



## **FREE EDUCATION TO EVERYONE: SHALL IT BE IMPLEMENTED?**

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### **Abstract:**

Education is considered a powerful tool to compete over the world's day-to-day development. It is compulsory for the children aged between 6 to 14 years to complete their primary and secondary education, in 135 countries of the world. The government and charitable organizations are funding for free education to the children. In this socio-legal research paper, the authors convey that education should be available free to all classes of people in general. We will clearly describe free education in India, Article 21A of the Indian Constitution made education a fundamental right. In India, the government education institutions offer free education but to avoid the overcrowding in those institutions, the demand for the private educational institutions to provide free education under Government funding is still a debate. This paper will also deal with the merits and demerits of providing free education in detail by differentiating the countries providing free education to their people and also to the students of other countries the economically backward countries which are having least literacy rate and conclude with the relation that the higher literacy develops the economy of the nation and it can be achieved by providing free education to all<sup>1</sup>.

### **Introduction:**

The term Education is derived from the Latin word *educatio* in the mid-century. It is defined as the process of giving or receiving systematic instructions to acquire information about a particular subject, in simple terms. There is a historical background beyond education. In the pre-literate societies, the knowledge was transferred from one to one by storytelling orally and through imitation. Like that education has been following from earlier centuries. Horace Mann was called the father of modern education which has been in practice nowadays. Prussia was among the first country to made tax-funded primary education compulsory in the 18th century. Afterwards many were developed. Thus education has been developing since human civilization had started.

Education gives us knowledge and develops in us a perspective of looking at life. Education helps us teach other morals, manners, and ethics in our society. The standard of Education has certain decorum. It has issues in implementing free education. Free education is one of the ways to attain the overall development of the country. Education is important in one's life. Education helps us to bring our dreams into reality. It leads the people to the right path and gives a chance to have a wonderful life. Education gives the ability to people of doing new interesting things that can be improving human living conditions and standards. Education helps us to learn more things and gaining new useful knowledge. Everyone should always remember that getting a good education is imperative in today's society as it is a

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3.Merits and demerits of free education



foundation of our successful future. Education is a worthy investment. To make a better future one might get enough Education and it can be more possible if it is available at free of no cost.

### **Why education should be free?**

The term free education does not refer to the education provided by the government institutions for free but, it is the education provided at totally free of cost. Even some private charitable organizations are also providing education for free of no cost. The priceless knowledge is the most property, one can gain. So, the Constitution makers provided the provision for free and compulsory education in our Indian Constitution of 1949. The 86th amendment<sup>2</sup>incorporates the article 21A in the construction. It made education a fundamental right stating that free and compulsory education to be provided to all the children in the age group of 6 to 14 years. The right to education act was also formulated to give effect to Article 21A after this 86th amendment made in 2009. India made Education compulsory in 2009. From this context, the importance of education has come to knowledge. That is why education should be made free. An educated citizen is a more productive citizen and the availability of equal and qualitative education is essential for the betterment of the human race. So that education can be accessible to everyone once it has been made free. Hence, education should be free to make every citizen literate in the country to attain economic development. There are more advantages to providing free education. If the citizens of the country are educated well, the feeling of patriotism will be developed in the

individual. The more productive citizens will pay higher taxes so that economy of the country starts to rise automatically and the nation will become a superpower nation. By providing equal opportunities, every educated individual can show their skills out which they got during the quality education and can change the Nation. Ideas, creativity and ability to think are the tools that can be gained by education to build the perfect society. It can be achieved only if every individual is educated properly. The race and caste system can be also demolished only if the people are educated. Overcrowding in government educational institutions is the major reason for those children to enter into and the quality also seems dull. So they prefer private institutions and standing in the position of not be able to pay the fee sometimes. Most of the citizens cannot go to school because of financial status. Only by having complete free education, the dreamed growth of the nation can be achieved.

### **Free education in India:**

The enactment of the Right to Education Act after the 86th amendment of the Constitution in 2002 introduced the Article 21A. Article 21A made education a fundamental right and provide free and compulsory education to all children between the ages group of 6 and 14 years.

The key features of the Right to Education are as follows:

- Free and compulsory education to all children between the ages group of 6 and 14 years.

<sup>2</sup>INDIAN CONST. art 21A



- The government should ensure that every child gets free and compulsory elementary education.
- Private educational institutions have to reserve 25% seats for economically backward children.
- Admission shouldn't be denied to a student in a school.
- All schools should have trained teachers.
- All schools must have the necessary facilities like water, toilet, playground, good infrastructure, and adequate teachers.
- Prohibits physical punishment and mental harassment.
- Screening procedure for admission of children is prohibited

#### Cases:

#### **Mohini Jain Vs St. Of Karnataka<sup>3</sup>**

The Supreme Court held that the right to education is a fundamental right under Article 21 of the Indian Constitution. The right to life includes the right to education because the right to life cannot be fully appreciated without the enjoyment of the right to education.

#### **Unni Krishna Vs St. Of Andhra Pradesh<sup>4</sup>**

The Supreme Court accepts the judgement of Mohini Jain's case and held that the right to life and personal liberty includes the right to education. This is available to children until they complete 14 years of age and beyond the age of 14 years, the right to education must also be interpreted in the light of Article 41,

45 and 46 under Directive Principle of State Policy.

#### **M.C.Mehta Vs St. Of Tamilnadu<sup>5</sup>**

The Supreme Court held that the provision enshrined under part III and part IV are supplementary and complementary to each other and discard that the rights under part III are superior as compared with part rights in part IV.

Education in the Republic of India is one of the major factors in Indian economical development. The minister of Human Resources Development (HDR) of India has made the budget Rs. 99,300 crores (14 billion US dollars) for the department of education<sup>6</sup> in India. The Indian education department has divided into federal, state or private. India established compulsory education on 4<sup>th</sup> August 2009. In 2011 approximately, 74% of the population aged between 7 and 10 years was literate<sup>7</sup>. While enrollment in higher education has increased steadily over the past decade, reaching a gross enrollment ratio of 24% in 2013. It is estimated that only 20% of aid for education goes to low-income countries, according to the Global Partnership for Education (GPE)<sup>8</sup>. But it costs an average of \$1.25 a day per child in developing countries to provide 13 years of education. Since 2000, the World Bank has committed over 2 billion dollars to education in India. As an outcome, the number of students in the age group 6 to 14 who are not enrolled in school has come

<sup>3</sup> Mohini Jain Vs. St. of Karnataka, 1992 AIR 1858, 1992 SCR (3) 658

<sup>4</sup> Unni Krishna Vs. St. of Andhra Pradesh, 1993 AIR 2178, 1993 SCR (1) 594

<sup>5</sup> M.C.Mehta Vs. St. of Tamilnadu, AIR 1997 SC 699

<sup>6</sup>(Feb 1, 2020) [https://www.businesstoday.in/union-budget-2020/decoding-the-budget/budget-2020-](https://www.businesstoday.in/union-budget-2020/decoding-the-budget/budget-2020-education-gets-front-seat-sitharaman-aspiring-india/story/395249.html)

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<sup>7</sup>(Mar 31, 2011) [http://censusindia.gov.in/2011-prov-results/data\\_files/mp/07Literacy.pdf](http://censusindia.gov.in/2011-prov-results/data_files/mp/07Literacy.pdf)

<sup>8</sup>(Jan 1, 2013)

<https://www.globalpartnership.org/content/results-learning-report-2013>



down to 2.8% in the academic year of 2018 as per the Annual Status of Education Report (ASER)<sup>9</sup>. The approximate ratio of public schools and private schools in India is 7:5.

India is a mixed economy where the public and private sectors coexist. Though the private sector has enormous rights to build their own body (eg: educational institutions, private hospitals, and service agencies), their rights are limited to some extent and they are not allowed to create the body which the Government is only permitted to function by the state and national policies. At the primary and secondary level, India has a large private school system complementing the government-run schools with 29% of students receiving private education in the 6 to 14 age group. The revenue of the private market in education is 450 million US dollars in 2008. So while the private sectors being the part of the educational department providing education by collecting tuition fees from the students. India is no more considered as a nation that provides completely free education but it would be giving partial free education to everyone. Because only the nationalized schools provide education without any fee. So India will be one of the nations that provide free education to everyone, only if the permission of the private educational institutions to collect tuition fees is cancelled. Private educational institutions can be build and allowed to functions with their regulations. But it's financial needs should be funded by Government taxation.

Internationally, an income of less than Rs. 150 per day per head of purchasing power parity (PPP) is defined as extreme poverty. By this estimate, about 12.4% of Indians are extremely poor. So education can be reached to the people who are belonging to that category by making it completely free. Otherwise financially weak sections cannot attain education as they desired. India's per capita income as per the statistical data of 2017<sup>10</sup> is 7,090 PPP dollars (purchasing power parity dollars) and 25% of GST is more than enough to fund for the private educational institutions to function out of the government control but with satisfying financial needs as the private trusts and to attain free education. i.e. completely free education.

#### **Position of other countries in dealing with education policies:**

Among 196 countries recognized by the United Nations<sup>11</sup>, **Just one-third of countries have achieved all of the measurable Education for All (EFA) goals set in 2000.** Bhutan, Oman, Papua New Guinea, Solomon Islands, Vatican city are some of the countries where education is not compulsory. Germany, Italy, Belgium, Norway are providing completely free education even to the postgraduates. There are also several countries dealing with different educational policies in their nations.

Finland is being at the top of the list, which provides well quality education to its citizens and abroad

<sup>9</sup>(Jan 15, 2019)  
<http://img.asercentre.org/docs/ASER%202018/Release%20Material/aserreport2018.pdf>

<sup>10</sup>(Jan 31, 2017)  
<https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=IN>

<sup>11</sup>(Jul 1, 2015)  
<https://www.un.org/youthenvoy/2015/04/education-2000-2015-third-countries-reached-global-education-goals/>



students for free of no cost. All the schools in Finland are nationalized. There is no private educational institution. Finland Educational Ministry budgets 6.8 billion Euros for Education in 2020<sup>12</sup>. It follows the current system since the 1970s and achieves the literacy rate of 99.5%. The main motive of Finland is to achieve equal and standard education to everyone. They want to give education to every student but they never include any screening test for students. Finnish students have some other great perks, along with not having to do homework. In US public schools there are many standardized tests, wherein Finland they have almost none. These educational policies make Finland stand in the top rank.

Somalia has the least functional system in the world with just 10% of its children going to primary school. Access to quality education is a problem that felt hard in Africa. 9/10 countries with the highest percentage of children who have never attended school were in Africa during the 2000s. At present, the 10 lowest ranked countries in the United Nations Human Development Report Education Index are African as well<sup>13</sup>. Niger with 15% of literacy rate, Eritrea just spends 2.1% of its GDP on education, Burkina Faso has 29% of literacy rate, Chad with 35% literacy rate, In Guinea, 41% are school dropouts, Sierra Leone with 52.2% of dropouts rate. In Mali more than 2 million children never attended school. 1/3 of children never attended school in Djibouti, 21% never got secondary education in Sudan and Ethiopia has 39% of literacy rate. Like this most of the backward nation cannot

provide quality education. As they cannot provide education to its citizens, the situation in the Nation and among the world becomes worse day by day. The countries providing good and quality education are rising rapidly in economic competition. Hence it confirms that the differentiation between the economically developed and economically backward nation is focused on education policy in the country and literacy rate of its citizens.

### **Merits and demerits of free education:**

#### **Merits:**

By providing a completely free education, no one will be illiterate in the Nation because of financial status. It can approach all the individuals of different races and classes and attain a 99% literacy rate as in North Korea<sup>14</sup>. The lifestyle of the society will be completely changed and the life below the poverty line will have completely vanished from society. Everyone can get equal opportunities to join or start up an institution with their knowledge and skill. The mature mind can decrease the rate of suicides in the society and it can be obtained through good knowledge. It can make the Nation without beggars in the upcoming years. It provides economic fairness to the country and also promotes the living standards of the individual. It paves the way for undergraduates to study more and more to know completely about their specific career by completing their PhD and results in coming up with great researchers with great ideas.

#### **Demerits:**

<sup>12</sup>(Oct 7, 2019) [https://minedu.fi/en/article/-/asset\\_publisher/okm-n-talousarvioesitys-6-8-miljardia-euroa-vuodelle-2020](https://minedu.fi/en/article/-/asset_publisher/okm-n-talousarvioesitys-6-8-miljardia-euroa-vuodelle-2020)

<sup>13</sup>(Aug 3, 2016) <https://www.globalcitizen.org/en/content/worst-schools-world/>

<sup>14</sup> <http://uis.unesco.org/country/KP>



The demerits such as overcrowding in public institutions bullied because of social status and class, unemployment rate, carelessness of citizens in paying taxes, private seeing Education from a business point of view, quality lacuna, inadequate teachers can be rectified by the necessary measures taken by the government.

It can be minimized if private schools become nationalized with the same quality. The unemployment rate can be minimized by the government making several departments that suit the current situation and employ the educated graduates. So, they can be part of the newly formed functional departments. Employing more skillfully trained teachers, restricting religious and castes thought from the minds of students and society by eradicating community and religion-based scholarships in education and other privileges gained with them are some of the adequate measures to be taken by the government to sort out the demerits.

### **Education, Poverty and crime rate**

Illiterate people are more likely to commit violent crimes such as homicide, sexual assaults, arson and robbery, a new study has found. The crime rate in India is 3.22 as per the last recorded statistical data in 2016<sup>15</sup>. Higher the educational level, lower the crime rate as per the statistics. 85 percent of all juveniles who interface with the juvenile court system are illiterate. More than 60 percent of all prison inmates are illiterate.

<sup>15</sup>(Jan 15, 2018)

<https://www.macrotrends.net/countries/IND/india/crime-rate-statistics>

<sup>16</sup>(Dec, 2007)

<https://unchronicle.un.org/article/education-key->

Penal institution records show that inmates have a 16% chance of returning to prison if they receive literacy help, as against 70% who receive no help. This equates to taxpayer costs of \$25,000 per year per inmate and nearly double that amount for juvenile offenders. Their estimators suggest that a ten percentage point increase in high school graduation rates will reduce crime rates by 4 percent and total crime rates by about 3 percent.

Maternal death rates drop significantly in societies with high education rates. Women with no education within the least are 2.7 times as likely to die during birth as women with 12 years of education<sup>16</sup>. Women with one to 8 years of education are twice as likely to suffer maternal mortality. This is because educated mothers are more likely to use health services, even in their low socioeconomic status. Lack of education is also a stressor for women during childbirth. The more stressors a woman has during pregnancy, the higher the likelihood of negative outcomes. Since females are less likely to be the offenders, it is expected that the increase in their education level from secondary to college will have no significant effect on the homicide rate. Research from The CIBC, Centre for Human Capital and Productivity at The University of Western Ontario shows that education is the key to success and can reduce crime rates, improve health, lower mortality rates, improve economic status and increase political participation<sup>17</sup>. The level of poverty in one area does impact that same area's crime rate. Although there are other factors for

[reducing-child-mortality-link-between-maternal-health-and-education](https://www.cibc.com/press-releases/2011-12-reducing-child-mortality-link-between-maternal-health-and-education)

<sup>17</sup>(Dec 6, 2011) <https://phys.org/news/2011-12-lowers-crime.html>



committing the crime, poverty is a big one. Using our resources and focus to help to solve poverty and raising the income levels will lead to positive changes in crime and result in a lower crime rate. Increased access to education can contribute to reducing poverty. A newly published paper by UNESCO<sup>18</sup> shows that education is the way to escape from chronic poverty and to prevent the transmission of poverty between generations. The rate of return is higher in low-income countries than in high-income countries.

Poverty and education are interlinked, because people living in poverty may stop going to schools and colleges so they can work, which leaves them without literacy and numeracy skills they need to further their careers. Poverty reduces a child's attention in school and college because it results in poor physical health and motor skills, diminishes a child's ability to concentrate and remember information, and reduces attentiveness, curiosity and motivation. Giving all children around the world a standard education can help reduce poverty, promote peace and foster development.

Education, poverty and crime are all interlinked with each other. Education is a fundamental way to reduce the rate of poverty and crime. As mentioned, providing education can get rid of poverty and crime in the Society.

### **Barriers to free education:**

#### **1. Lack of Quality in education**

Even the budget, syllabus and statutory provisions were made, they are not being

properly used by the functional heads. Many people have no faith in the quality of the education system. There are several various syllabi for the same subject and being taught differently in public schools and private schools. Poor quality of education includes the absence of around 25% of teachers every day.

Solution:

Training to plan quality measures to increase the quality of education, quality of syllabus and lessons, focusing on students centred teachings and learning and exploring new methods are some of the solutions to this barrier.

#### **2. Lack of Income**

Many countries fail to spend enough of their national income on education for their population. In addition to dealing with the family income of a family, the children in the poverty line are most likely to be affected as they drop out of schooling. The economy of the people below the poverty line is getting worse.

Solution:

Economic mismanagement by the local government and economic sanctions from the United Nations International Children Emergency Fund (UNICEF) have compounded the issue. There are also many charities helping the children in poverty line to get Education.

#### **3. Lack of learning materials**

The non-availability and late availability of learning materials such as textbooks, reference books, journals, materials,

<sup>18</sup>(Nov 11, 2014) <https://norad.no/en/front/about-norad/news/role-of-education-in-ending-extreme-poverty--taking-a-global-lead/>



notebooks, notes and literacy books make the big difference in gaining good knowledge. This creates the major difference between the private school education system and the public school education system. It put forth the preferences to choose (public school or private school) and confuses.

Solution:

Publishing books from local authors and illustrators can prevent this barrier.

#### 4. Child labour

According to Educate a Child, there were 168 million children were in work in 2012. It is tempting to say that families who allow their children to work instead of going to school are irresponsible and immoral. But it is a pity necessary for the child to contribute financially to the family's poverty.

Solution:

The child labour can be reduced through increased labour standards and economic growth that brings family out of poverty.

#### 5. Violence and bullying in classrooms

A school is a safe place for children. Unfortunately, it is a place where most of the children experience violence (at home and abroad). Many countries had banned corporal punishment in schools but the ban isn't enforced. Many girl children faced sexual violence in schools and the innocent students are bullied by other students. Some children will often drop out of school altogether to avoid these situations. Even when children stay in school, violence

can affect their social skills and self-esteem. It also harms their educational achievement.

Solution:

It can be rectified by strict actions taken by the school management. The fear in the students' mind can reduce the risk of violence and bullying. But make sure that the relationship between the colleagues should be friendly.

These are some important barriers to be rectified. There are several other barriers as reasons for not implementing good education.

#### Conclusion:

In 1984, the Indian government has total control of all information distribution to society, resulting in an absence of knowledge and common sense in citizens. Without the education of people, a society cannot flourish or grow because it doesn't have the intelligence to build up and maintain society. 74.04% is the literary rate of India as per the last census and it is placed at the 123rd position in the global literacy rate ranking<sup>19</sup>. India has placed as 9th country in the world's overall economic ranking. The nominal Net National Income (NNI) of India (at Current Prices) is likely to be ₹181.10 lakh crore for the year 2019-20 and it was ₹168.37 lakh crore for the year 2018-19<sup>20</sup>. India ranks 62nd in total public expenditure on education per student and measures the quality of education (pupil-teacher ratio in primary and in secondary education). The country spent 3% of its total GDP on education in 2018-19 or about 5.6 lakh crore as per the economic survey. Whereas Norway spends 6.4% and the United Kingdom spends 6.3% and so on.

<sup>19</sup>(Feb 13, 2020)

<https://www.statista.com/statistics/271335/literacy-rate-in-india/>

<sup>20</sup>(Apr 6, 2020)

<https://www.statista.com/statistics/802122/india-net-national-income-per-capita/>



India's spending on education is lower than that of middle-income and low-income countries.

Hence, India will also be ranked top in the list of countries providing good Education and completely free education.

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As these nations spend more national income on education, why India, the most populated and youngest Nation in the world cannot spend more on education? Why does complete free education not implemented? As described above, India being the most populated country covers 39 % of children under the age group of 18 years (approximately 472 million children). India is home to over 30% of children (almost 385 million children) living in extreme poverty, ranking the highest in South Asia, according to a new report by World Bank Group and UNICEF. Education is one of the fundamental things in our life. Without education, success in our lives is difficult. So, education should be free and compulsory for all. All kids should deserve equal and standard education, no matter who they are or what they look like or where they come from. Everyone is equal. Treat them the same. Complete free education is a debatable topic but a possible topic. It can be implemented if executed properly. Like Finland, every country should have a nationalized and compulsory education system through public funding to make the children's life brighter. A quality education given with experience of the staff can enlighten the students.

It is concluded that during the upcoming years, India should make all the private educational boards to nationalized boards and make them function with public funding. The national expenditure on education should be more to enhance the education system of the country. The barriers should be sorted out. So that each child can easily get enough education.