneducated person. Without education the progress of community is not possible and transformation of a society largely depends on education. It can be observed that the various constitutional provisions regarding education in India are in accordance with our political, economic, social and cultural needs. These provisions aim at fulfilling the aspiration of the people through the medium of education. It is, therefore, necessary that people should be aware of their educational rights given by the Constitution of India as lack of awareness among stakeholders may not only reduce the relevant laws into pieces of papers but also not bring desired result as intended by the framers of the Constitution.

The present research paper, therefore, is significant as it aims to study on awareness among one of the stakeholders towards constitutional provisions relating to Education.

### **Constitutional provisions relating to Education**

After independence, the Constitution of India came into force on January 26, 1950. The Constitution has laid down the following provisions for the promotion of education in India.

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1. **Article 21-A \_Right to Education:** 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. **Article 28 \_ Freedom as to attendance at religious instruction or religious worship in certain educational institutions:**
  - (1) No religious instruction shall be provided in any educational institution wholly maintained out of State funds.
  - (2) 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 such institution.
  - (3) 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 in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto.
3. **Article 29 \_ Protection of interests of minorities:**
  - (1) Any section of the citizens in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.
  - (2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.
4. **Article 30\_Right to minorities to establish and administer education institutions:** (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

[1-A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause.]

  - (2) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.
5. **Article 41 \_ Right to work, to education and to public assistance in certain cases:** The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.
6. **Article 45\_ Provision for early childhood care and education to children below the age of six years:** The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.
7. **Article 46 \_ Promotion of Educational and Economic interests of Scheduled Castes, Scheduled Tribes and other weaker Sections:** 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 the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

8. **Article 51-A Fundamental Duties:** It shall be the duty of every citizen of the India -
9. **51-A (h) \_** To develop scientific temper, humanism and the spirit of inquiry and reform.
10. **51-A (k) \_** who is a Parent or guardian to provide opportunities for education to his child or ward between the age of six to fourteen years.
11. **Article- 337 Special provision with respect to educational grants for the benefit of Anglo-India community:** During the first three financial years after the commencement of this Constitution, the same grants, if any, shall be made by the Union and by each State for the benefit of the Anglo-Indian community in respect of education as were made in the financial year ending on the thirty-first day of March, 1948. During every succeeding period of three years the grants may be less by ten per cent than those for the immediately preceding period of three years:

Provided that at the end of ten years from the commencement of this Constitution such grants, to the extent to which they are a special concession to the Anglo-Indian community, shall cease:

Provided further that no educational institution shall be entitled to receive any grant under this Article unless at least forty per cent of annual admission therein are made available to members of communities other than the Anglo-Indian community.
12. **Article 350-A \_** Facilities for instruction in mother tongue at primary stage: It shall be the endeavour of every State and of every local authority within the 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.
13. **Article 350-B\_** Special Officer for linguistic minorities:
  - (1) There shall be a Special Officer for linguistic minorities to be appointed by the President.
  - (2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the Governments of the States concerned

The Constitution (Eighty Sixth Amendment) Act, 2002 has inserted 21-A which says that "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". The journey of the 'Right to Education' from the directive principles to a specific fundamental right has been a huge struggle and a triumph for activists, human rights advocates and educationists working on education all over the country.

**Objectives of the Study**

To study the awareness of secondary school students towards Constitutional provisions relating to education of district, Sirsa, Haryana.

**Sample**

The data for the present study was collected from secondary school students of Sirsa district. 2 blocks were randomly selected from Sirsa district, 12 schools were randomly selected from 2 blocks and 10 students were also selected randomly from each school. Total 120 secondary school students were selected as sample.

**Tool**

For the present study the research tool used for data collection was a self made questionnaire designed to study the awareness towards constitutional provisions relating to education among students of the district, Sirsa of Haryana.

**Research Method**

The present study which is designed to study the awareness towards constitutional provisions relating to education of district, Sirsa, is a descriptive study.

**Data Collection and Analysis**

The data in the study was collected through a self-made questionnaire designed for students. Questionnaire was prepared on the basis of educational provisions as provided in the Constitution.

In section-A the questions of general nature were asked from respondent students, studying at secondary level to know the awareness towards the constitutional provisions relating to education. The constitutional provisions given in this section are available to all irrespective of any category.

**Section A: Questions of General nature**

Sr. No	Statement	Yes	%	No	%	Total
1.	The constitution of India guarantees right to education.	92	76.5%	28	23.5%	120
2.	The Constitution of India grants all citizens a right to education at all levels.	72	60%	48	40%	120
3.	Education up to the age of six to fourteen years is not an ordinary right but a fundamental right as provided in the Indian Constitution.	90	75%	30	25%	120
4.	Fundamental right to education to all the children of the age of six to fourteen years is compulsory.	92	76.5%	28	23.5%	120
5.	Fundamental Right to education to all the children of the age of six to fourteen years is not only compulsory but also free.	91	76%	29	24%	120
6.	Directive Principles of State policy under Article 41 of the Indian Constitution there is a right to work, to education and to public assistance in certain cases.	80	66.6%	40	33.4%	120
7.	Education is both a union and a state subject as provided in Indian constitution.	75	62.5%	45	37.5%	120
8.	Subject of education up to secondary level is provided in state list of Indian Constitution.	70	58%	50	42%	120
9.	The constitution guarantees right to compulsory education under Article 21-A to all children of the age of 6-14 years.	94	78%	26	22%	120
10.	Directive Principles of State Policy under Article 45 of the Indian Constitution provides for early childhood care and education for children below the age of six years.	88	73%	32	27%	120
11.	Do you know that under Article 51-A (h) of the Indian Constitution it is fundamental duty to develop scientific temper, humanism and the spirit of inquiry and reform.	75	62.5%	45	37.5%	120
12.	Under Article 51A(k) of the Indian constitution it is fundamental duty of the parent or guardian to provide opportunity for education to his child or ward between the age of six to fourteen years.	80	66.6%	40	33.4%	120
13.	Article 343 of the Indian Constitution promotes, Hindi (Devnagree script) as the official language of the Union.	85	71%	35	29%	120
14.	Fundamental Right to education was introduced in the Indian Constitution in the year 2002.	82	68%	38	32%	120
15.	Religious instructions in the state funded institutions are not permissible under Indian constitution.	76	63%	44	37%	120
16.	In India minorities are free to open and administer their educational institutions.	69	57.5%	51	42.5%	120
17.	Right to education as Fundamental Right is now being implemented through the enactment of Right to Education Act, 2009	92	76.5%	28	23.5%	120
18.	Entry 13 in the Union List of Indian Constitution is related to Educational and Cultural relations with foreign countries.	38	31.6%	82	68.4%	120
19.	Entries from 62 to 64 in the union list of Indian Constitution are related to Educational Institution of national importance.	40	33.4%	80	66.6%	120

- In the table above question No. 01 shows that 76.5% of the students are aware towards that, the constitution of India guarantees right to education.
- In the table above question No. 02 shows that 60% of students are aware towards that, the Constitution of India grants all citizens a right to education at all levels.
- In the table above question No. 03 shows that 75% of students are aware towards that, Education up to the age of six to fourteen years is not an ordinary right but a

- fundamental right as provided in the Indian Constitution.
- In the table above question No. 04 shows that 76.5% of students are aware towards that, Fundamental right to education to all the children of the age of six to fourteen years is compulsory.
- In the table above question No. 05 shows that 76% of students are aware towards that, Fundamental Right to

education to all the children of the age of six to fourteen years is not only compulsory but also free.

- In the table above question No. 06 shows that 66.6% of students are aware towards that, Directive Principles of State policy under Article 41 of the Indian Constitution there is a right to work, to education and to public assistance in certain cases.
- In the table above question No. 07 shows that 62.5% of students are aware towards that, Education is both a union and a state subject as provided in Indian constitution.
- In the table above question No. 08 shows that 58% of students are aware towards that, subject of education up to secondary level is provided in state list of Indian Constitution.
- In the table above question No. 09 shows that 78% of students are aware towards that, the constitution guarantees right to compulsory education under Article 21-A to all children of the age of 6-14 years.
- In the table above question No. 10 shows that 73% of students are aware towards that, Directive Principles of State Policy under Article 45 of the Indian Constitution provides for early childhood care and education for children below the age of six years.
- In the table above question No. 11 shows that 62.5% of students are aware towards that, under Article 51-A (h) of the Indian Constitution it is fundamental duty to develop scientific temper, humanism and the spirit of inquiry and reform.
- In the table above question No. 12 shows that 66.6% of students are aware towards that, under Article 51A(k) of the Indian constitution it is fundamental duty of the

parent or guardian to provide opportunity for education to his child or ward between the age of six to fourteen years.

- In the table above question No. 13 shows that 71% of students are aware towards that, Article 343 of the Indian Constitution promotes, Hindi (Devnagree script) as the official language of the Union.
- In the table above question No. 14 shows that 68% of students are aware towards that, Fundamental Right to education was introduced in the Indian Constitution in the year 2002.
- In the table above question No. 15 shows that 63% of students are aware towards that, religious instructions in the state funded institutions are not permissible under Indian constitution.
- In the table above research question No. 16 shows that 57.5% of students are aware towards that, in India minorities are free to open and administer their educational institutions.
- In the table above question No.17 shows that 76.5% of students are aware towards that, right to education as Fundamental Right is now being implemented through the enactment of Right to Education Act, 2009.
- In the table above question No. 18 shows that 31.6% of students are aware towards that, entry 13 in the Union List of Indian Constitution is related to Educational and Cultural relations with foreign countries.
- In the table above question No. 19 shows that 33.4% of students are aware towards that, entries from 62 to 64 in the union list of Indian Constitution are related to Educational Institution of national importance.

**Section B:** Questions related to Weaker Section (SC / BC), In this section questions related to weaker section (SC/BC) were asked from the students. The response of the students to different questions is shown in the tables below.

Sr. No.	Statement	Yes	%	No	%	Total
1.	Under Article 46 of the Indian Constitution every state shall promote educational and economic interest of scheduled castes of the society.	77	64%	43	36%	120
2.	Under Article 46 of the Indian Constitution every state shall promote educational and economic interest of scheduled tribes of the society.	84	70%	36	30%	120
3.	Under Article 46 of the Indian Constitution every state shall promote educational and economic interest of weaker section of the society.	79	66%	41	34%	120
4.	The Constitution of India provides reservation to SC, ST, and OBC in all institutions including government and private institutions.	84	70%	36	30%	120
5.	Reservation in admission for taking education provided to weaker section do not violates the spirit of Indian constitution.	80	66.6%	40	33.4	120

- In the table above question No. 01 shows that 64% of students are aware towards that, under Article 46 of the Indian Constitution every state shall promote educational and economic interest of scheduled castes of the society.
- In the table above question No. 02 shows that 70% of students are aware towards that, under Article 46 of the Indian Constitution every state shall promote educational and economic interest of scheduled tribes of the society.
- In the table above question No. 03 shows that 66% of students are aware towards that, under Article 46 of the

Indian Constitution every state shall promote educational and economic interest of weaker section of the society.

- In the table above question No. 04 shows that 70% of students are aware towards that, the Constitution of India provides reservation to SC, ST, and OBC in all institutions including Government and private institutions.
- In the table above question No. 05 shows that 66.6% of students are aware towards that, reservation in admission for taking education provided to weaker section do not violates the spirit of Indian constitution.

**Section C:** Questions related to Minority Class, In this section questions related to minority class were asked from the students. The response of the students to different questions is shown in the tables below.

Sr. No.	Statement	Yes	%	No	%	Total
1.	According to Article 28 of the Indian Constitution there is no provision to give religious instruction or religious worship in any educational Institution wholly maintained out of state funds.	85	71%	35	29%	120
2.	According to Indian Constitution, an educational institution which is administered by the state but has been established under any endowment or trust is permitted to give religious instruction in such institution.	66	55%	54	45%	120
3.	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 in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto.	64	53%	56	47%	120
4.	According to Article 29(2) of the Indian constitution 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.	90	75%	30	25%	120
5.	According to Article 29(2) of the Indian constitution no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds of race.	87	72.5%	33	27.5%	120
6.	According to Article 29(2) of the Indian constitution no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds of caste.	86	72%	34	28%	120
7.	According to Article 29(2) of the Indian constitution no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds of language.	87	72.5%	33	27.5%	120
8.	The Indian Constitution under Article 30 provides fundamental right to all minorities based on religion to establish and administer their educational institutions.	74	62%	46	38%	120
9.	The Indian Constitution under Article 30 provides fundamental right to all minorities based on language also to establish and administer their educational institutions.	83	69%	37	31%	120
10.	Article 337 of the Indian Constitution provides for special provision with respect of educational grants for the benefit of Anglo-Indian community.	35	29%	85	71%	120
11.	There is provision in the Indian constitution under Article 350-A to provide facilities for instruction in mother tongue at primary stage of education to children belonging to linguistic minority groups.	77	64%	43	36%	120
12.	Article 350-B provides for the appointment of a special officer by president for linguistic minorities with the objective of investigating into all matters relating to safeguards provided for linguistic minorities under the constitution.	59	49%	61	51%	120
13.	One of the Article of Indian constitution states that, "Any section of the citizen, residing in the territory of India or any part there of having a distinct language, script or culture of its own, shall have the right to conserve the same."	61	51%	59	49%	120

- In the table above question No. 01 shows that 71% of students are aware towards that, according to Article 28 of the Indian Constitution there is no provision to give religious instruction or religious worship in any educational Institution wholly maintained out of state funds.
- In the table above research question No. 02 shows that 55% of students are aware towards that, according to Indian Constitution, an educational institution which is administered by the state but has been established under any endowment or trust is permitted to give religious instruction in such institution.
- In the table above question No. 03 shows that 53% of students are aware towards that, 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 in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto.
- In the table above question No. 04 shows that 75% of students are aware towards that, according to Article 29(2) of the Indian constitution 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.
- In the table above question No. 05 shows that 72.5% of students are aware towards that, according to Article 29(2) of the Indian constitution no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds of race.
- In the table above question No. 06 shows that 72% of students are aware towards that, according to Article 29(2) of the Indian constitution no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds of caste.
- In the table above question No.07 shows that 72.5% of students are aware towards that, according to Article 29(2) of the Indian constitution no citizen shall be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds of language.
- In the table above research question No. 08 shows that 62% of students are aware towards that, the Indian Constitution under Article 30 provides fundamental right to all minorities based on religion to establish and administer their educational institutions.

- In the table above question No. 09 shows that 69% of students are aware towards that, the Indian Constitution under Article 30 provides fundamental right to all minorities based on language also to establish and administer their educational institutions.
- In the table above question No. 10 shows that 29% of students are aware towards that, Article 337 of the Indian Constitution provides for special provision with respect of educational grants for the benefit of Anglo-Indian community.
- In the table above question No. 11 shows 64% of students are aware towards that, there is provision in the Indian constitution under Article 350-A to provide facilities for instruction in mother tongue at primary

stage of education to children belonging to linguistic minority groups.

- In the table above question No. 12 shows that 49% of students are aware towards that, Article 350-B provides for the appointment of a special officer by president for linguistic minorities with the objective of investigating into all matters relating to safeguards provided for linguistic minorities under the constitution.
- In the table above question No. 13 shows that 51% of students are aware towards that, one of the Article of Indian constitution states that, “Any section of the citizen, residing in the territory of India or any part there of having a distinct language, script or culture of its own, shall have the right to conserve the same.

**Section D:** Questions related to disable persons, In this section questions about constitutional provisions relating to education regarding disable persons were asked to students. The response of the students is shown in the table below:

Sr. No.	Statement	Yes	%	No	%	Total
1.	Constitution of India provides for the disability/differently challenged/physically handicapped in general and visually impaired/visually challenged in particular.	78	65%	42	35%	120
2.	In Constitution of India there are beneficial provisions for the visually impaired people of all ages and for living in the remote rural areas.	75	62.5%	45	37.5%	120
3.	The constitutional provisions regarding disabled and physically challenged persons are not arbitrary but according to the guiding principles of the state policies.	74	62%	46	38%	120

- In the table above question No. 01 shows that 65% of students are aware towards that, Constitution of India provides for the disability/differently challenged/physically handicapped in general and visually impaired/visually challenged in particular.
- In the table above question No. 02 shows that 62.5% of students are aware towards that, In Constitution of India there are beneficial provisions for the visually impaired people of all ages and for living in the remote rural areas.
- In the table above question No. 03 shows that 62% of students are aware towards that, the constitutional provisions regarding disabled and physically challenged persons are not arbitrary but according to the guiding principles of the state policies.

**Findings**

- From the above interpretation of data of section-A, it is evidently clear that there is good awareness among secondary school the students towards the constitutional provision of general nature relating to education. Awareness level towards the question from one to seventeen of the section is in the range of 57.5% to 78%. But awareness level towards the question No. 18 & 19 is very less i.e. 31.6% and 33.4% respectively.
- From the interpretation of data of section-B, which are related to education of weaker section, SC and BC category, there is good level of awareness towards the constitutional provision relating to education and it ranges between 64% to 70%.
- From the interpretation of data of section-C, which are related to education of Minority Class there is good percentage of awareness which ranges from 53 to 72.5% except question No. 10 and 12 about which awareness is only 29% and 49%.
- From the interpretation of data of section-D, which is related to disabled person class awareness level is again good and it ranges between 62% to 65%.

**Conclusion**

On the basis of inferences of findings from the analysis of data and their interpretation following conclusion is drawn: That awareness of students is good towards those constitutional provisions which have been the subject matter of seminar, conference and workshop in recent years and particularly after the amendment of 2002 in Indian Constitution vide which right to education was made compulsory and free for the children of 06 to 14 years of age by inserting Article 21-A in chapter-III of the Constitution. The enactment of Right to Education Act, 2009, has given further additional reason for good level of awareness. Time and again discussion by electronic media, social media and print media has also contributed to the good level of awareness of students towards the educational provisions of Indian Constitution.

Constitutional provisions relating to education which are less talked and discussed at schools and also neither discussed by media nor has been the subject matter of seminar, conferences, workshop etc. such as questions No. 18 and 19 in section-A and questions No. 10 and 12 in section-B are not known much by the students and therefore, awareness level towards these provisions is below fifty percent.

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