

## **Specialisation Course-VI: Education Law**

### **Objectives:**

To make the students aware of the importance of education, to familiarize them with the Constitutional provisions related to education, to acquaint them with the rights of educational institutions and exposition of the subject matter in detail with the help of legislative, judicial and other materials.

### **Course Content:**

#### **Unit I**

**Human Right to Education:** Role of education in Human development; International law and right to education: UDHR; UNESCO: Convention and Recommendation against Discrimination in Education, 1960; Convention on the Elimination of All Forms of Discrimination Against Women, 1981; Convention on the Rights of Persons with Disabilities, 2006; European Convention on Human Rights, 1952; Pune Declaration on Education for Human Rights in Asia 1999.

#### **Unit II**

**Right to Education as a Fundamental Right:** Right to Education under Art. 21; Free and Compulsory Education; Equal opportunity of education; Right to Education under Art.21A, Constitution (Eighty Sixth Amendment) Act. 2002; Right to Education Act, 2009: Salient features.

#### **Unit III**

**Rights of Educational Institutions:** Art.29 and 30: Right to establish educational institutions; Right to administer educational institutions; Private educational institutions and Governmental Control; Minority educational institutions; Regulations of minority educational institutions; Restrictions on Religious instructions in educational institutions (Art.28).

#### **Unit IV**

**Other Constitutional provisions regarding Education:** Right to work, to education and to public assistance in certain cases (Art. 41); Provision for early childhood care and education to children below the age of six years (Art. 45); Promotion of educational and economic interest of SC, ST and other weaker sections (Art. 46); Fundamental Duties(Art. 51A); Special

provision with respect to educational grants for Anglo-Indian Community (Art. 337); Facilities for instruction in mother tongue at primary stage (Art. 350A); Special officer for linguistic minorities (Art. 350B); Development and promotion of Hindi language (Art. 351); Seventh Schedule of the Indian Constitution: Entries related to education in the Union List, State List and the Concurrent List.

## **Unit V**

**Educational Laws:** University Grants Commission Act, 1956; Karnataka State Universities Act, 2000; Laws related to Professional education: Bar Council of India, Medical Council of India and All India Council for Technical Education; Central Educational Institutions (Reservation in Admission) Act, 2006; National Knowledge Commission-Report to the Nation 2006-2009

### **Books Prescribed:**

1. M.P. Jain, *Indian Constitutional Law*
2. D.D. Basu, *Commentary on the Constitution of India*
3. A.P. Datar, *Commentary on the Constitution of India*
4. H.M. Seervai, *Constitutional Law of India*
5. M.P. Singh, *Constitution of India*
6. H.O. Agarwal, *International law and Human Rights*
7. B.M. Sankhdher, *Encyclopaedia of Education System in India*
8. P.L. Mehta, R.Poonga. *Free and Compulsory Education*
9. R.D. Agarwal. *Law of Education and Educational Institutions*
10. G.S. Sharma. (ed.), *Educational Planning: Its Legal and Constitutional Implications in India.*