

# A Critical Study on Educational Rights with Special Reference to Article 21A of the Indian Constitution

**Bhagatheswaran G. S<sup>1</sup> and Aathavan M<sup>2</sup>**

BA LLB. (Hons) 5<sup>th</sup> year<sup>1,2</sup>

Saveetha School of Law, Saveetha Institute of Medical and Technical Sciences (SIMATS), Chennai

gsbhagatheswaran32@gmail.com and aathavanballb@gmail.com.

**Abstract:** *The Right to Education (RTE) has been recognised as a fundamental right under Article 21A of the Indian Constitution since 2009. The right was added to the Constitution by the 86th Amendment Act, which made education a fundamental right for all children aged 6-14 years. The Right to Education Act (RTE) was passed in 2009 to give effect to the constitutional amendment. The act ensures that every children between the ages of 6 and 14 years get free and compulsory education. It also lays down standards for schools, teachers, and infrastructure, and mandates the appointment of trained teachers and the provision of adequate facilities in schools. Several factors have an impact on the right to education in India. The main objective is to analyse whether Article 21A is effective in India. The research method followed is empirical. The data is collected through a questionnaire, and the sample size is 202. The convenience sampling method is adopted in the study to collect the data. The samples were collected from Friends, relatives through a Google form. The researcher used graphs to analyse the data collected. In conclusion, the right to education is a fundamental right and a significant step towards the development of the country. The enactment of Article 21A in the Indian Constitution has brought about a revolutionary change in the education system, especially for the marginalised section of society. It ensures that every child between the ages of 6 to 14 has access to free and compulsory education. From the analysis, we found that most of the respondents are aware of the Right to free and compulsory education. And the respondents feel that lack of awareness and lack of financial stability are the causes that affect children aged 6-14 in avoiding schooling. The suggestions are that the government should encourage the public to enrol in government schools, and that the government should take necessary steps to improve the infrastructure and standard of education.*

**Keywords:** marginalised, infrastructure, financial stability, compulsory, Constitution

