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EFFECTS OF DIGITALIZATION OF EDUCATION ON THE RIGHT TO EDUCATION

~ Shreyash Gupta¹

Abstract

Education is a continuous process that spans from early life until one's passing. The extent and influence of learning in our lives vary with each stage and the timing of instruction. Changes in teaching methods occur in response to current demands and circumstances, influenced by the evolving needs of society. The ongoing evolution of technology and teaching processes is driven by temporal, contextual, and needs-based considerations. Despite these changes, there persists a need for efficient and expeditious methods of learning and teaching. This article explores the impact of digitization on education, highlighting the crucial role digital learning plays in addressing contemporary challenges within classrooms. The rapid growth of multimedia education, facilitated by advanced networks and technology, has made our Indian classrooms adept at utilizing technology.

Keywords

Digitalization of education, distant learning, online learning, Digital classroom

¹ You may contact the author at the following email address: anitagupta840.ag@gmail.com.

INTRODUCTION

Global education is one of the most important areas that have been revolutionized in recent years only. Digital education is the panacea to this disgusting educational phenomenon all over the world. This is especially good news for developing countries with chronic diseases access and affordability. Smart reporting through a variety of communication methods becoming a natural choice for learning, even for those in remote areas. India is one of the best educational destinations in the world. Has some of the best universities and the University is renowned for its excellence and high standards. More importantly interesting to see how technology is rapidly evolving and changing the way Indian students teach consumer educational content. In addition, the popularity of Internet-based smart phones to provide quality learning to students from all regions of India. Today, digital learning plays an important role in overcoming pedagogical problems.

With high-tech network and multimedia, the education industry has become one of the fastest growing industries emerging fields. Technological advances make our Indian classrooms technical get it. Dramatic changes are taking place as technology is used in education teaching methods, styles and content in many schools in India. "Students, educators and parents all agree – we need different types of learning experiences to prepare students for the future. ' Aim is to make rural India a part of digital. At this time, the government of Prime Minister Modi launched the "Digital India" campaign. Some aims for the campaign include providing broadband connectivity to 250,000 people provide Wi-Fi in rural areas and Wi-Fi in schools by 2019. Government continues to work towards a digital future for citizens. Digital India plans and focuses on capacity building, increasing investment in capacity.

DIGITALIZATION OF EDUCATION

Digitization is the integration of digital technologies; everything that can happen in daily life is digitized. Digitized literally means obvious development philosophy and technology dependence world. A complete revolution in the way we learn today brought about by technology. Teachers teaching in class capable of capturing the hearts of students and giving their all in the classroom Digital screens give every child the same thing essential content and teacher input. Of this function, Digital age boosts student engagement and brings together different teaching styles. Digital learning is any form of learning that comes with made possible by technology or pedagogical practice and use of technology effectively. It includes the application extensive practice, including:

mixing and virtual learning. Every student is exposed to a first-class education. Traditional ways are not easy to convey board courses. With this technology engagement in school when students feel they are learning fun, simple, capable, and most of all, fun. This however, teachers should aim to create an atmosphere where every student wants to learn. Digital Learning Replaces Traditional Educational Methods more and more every day. How fast is the classroom when you change, it's better to forget the ways you might remember think about it from your student days updated teaching technology based on digitization learn tools and techniques. Digital inclusion and classroom learning can be different than simply using tablet instead of paper to use complex software programs and devices rather than simple pens. This may include using websites, services, programs and courses tools and technology, such as learning aids for home use. Even social networking and messaging platforms can be used for creating and managing digital tasks and agendas.

RIGHT TO EDUCATION

Education is a universal human right. It is the right to education according to Article 26(1) of the Universal Declaration of Human Rights, 1948, "Everyone has the right to education. Education should be free, at least at the primary and basic stages and compulsory basic education". Right to education is protected by Indian constitution, law and Government policies and schemes and many decisions. In this article, the author analyses the right to education in India from a constitutional legislative perspective and Judicial Perspective.²

CONSTITUTIONAL PROVISIONS

The initial inclusion of the right to education occurred through Articles 41 and 45 as Directive Principles. The Supreme Court has interpreted this right by referencing various articles in the Constitution, such as Articles 15(3), 21, 24, 39(e) and (f), and 51A(k). With the Constitution (86th Amendment) in 2002, a new Article 21 was introduced, solidifying the right to education as a fundamental right under Part III of the Constitution. Consequently, the Indian Constitution safeguards the right to education for children, establishing it both as a fundamental right and a Directive Principle of state policy.

Articles 41 & 45: The Constitution mandates that the State should facilitate education in

² Dr. J.N. Pandey, Constitutional Law of India 54th ed. 2017, Central Law Agency.

accordance with its economic capabilities and development. Initially, Article 45 stipulated compulsory and free education for all children aged 10 to 14 from the inception of the Constitution, implying free education for this age group until 1960. However, the government's efforts in this regard were limited. Subsequently, the Constitution was amended in 2002 (86th Amendment), replacing Article 45. Now, the amended provision ensures that all children receive education up to the age of 6 years. These are the article puts the responsibility of educating children in the country, but its economic strength allows this country to meet these obligations.³

Article 15(3): This provision empowers the state to make particular provisions for minors. As a result, it includes the state's commitment to educating the oppressed, as well as specific policies, strategies, and programs for children's development.⁴

Article 21: This provision safeguards both life and personal liberty, akin to education, contributing to the enhancement of life, the protection of human freedom, and the promotion of a dignified existence. Consequently, in numerous instances, the Court invokes Article 21 with the right to education.

Article 24: This article prohibits the employment of children under the age of 14 hazardous factories and mines etc. This article discusses the Right to Education because it protects these children therefore have the options to send their parents to school for education.⁵

Article 39 (e) & (f): Similarly, Articles 39 (e) and (f) safeguard children at an early age from abuse and ensure that children can grow in dignity without being exploited.

Article 51A (k): Clause (k) was added to Article 51A of the Indian Constitution by the (Eighty-sixth Amendment) Act, 2002.

Article 21A: The Constitution (86th Amendment) Act in 2002 introduced this article. The right to education attains the status of a fundamental right due to the unfulfilled objective outlined in Article 45 for more than four decades. Article 21A specifies that the State must furnish free and mandatory educational services, to the best of its ability, for all children aged 6 to 14. This provision places the onus on the state to ensure that the fundamental right to education for every

³ Constitution of India, Bare Act.

⁴ Constitution of India, Bare Act.

⁵ Constitution of India, Bare Act.

child within this age group is acknowledged and safeguarded. In this context, the term "free" implies that every child has the right to education without bearing the burden of school admission fees. Therefore, the right to seek education initiation should not pose a hindrance to primary education and should contribute to the holistic development of one's personality. The term "government" education refers to a governmental obligation to provide complete education for all children aged 6 to 14. As per Article 21A, fundamental rights are actionable and enforceable rights.

To execute Article 21A, the government must guarantee that students have the freedom to travel under the Compulsory Education Act of 2009. Thus, numerous Articles of Chapters III, IV, and IVA of the Indian Constitution safeguard children's right to education up to the age of 14. At the time of interpreting the constitution, the court also safeguards children's right to education.⁶

LEGISLATIVE PERSPECTIVE

The 86th Constitution Amendment Act of 2002, known as the Children's Right to Compulsory Education Act of 2009, was enacted by the Indian Parliament. This legislation ensures elementary education for all children aged 6 to 14. The Act imposes a legal obligation on both state and central governments to execute the fundamental rights of children outlined in Article 21A. Irrespective of their status, be it government, aided, or unaided private institutions, all schools are mandated to provide free and mandatory education to twenty-five percentage of children from economically disadvantaged sections among the total admissions. After 11 years of implementation, it is clear that the RTE Act has not achieved its goals.⁷

JUDICIAL PERSPECTIVE

Prior to the introduction of Article 21A, the Supreme Court examined the concept of the "Right to Education" by referencing various articles in the Indian Constitution, including Articles 21, 24, 30(1), 39(e) and (f), 41, 45, and 46.

In *Mohini Jain v. State of Karnataka*⁷, the Supreme Court's "Right to Education" is intimately related to the right to life and the state's constitutional responsibility to offer education at all levels for the benefit of its citizens. In this judgment, the court does not specify the age at which persons

⁶ Constitution of India, Bare Act.

⁷ Constitution of India, Bare Act.

can use their constitutionally granted right to an education.⁸

In *Unnikrishnan JP v. State of Andhra Pradesh*⁸, the Supreme Court declared that “ the right to education is a fundamental entitlement for children between the ages of 6 and 14. Emphasizing the intrinsic significance of this right, the court highlighted its connection to Article 21, asserting that the right to education must be considered integral to the right to life. The court referred to Articles 41, 45, and 46 solely to delineate the scope and conditions of this fundamental right.”⁹

In *Ashok Kumar Thakur v. Union of India*⁹, the Supreme Court held that “Article 21A is the most important Fundamental Right and takes precedence over other rights such as competence implement the basic law of education. ”¹⁰

In *Associated Managements of Primary and Secondary Schools in Karnataka Vs State of Karnataka* by its Secretary, Department of Education and Ors.¹⁰ the Supreme Court read Article 21A and Article 19A (1) (a) have been interpreted as giving property rights to all children.¹¹

In *Anuj Garj vs. Hostel Association of India*¹², the Supreme Court in 'Government ensuring that children are equipped with modern technology to compete the world is growing and achieving success'.

DIGITAL DIVIDE

The digital divide signifies the disparity between individuals with access to information technology and those without it. This divide encompasses physical access to devices, technological capabilities, and resources. According to the National Telecommunications and Information Administration (NTIA) in the United States, it delineates the gap between those with and without access to computers and the internet.

In contemporary usage, the term "Digital Divide" has evolved to encompass not only physical

⁸ Mohini Jain vs. State of Karnataka AIR 1992 SC 1858.

⁹ *Unnikrishnan JP v. State of Andhra Pradesh*, AIR 1993 SC 2178, 2231: (1993) 1 SCC 645.

¹⁰ *Ashok Kumar Thakur v. Union of India* (2008)6 SCC 1.

¹¹ ILR 2008 KAR 2895.

¹² *Anuj Garj v. Hostel Association of India* (2008) 3 SCC 1.

access but also the proficiency and knowledge in utilizing information and communication technology (ICT) effectively. Factors such as educational gaps, technical skills, age, race, ethnicity, and other socio-economic factors contribute to this divide. It extends beyond the simple availability of technology to include barriers related to education, skills, and demographic factors like age, race, ethnicity, economic status, and geographic location.

To address this digital divide, various projects, schemes, and programs have been implemented by both Central and State Governments.¹³

CHALLENGES FACED IN ADOPTING DIGITAL METHODS

- **Infrastructure:** A problem that both schools and students encounter. Most schools lack the necessary IT infrastructure to handle enormous volumes of books and digital curriculum dissemination. A mature market. As quickly as the United States can acquire Internet support for downloading information for digital books, many developing nations continue to struggle with it.
- **Resistance to change:** Certainly, historically, there has never been a hindrance to technological change. However, technology is inherently shaped by individuals who drive these changes. Teachers, administrators, librarians, and parents often adhere to traditional learning methods. The difficulty lies in the endeavor to transition them towards embracing a digital approach to learning.
- **Curating Content:** Expanding beyond digital learning, the process involves converting existing content and books into digital formats. To maximize effectiveness in schools, digital training needs to be dynamic, inclusive, and incorporate interactive content. However, developing such content can be time-consuming and requires significant effort, leading to higher implementation costs.

RECOMMENDATIONS

1. Digital learning enhances classroom interaction and transforms the school and learning environment.

¹³ Sadanand Bansode, Suresh Patil, Bridging Digital Divide in India.

2. Interactive classrooms provide an enjoyable learning experience.
3. Digital learning promotes active engagement among students and instructors.
4. Provide automated digital learning animations for each idea to improve knowledge retention among youngsters.
5. Digital learning and teaching enable teachers to access a vast database of questions and handle in-line tests.
6. Digital learning also includes learning a content management system that allows you to move forward in searching the training component.
7. Teachers can upload content warehouse; make question papers and do student analysis productivity.¹⁴

CONCLUSION

In the era of digital advancements, the government is committed to implementing suitable policies and plans to establish an inclusive and efficient education system. This is aimed at ensuring the equal protection of the Right to Education for all, without any form of discrimination. Given the accessibility of digital technology, the availability of information becomes crucial at present. The Government of India acknowledges a moral responsibility to provide education to every child, emphasizing that no one should be left behind in this digital age. Recognizing that once children miss out on education, their return becomes challenging, impacting the overall development of Indian citizens and, consequently, the nation.

¹⁴ www.thequint.com.

