

10. Women's Right to Education in India: Concept, Issues and Obstacles

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"When girls are educated, their country become stronger and prosperous."

-Michelle Obama

10.1 Introduction:

Education is an important tool that gives people information, knowledge, skills, and techniques. It also helps people understand their rights and responsibilities to their families, society, and country. You can view the world around you by broadening your perspective and vision. It alters the way we view life. Education increases your capacity to experiment and develop your imagination. Your inventiveness may be used to advance the country.

Education was very important in ancient India. Education was as important then as it is today. Although the education system was a little different in that time. Indigenous education was taught at *gurukuls*, *pathshalas*, *tols*, *chatuspadis*, temples, and homes. In households, communities, and temples, there were persons who helped young children adopt religious lifestyles. Additionally, temples served as educational hubs and were interested in spreading awareness of our old system. For higher education, students travelled to universities and *viharas*. Since most instruction was given orally, pupils retained and thought about what they had learned.

10.2 Women Education in India:

It has been acknowledged that everyone, regardless of gender, has the fundamental and necessary right to an education. Historically, women's education was not regarded as vital or required, but education for males was encouraged in all societies. Even as males across the world received education to become physicians, engineers, attorneys, and other professions, discrimination on the basis of gender at all levels and the belief that women did not need an education continued. Women have been fighting for their right to education for nearly two centuries in an effort to challenge this societal norm. Both men and women waged a long struggle for women's education via innumerable discussions and ceaseless activities throughout the globe.

In ancient times, women's education was not given much importance and no special steps were taken to encourage them. For many centuries, we have heard of wars and men have been proving their supremacy. But when we saw that society has become somewhat organized, women acquired education even in adverse circumstances and set a unique example in society. India's first feminist, Savitri Bai Phule, was born and raised in a British Raj nation with no laws protecting women's rights. She accomplished the historic feat of

founding the first girls' school. She is so appropriately recognized as India's first female educator. Savitribai's first book of poems, *Kavya Phule*, was released in 1854 and highlights the value of Marathi and English education. Among other things, she was the one who administered her husband's funeral rites and dispelled the myths surrounding intercaste weddings. The first Indian lady we know of who held the view that the only way to improve the future was to educate women was Savitribai Phule. Not only Savitri Phule but there are so many examples from the history who educated themselves and enlighten the society at a large. Fatima Shiekh, Swaran Kumari, Annie Besant etc. are some famous names among them.

It would not be wrong to say that when the British ruled India, we suffered a lot of atrocities. But despite this, the British motivated us to do a lot. In which women education is also an important thing. Just as the British made people aware about matters like *Sati Pratha* and *widow remarriage*, in the same way people adopted education as an important part of life.

Here in this table, we can notice that how social reformers tried to implement the education system in India.

Table 10.1: Major Events of Educational Development

Year	Education Reformer or Event or Policies	Key Features
1781	Warren Hastings	Establishment of ' Calcutta Madarsa ' for the study of Persian and Arabic language.
1784	William Jones	Asiatic Society of Bengal was established to encourage oriental studies.
1791	Jonathan Duncan	Sanskrit College was established in Benara, for the promotion of Hindu Laws studies.
1801	Lord Wellesley	Fort William College founded to train British er recruited to civil services in India.
1813	Charter Act of 1813	Education first time being made an objective of the Government.
1817	Raja Ram Mohan Roy	Calcutta Hindu College was founded
1823	General Committee of Public Institution	Educational growth of Indian Education system was overseen.
1835	William Bentinck	English learning was focused. Persian was also abandoned as official court language, as English took place.
1854	Woods Dispatch	Western education was one of the goals of Government, many Universities proposal were made, system of graded schools, and also <i>focussed over women education</i> .
1882-83	Hunter Education Commission	Primary education was focussed and <i>education of women</i> outside presidency was also focussed. Allahabad University (1887) was established.

Year	Education Reformer or Event or Policies	Key Features
1904	Indian Universities Act, 1904	Recognition of Universities, rules and regulations were oversighted.

Not only these but many commissions, legislations were also passed for the development and enhancement of the education system of India till the British empire.

Regarding these developments made or made in endeavour of educational development, we can easily say that these all events were the base of the Indian education system. It can also be said that we gained independence because of education. Many freedom fighters made such policies due to their education and knowledge that they could get freedom from the rule of the British.

10.3 Right to Education and Legal Provision:

Numerous international conventions have recognized the right to education as a human right, such as the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which acknowledges that everyone has the right to free primary education, that everyone has an obligation to make secondary education accessible to everyone by introducing free secondary education gradually, and that everyone has an obligation to create equitable access to higher education, ideally through the introduction of free higher education. 171 nations had ratified the Covenant as of 2021. Article 13 of the ICESCR provides for the right to education as a human right. It says-

“The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.”¹

In this clause it was stated that right to education is a human right and it is much needful for the complete development of the human personality. It was also discussed that education provides and motivates people towards a free society, mutual understanding, tolerance and fraternity among all. It means that somehow it tries to achieve one of the goals of United Nation i.e. *peace & security*.

Clause 2 of the Article 13 also states in order to fully realize this right, all Nations to the current Covenant acknowledge the followings:

¹ Article 13 (1) of the International Covenant on Economic, Social, and Cultural Rights, Retrieved on 22-11-2024 from:
<https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/cescr.pdf>

- Everyone must have access to free primary education;
- All people should have access to secondary education in all of its various forms, such as technical as well as vocational secondary education, through all available channels, including the gradual implementation of free education;
- All people should have equal access to higher education, according on their ability, using all available methods, including the gradual implementation of free education;
- For individuals who have not obtained or finished their elementary education, basic education should be promoted or intensified as much as feasible;
- A sufficient fellowship system must be built, the material circumstances of teaching staff must be continually improved, and the creation of a framework at all levels of schools must be aggressively sought.

Indian Scenario:

Article 21-A of Part III of the Indian Constitution guarantees the right to education, which is a basic right. In the *Mohini Jain v. State of Karnataka*² case, this was a well-made decision. This case is decided by the Supreme Court division bench. According to the ruling of the justice panel, which included Kuldip Singh and R.M. Sahai, the right to education is fundamental to the right to life and is closely related to it. Only when education plays a substantial role can life be lived with dignity.

However, later this judgment was re considered and re-examined for its validity in a popular case *Unnikrishnan v. State of Andhra Pradesh*³. In this case there was five-judges bench and it was held that- '*The term "right to education" refers to a citizen's ability to demand that the state provide them with educational resources in accordance with their financial means.*'

A three-judge Supreme Court bench, presided over by Justice PN Bhagwati in the case of *Bandhua Mukti Morcha etc. v. Union of India*⁴, filed a Public Interest Litigation (PIL) in this issue after receiving a letter from an NGO requesting that the Court put an end to the practice of bonded labor. Rather than rendering a single, definitive ruling that bonded labor was unlawful, the Court established a theory known as '*continuing mandamus.*' In order to guarantee that the administration complied with the pertinent constitutional provisions, the Court was able to postpone a final ruling and give suggestions and interim orders on a regular basis. As a result, the Court broadened its jurisdiction to maintain the case open and oversee adherence to its decisions, in addition to easing its locus standi restrictions to let an NGO to submit a writ petition on behalf of bonded laborers.

The Supreme Court in the case of *Avinash Mehrotra v. Union of India*⁵, ruled that the right to education must encompass the right to a safe and healthy learning environment in schools.

² AIR 1992 SC 1858

³ AIR 1993 SC 2178

⁴ AIR 1984 SCC 802

⁵ Writ Petition Civil No. 483 of 2004

Additionally, the court mandated that schools adhere to specific fire safety measures that were outlined in the ruling.

In short, we can say that right to life and right to live with dignity includes the right to education. Although these cases are not directly promoting the girl's education but it doesn't mean that it doesn't intend so. Education of girls also covered in whole aspect of this right. To include these cases in this work is just to tick about the education as a 'right'.

10.4 Importance of Girl Education:

- **Economic Development:** Education gives females the information and abilities they need to land better jobs, which helps them become more economically independent. The World Bank claims that educating females may greatly increase a nation's GDP growth. According to UNESCO, a girl's income might rise by 10% to 20% for each additional year of education. With the help of education, a woman can assist in several ways to grow the economy. Woman can create new ideas to startup new business. She can also play a vital role in decision making process also she can present those practical values that a woman faces in the society.

India's female labour force participation rate is 120th out of 131 nations, and the country's rates of gender-based violence are still too high. It's hard to develop in an inclusive and sustainable way when half of the population is not actively participating in the economy.⁶ Indian women's economic contribution, at 17% of GDP, is less than half of the worldwide average and falls short of, say, China's 40%. If about 50% of women were able to enter the workforce, India's growth might increase by one and a half percentage points to 9% annually. Although, participation of women is lesser in India but it can be boosted with the help of right education and awareness.

- **Social Development:** Society is comprised of various factors like families, cultures, customs, morality, political ideas etc. and we progress with each other's contribution. In the same scenario woman can play a vital role. Social development needs so many things that a man always cannot satisfy by his efforts. Woman in many occasions can improve the things. With the good education she can better uplifts her family. She can understand the nutrition, well-being, health etc for her family. And outside the family she can evaluate the social, cultural and moral values in the society. She can motivate a society for forbid social evils, she can help people to make gender equality, legal and human rights, she can also lead a society to political participation. These all acts are only possible if a woman is well educated. So, it is right to say that an educated woman not only nourishes her family but she also can change the world at her own skills.
- **Health and Well-Being:** An educated woman can easily understand the concept of health and well-being. She can understand easily her personal care and health. For example- If she has menstruation cycle what precaution she has to take. This is possible if she is educated. She not only learns these basics of health and personal care but she also can teach to nearby needy ones. There are so many health issues related to

⁶ <https://www.worldbank.org/en/news/speech/2018/03/17/women-indias-economic-growth>, Last retrieved on 24-11-2024

woman's personal hygiene and care that can be understood by an educated woman and she also can help others also.

- **Reforming Future Generation:** When India got the independence, the country's female literacy rate was a pitifully low 8.6%. According to the 2011 census, India's female literacy rate rose from 8.60 % in 1951 to 64.61 %. This increased rate is the result only because the previous generations were well aware about the importance of the education. In fact, the woman of a family has been the reason for the rise in literacy rate of the women's education in India. Being a mother, sister, wife etc. in a family has motivated their lineal descendant female members to go for studies in high to higher education grades. So, it can be said that woman and her education can reform not the current generation but also the future generations.

10.5 Government Initiative/Schemes for Women Education and Skill Development:

There are so many policies and initiatives launched by Indian Government for the women empowerment and education some of them are as follows:

- **Beti Bachao Beti Padhao (BBBP):**

Beti Bachao Beti Padhao program was launched by the Indian government in 2015 in an effort to address issues of gender inequality and women's empowerment in the nation is the literal translation of the term *Beti Bachao, Beti Padhao*. The program seeks to increase the effectiveness of social services for girls and educate the public against gender prejudice. An initial investment of Rupees 100 cr. (US\$ 13.5 million) was used to launch it. It was launched by Prime Minister Shri Narendra Modi on 22nd Jan, 2022. The main objectives of this initiative are:

- to increase the ratio of children to adults,
- to promote women's empowerment and gender equality,
- to stop sex-selective gender-biased extermination,
- to ensure the survival and safety of the female child,
- to promote education and involvement among girls

- **Support to Training and Employment Programme (STEP):**

STEP programme was launched in 1986 and implemented by the Ministry of Women and Child Development. It emphasised over the women empowerment via skill development by vocational training and employment opportunities to women. Major objectives of this initiatives are as follows:

- To enhance skill enhancement
- To promote entrepreneurship among women
- To facilitate access wage employment in various sectors
- To support women from Schedule Castes, Schedule Tribes and Other Backward Classes for skill development

- **SABLA:**

SABLA also known as Rajiv Gandhi Scheme for Empowerment of Adolescent Girls, is a centrally sponsored programme-initiated 1st April, 2011 by Govt. of India. In 205 districts chosen from all States and Union Territories, the government has implemented this programme which is known as “*Sabla*”. Adolescent girls (AGs) aged 11 to 18 are intended to be empowered by the *Sabla* program via instruction on life skills, health care, and nutrition. The following are the program's goals:

- To facilitate the empowerment and self-development of teenage girls
- Boost their health and nutrition
- Raise awareness of adolescent reproductive and sexual health (ARSH), family and child care, nutrition, cleanliness, and health.
- Incorporate the National Skill Development Program (NSDP) for occupational skills and improve life and home-based abilities.
- Adolescent females who are not in school should be included into official and informal education.
- Give advice or information on the public services that are currently available, such as the police station, post office, bank, PHC, and CHC.

- **Mahila E-Haat:**

This scheme was launched on the occasion of International Women’s Day in 2016, *Mahila E-Haat* is an online initiative for marketing purposes designed to help women entrepreneurs sell their goods. It is primarily for women nationwide and aims to increase the economic empowerment of women entrepreneurs by encouraging their creativity.

One Stop Centres (OSCs):

The One Stop Centres (OSCs) is another initiative by the Government of India it assists women who have experienced abuse in both public and private settings, including the family, community, and workplace. Support and reparation will be provided to women who are experiencing physical, sexual, emotional, psychological, and economic abuse, regardless of their age, caste, class, marital status, level of education, race, or culture. Specialized assistance will be offered to resentful women who have contacted or been referred to the OSC who are experiencing any form of violence as a result of attempted sexual harassment, sexual assault, domestic abuse, trafficking, crimes involving honour, acid assaults, or witch-hunting.⁷

Some key objectives of this scheme are:

- To offer comprehensive support and aid to women who have experienced abuse in both public and private settings under one roof.

⁷ <https://wcdhry.gov.in/schemes-for-women/onestop-centre/>, Last accessed on 26-11-2024

- To combat all types of violence against women by providing rapid, emergency, and non-emergency access to a variety of services under one roof, such as medical, legal, psychological, and counselling help.

These are the few policies and initiatives launched and implemented by the Government of India. These policies represent the endeavour of government towards the of the women in educational development as well as their empowerment.

Major Hurdles in Women's Education in India:

If we focus over the structure of the Indian education system there are no such problems but if we look forward practically and in deep rooted society, there are lots of challenges faced by a female. Some of the major challenges or hurdles can be summed up as follows:

- **Insecurity:** Even after lots of laws implemented for the protection of females, they are facing lots of atrocities in the society. One of the major problems is when a girl tries to step out of the home she feels threatened. There are lots of incidents we read in newspaper or may be unpublished. Some incidents we can remember are:
 - *Ludhiana: 'Harassed' by stalker, 17-year-old girl ends life*⁸
 - *A man has been arrested for allegedly harassing a 14-year-old schoolgirl in Madhya Pradesh's Shahdol district, police said on Sunday. The girl, a Class 9 student, alleged that she stopped going to school because of the continued harassment.*⁹
- **Family Support:** In this advanced era of science & technology, the thinking of the members has not developed as much as it should have. Some people still believe that women's education is not that important. It is also a major problem in women's education. In short it can be said that this negative approach can lead to the hurdles in women's education.
- **Infrastructure of Educational Institute:** One of the main issues affecting the advancement of females' education in India is the lack of infrastructure in schools. According to a report on education, the primary and secondary dropout rates have risen over the previous few decades as a result of inadequate restroom (toilets) facilities for females. In *J.K. Raju v. State of A.P. and Anr.*¹⁰ the Supreme Court held that toilets are mandatory for co-educational schools and it was also focused that there must be separate toilets for girl students.
- **Lack of Sufficient Female Staff:** In hurdle of women's education, female staff of a school or educational institute plays a vital role. Because sometimes a female teacher can help a female student without any element of hesitation among them. Female student can have many problems that she can share with female only. Also, a female teacher can be a girl student's mental support more than the physical support. The lack of female staff can result into the increasing number of harassments at the schools. For example- A news published as *'Private school headmaster, two teachers booked for*

⁸ <https://www.msn.com/en-in/lifestyle/whats-hot/ludhiana-harassed-by-stalker-17-year-old-girl-ends-life/ar-AA1pgfJ2?ocid=BingNewsVerp>, Visited on 27-11-2024.

⁹ <https://www.republicworld.com/india/man-held-for-harassing-14-year-old-girl-in-mp>, Visited on 27-11-2024.

¹⁰ W.P. (C) No. 631/2004

*sexually harassing minor student*¹¹ in this incident a 14-Year girl was molested by the teacher, which was booked under POCSO Act later. *A teacher of physical education and seven others have been arrested in connection with the sexual harassment of a 12-year-old girl student at a private school in Pimpri Chinchwad in Pune.*¹²

- **Hostel Facilities:** In reference to the higher studies students always move outside their resident cities. In case of male students, they can survive in any type of accommodation or room facility. But in case of female, it become a great matter of concern. They usually see forward to hostel facilities and it is most probable that they are not getting better hostel facilities. Hostels are not safe and non-reliable most times. So, it can be said that it is also a hurdle to the women's education as well.
- **Early Marriage:** The age of bride under the Hindu Marriage Act, 1955 is 18 years but what about higher education. Because at this stage, it is possible that she may be appearing in graduation or yet she has not completed 12th class even. Alongside this, it is also observed that girls are being married at a younger age. The marriage at a younger may be due to various causes like poverty, economic status, gender inequality, unfavorable locality, etc.

10.6 Conclusion:

Education of women has improved in last many decades. From 1961 to 2011 it has been rose from 11% to 58.76%. But the actual problem is that many females want to study further but due to many unwanted reasons they are unable to continue their studies. However, Indian Government has launched many policies and schemes regarded to the women empowerment. Education has been a vital element to the development and it has been focused since long time. Gender biasness, poverty, violence, adverse environment, etc are some major reasons which are making women education a bit tough.

This tough situation can be eradicated in the following ways:

- Spreading awareness about importance of female education.
- By establishing a police booth or police chowki near or in between the school way, especially for girls-oriented school.
- A government insurance scheme or investment scheme must be initiated with the education of female.
- A collaboration of public and private organizations can also improve the infrastructure and models of educational institutions.
- Counselling cell must be established in educational institute and parents must be mandated to attend it.

¹¹ <https://www.thehindu.com/news/national/andhra-pradesh/private-school-headmaster-two-teachers-booked-for-sexually-harassing-minor-student/article68067544.ece>, Last visited on 27-11-2024.

¹² https://www.business-standard.com/india-news/teacher-7-others-held-for-sexual-harassment-of-12-year-old-girl-in-pune-124082400343_1.html, Last visited on 27-11-2024.

Human Rights - Women and Child Rights

These are not the only ways to empower women education but there are several ways. The better method is the only one which is born out of the society. A honest support and encouragement is possible only from family and society.