

## **HUMAN RIGHTS & INDIAN EDUCATION SYSTEM**

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### **ABSTRACT**

Human Rights were declared by The United Nations via The Universal Declaration of Human Rights – UDHR 10<sup>th</sup> December 1948. It has given recognition to minimal rights to each and every human being for sustaining their human hood with inherent dignity. It is true that employment is wholly dependent upon level and quality of education. In India problem of unemployment is extremely acute as compared to other burning problems. The reason responsible behind acute unemployment is the faulty education system. It is universal reality that every human being born on earth is a genius. The main task of education system is to discover the probabilities lying within each and every child about his/her geniusness. For e.g. one may be genius in philosophy other may be in mathematics, another may be in science and so on. If this geniusness is not recognized and brought out from the child then it is the ultimate fault of the education system, education policy, etc are decided by the Government. Unless these probabilities are not recognized the inherent Human Rights (HR) of living a dignified human life and right of personal liberty are also not recognized. There are no difference of opinion that the prevailing Indian Education System is faultless. Therefore, inherent Human Rights is not given recognition even in present era of digitalization.

### **KEYWORDS**

UDHR	-	UNIVERSAL DECLARATION OF HUMAN RIGHTS
HR	-	HUMAN RIGHTS
CBSE	-	CENTRAL BOARD OF SECONDARY EDUCATION
GSEB	-	GUJARAT STATE EDUCATION BOARD
GOI	-	GOVERNMENT OF INDIA
CABE	-	CENTRAL ADVISORY BOARD OF EDUCATION
NCERT	-	NATIONAL COUNCIL FOR EDUCATION, RESEARCH AND TRAINING
SCERT	-	STATE COUNCIL FOR EDUCATION, RESEARCH AND TRAINING
POA	-	PROGRAM OF ACTION
NEP	-	NATIONAL EDUCATION POLICY
ICSE	-	INDIAN CERTIFICATE OF SECONDARY EDUCATION

### **INTRODUCTION**

Education is not only essential for shaping human life but it is of utmost importance for human being in leading a dignified and qualitative life. In other words, education especially qualitative education is directly

correlated with qualitative life of human beings. Qualitative education means discovery the geniusness in each and every child and promoting and shaping the same. The quality of education depends upon the education System. Education system is designed by the Government. How much quantum of qualitative education is to be promoted wholly depends upon the Governments discretion. Indian Education System is not at all qualitative. The plight of millions of students takes places every year for availing foreign universities' degrees, increase in number of non-residents' Indians, etc indicate the same. One of the major reasons for increase in unemployment is lack of qualitative education. The basic tenets of Human Rights also includes right to qualitative education, right to qualitative employment, etc. These rights are not available because of absence of qualitative education.

### **INDIAN EDUCATION SYSTEM**

The Gurukula System of imparting education in India during vedic era has perished with the passage of time. Perhaps the said system of imparting education is considered as the best system of education ever seen in the history of the world. It created a strong tie between the teacher (guru) and the students. Moreover, students were not forced to learn all subjects of their interest. The students have to stay in the ashrama until the guru felt that he has taught everything to student.

The education and learnings were linked to nature because human being is a part of nature. The education activities were conducted in nature. Most of the ashramas were nearby the foothills of the forest or were inside the forest. Practical education was impacted by the guru and the student.

Indian Education System is based on the British Model of Education. This so called modern education was introduced in India by Lord Thomas Babington Macaulay in 1830s. British considered traditional Indian education as well as the process and method of imparting traditional education as worst and have nothing to do with the practical situation. So, they introduced modern education system. Moreover the nature was completely ignored in the said system. The said education system and also education in classrooms of schools.

Later on state wise education boards were setup for making education as well as the system of imparting education as more comprehensive one. The education board which was set up during the British Rule in India was renamed in the year 1951 as Central Board Of Secondary Education – CBSE. The said board used to decide about the course, examination system, textbooks, duration of education year, etc. Similarly, there was Gujarat State Education Board – GSEB functioning at the state level and performing the aforesaid functions.

The entire education system is now commercialized. Education is no more a moral activity. It is purely a commercial activity. The performance of education sector in India is very poor. One of the several reasons responsible for poor human resource development is underdeveloped education sector of India. The expenditure made by The Central Government and the respective State Governments for the development of education sector is very negligible. It is around 5 % to 6 %. The amount collected in form of education cess is directly utilized for the development of education sector. But the said amount has not yet proved enough.

Private educational institutions are encouraged by the Government of India – GOI. The Government has confined its role for co-ordination purposes only. Infact the government is only interested in showing the numbers i.e. statistical data pertaining to children attending the school, children passing or clearing the respective standards, etc. It has nothing to do with the quality of the education being imparted, the interest of children, etc. the Government focuses on daily attendance of children in school. But it has no focus on what children learns every day in school.

Education is placed in The Concurrent List of The Indian Constitution vide Constitutional Amendment Made in the year 1976. Due to this reason educational policies are decided by The Central Government at national level. Generally these policies are declared by The Central Advisory Board Of Education – C.A.B.E. These policies are implemented by the respective state governments have more auctioning towards implementation aspects of these policies.

Besides this another key organization at national level decides about the developing policies. The said organization is The National Council For Education, Research And Training – NCERT. The NCERT prepares and decides about the framework of National curriculum. Its counterpart at state level is called The State Council For Education Research And Training – SCERT. The SCERT follows the guidelines given by NCERT from time to time. A part from this, National Education Policy – NEP is decided from time to time. In order to achieve the goal's set forth by the NEP, Program of Action – POA is decided and implemented. Its monitoring is done by the NCERT and SCERT respectively.

The schooling system in India is divided into following levels:

- i Lower Primary Level (for group of 6 to 10 yrs of children)
- ii Upper Primary Level (for group of 11 to 12 yrs of children)
- iii Secondary Level (for group of 13 to 15 yrs of children)
- iv Higher Secondary Level (for group of 16 to 17 yrs of children)

The State Board functions at respective state level. The State language is a part of syllabus in respective State Boards. All Kendriya Vidhyalayas come under the ambit of CBSE Board. It has its unique pattern of syllabus.

During British Rule in India, Cambridge School certificate system of education was prevalent. It was replaced by The Indian Certificate of Secondary Education – ICSE. The education imparted through ICSE is of international standards. It has its own scheme of examination, syllabus, etc. This is different from CBSE and State Boards

The CBSE, ICSE and State Boards respectively conduct their own exams. Schools are given options for affiliation. It means whether to affiliate with CBSE, ICSE or State Boards respectively conduct their own exams. Schools are given options for affiliation. It means whether to affiliate with CBSE, ICSE or State Board. Admission criteria for each board are different. Thus, the hierarchy of Boards in ascending order in India is ICSE, CBSE and State Board.

The mental pressure on students and financial pressure on parents increases depending upon the hierarchy of the Boards. But none of these Boards teaches or makes children a human being. The basic challenge before the entire education system irrespective of boards and expenditures made for education, none teaches to become a human being first. They have given rise to class system. Superiority is the direct outcome of it.

Most of the expensive residential schools are affiliated to ICSE Board. As the student – teacher ratio is very low, extremely high fees are charged. No doubt a high - level learning environment is provided. But the

said learning pertains to materialism. The essential qualities that human being must pass are missing in the children.

The State Board schools are of three types. Firstly, The Government Schools. Everything of such schools right from infrastructure is resources belongs to and owned by the Government. The fee charged is negligible. Secondly, there are private schools. There are no standards for fees for such schools. They charge fees on the basis of facilities provided by them. For e.g. for AC Classroom, for extra activities like swimming, horse riding, etc, for school bus as well as non-ac fees are different. In other words fees charged in such schools are totally based on material aspects. These schools are the pure proponents of commercialization found in education system. thirdly, there are grant-in-aid schools. The financial aid is provided by the government to such schools. The ownership of such school are private. They are usually managed by certain types of charitable trusts. Fees standard is nominal in such schools.

We find qualified teachers in Government schools and also in Grant-in-aid schools. Most of the private schools in India have non-qualified teachers. Students are left on the mercy of internet to quench their thirst for acquiring knowledge.

The film critics opines regarding recently released film “DOR” that it is the classic example of teaching human being to become a human being first because it teaches a lesson that forgiveness is greater than enmity.<sup>1</sup>

Thus, we have expensive education system as well as set up. But we lack in imparting fundamental aspect. So, we do not find another Sardar Patel, Srinivas Ramanajan, etc.

### **HUMAN RIGHTS & EDUCATION**

Human Rights are the set of various kinds of rights that are fundamental in nature and that are inalienable. These rights are declared On 10<sup>th</sup> December, 1948 in The Universal Declaration Of Human Rights – UDHR 1948. As per section-2(d) of the protection of Human Rights Act, 1993<sup>2</sup> – “Human Rights means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the constitution or embodied in the International Covenants and enforceable by courts in India.” Rights to dignified life are not at all feasible in absence of right to qualitative employment Rights to personal liberty of availing such education that accelerates the geniusness lying within a person. All persons are not capable of knowing what is lying best within himself/herself. This is the work done by the entire education system. For e.g. a useless person may be a genius in any particular aspect. Indian Education System is such that it produces million of degree holder candidates every year. Amongst these only a few are eligible for the available jobs. For e.g. If a child is genius in computers and computer assisted technologies then teaching such child various languages, social sciences, physical education, etc is meaningless. Moreover, assigning him results in above aspects do not server the purpose of human resource development even. In many countries of the world we find a child of 15 yrs or 16 yrs is a CEO of a company, holding M.S. degree in surgery, etc. But we do not find such kind of development in India. It is because our education system is entirely resulted oriented, exam oriented, market oriented, etc. It is totally devoid of inner skills, abilities and geniusness of a child. Perhaps amongst several reasons, one of the reason responsible behind suicide of students, drop out from schools, etc is faulty education system.

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<sup>1</sup> Sandesh Newspaper, Rajkot Edition, P.No.6, Dt.: 08/04/2020

<sup>2</sup> Civil Minor Acts, By A.K.Banerjee, Dwivedi & Company, Allahabad, 2009 Edition, P.No.1170

Generally, at the time of Board Exams, we find many great persons including politicians, religious leaders, social workers, etc stressing on students for becoming relaxed. Students take tensions, botherations, depression because they have to do what they do not like. Not only students, it happens in every being including birds, animals, etc. Even a pet dog if offered and forced to eat what he/she doesn't like to eat will eat it out of great disgrace. But if he/she is offered what they like the most then the former situation will never prevail.

Recently, freelancer Mr.Prasan Bhatt has straced on the same aspect in his column Thoda hatke<sup>3</sup>. He has specifically laid emphasis that it is not the student that fails but the entire exam fails because of faulty education system.

The fact is that education system has not to offer and throw towards the students what it has but it has to bring out individually from each and every student what they bear or possesses. We have framed specific law on protection of Human Rights but on the other hand we have not yet recognized the individuality or individualism lying in form of geniusness in each and every child.

The biggest fault in the Indian Education System is that it has kept aside the intellectual development of students. The vedic education system aims at intellectual development along with overall development of students. For e.g. Ashram System of imparting education during vedic era we find the aforesaid system of imparting education. The traces of such education system is evident in great epics like Ramayana and Mahabhart Kauravas and Pandavas studied in Ashrama of Guru Dronacharya Arjuna was proficient in archery, Bhima was proficient in Gada and Mala yuddha, Yudhishtira was proficient in spear fighting, etc. All were taught in such a manner that their intellectual capabilities were developed at par.

In present day modern education system we find many students who are interested only in mathematics, many are interested only in science and so on. But they have to study other subjects apart from the subject of their interest. This reduces their interests in studies. Moreover, such studies generate stress, tension and boredrum among the students further resulting into depression. Due to this many students commit suicide. Giving relaxations in marks, checking of examination papers in liberal manner, giving percentile instead of percentage in order to show rosy picture, etc are not the solutions to the given problem.

The numbers of geniuses that India had given to the world decades or centuries below are not found in such proportions. In recent years, India has produced varieties of criminals like Harshad Mehta, Telgi, Vijay Maliya, Nirav Modi, Mehul Choksi etc. The biggest faults that we find in teachers, society, parents, etc that they expect very much that is beyond the capacity and likes of the students. They wanted their dreams come true form their children. Therefore, they make their dream fulfillment as compulsion for the students, children, etc. Where the personal liberty is? Except very few none have problem with the faults in education system. Human Rights provide for personal liberty to all. But students in India are still not getting their valuable fundamental rights of such an education system at their option that promotes their overall development.

As the education is totally commercialized in India, we find the recessionary and depressionary trends in degrees even. Once upon a time B.Ed. degrees were highly in demand. But now nobody is interested in it. Same is the case with B.B.A., M.B.A., B.C.A. etc degrees one of the reasons for overgrowing unemployment is because of above reason. If human rights are provided to children in wholesome manner then they must be given total independency to study the subjects of their likings. They must not be made victim of faulty education

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<sup>3</sup> Sandesh Newspaper, Rajkot Edition, Sunday, P.No.16

system. This is a matter of rights which must be compulsorily available to all. Human Rights don't ends with it. It also includes the duties. The duty part is that if a student is not qualified or worth deserving a particular degree then he/she must not be awarded such degree. At present we find a large number of degree holder uneducated youths in India. It is because of over appreciation of student's performance which is yet another fault of Indian Education System. We find many doctors giving or prescribing incorrect medication, architects drawing incorrect designs etc. Even a mason many times identifies the faults in architects design and draws out attention towards it. Masons in India are hardly educated up to secondary education level. In other words, we find a lot of people around us who even do not know the basics of degree which they possess.

Most of the Universities in India have become the land of political squabbles.<sup>4</sup> These are JNU, New Delhi, Hyderabad University, Banaras Hindu University, Lacknow University, North Gujarat University, Allahabad University, etc. In the year 2016, the education system of finland was rated as the best education system in the world.<sup>5</sup> As per the data published in Sandesh Newspaper, every year as many as 52 lakh Indians become the victim of medical error.<sup>6</sup>

Entire Indian Education System is now on profit centered. It must be made student centric under which there must be a specific system of checks and balances of rights and duties on the part of the students as well as the institution. The sphere of human rights is wide. It covers right to education as inherent and fundamental Human Rights. The goal is not at all accomplished by assigning degrees to students. Students must be provided necessary platform through which their entire potential must come out. If this happens then only Human Rights pertaining to personal liberty and dignity can be availed in their true senses.

### **CONCLUSION AND SUGGESTIONS**

From this we conclude that Indian education system is faulty and this aspect is true beyond reasonable doubt. The classic examples of it are growing unemployment, school drop outs, suicide by students, etc. As per Economic Times report of the year 2020<sup>7</sup>, since the year 2012 not a single Indian University is in top 300 world's University Rankings-2020. India ranks nowhere among top 20 countries of the world with best education system<sup>8</sup>

### **SUGGESTIONS**

From the above discussion, the following suggestions are made out-

1. It is necessary to dig a well but it is also essential to dig a well at a place where qualitative water is available. Unnecessary digging leads to wastage of time, money, resources, etc.
2. Education system must be redesigned.
3. It must be designed in such a manner that it must study the potential within a student and then it must provide necessary framework to shape up such potential into excellence.
4. Human Rights cannot be provided merely by just passing a specific legislation for it.

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<sup>4</sup> Sandesh Newspaper, Rajkot Edition, P.No.14 Dt.13/2/2016, SAT.

<sup>5</sup> Ibid Dt.08/04/2016, Friday

<sup>6</sup> Ibid Dt.07/05/2016, Saturday

<sup>7</sup> [www.economictimes.com](http://www.economictimes.com)

<sup>8</sup> <https://studyabroad.siksha.com>