

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES
[ISSN 2581-5369]

Volume 9 | Issue 4

2026

© 2026 International Journal of Law Management & Humanities

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for free and open access by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of any suggestions or complaints, kindly contact support@vidhiaagaz.com.

To submit your Manuscript for Publication in the International Journal of Law Management & Humanities, kindly email your Manuscript to submission@ijlmh.com.

The Unchosen Childhood: The Constitutional Paradox of Children's Choice in India

SIVADHARSHAN M*

ABSTRACT

The recognition of education as an inherent right within the constitutional framework of India has improved children's access to schooling from the point of view of values such as equality, dignity, and social justice. Despite this, the discussion around education in the Constitution still dwells mainly on access, enrolment, and completion, and lacks sufficient focus on whether children are provided opportunities to study according to their abilities, interests, and talents and to reach their dreams and goals. This study investigates the constitutional basis and policies around the concept of educational choice, considering the realities of fixed curricula, a test-oriented education system, coaching culture, job-oriented pedagogy, and swift changes in the competence needs of the modern economy. It assesses how these realities influence the ability to innovate and create, the employability of young people, and their overall impact on child development, including the emergence of challenges in the economy and education. By applying constitutional provisions, landmark court cases, the national education policies, and literature-review methods, the study assesses the extent to which the current education framework is integrated with the constitutional vision of holistic education. In the end, it argues that the idea of education should be based not only on providing different types of access but also on ensuring flexibility, critical thinking, and the successful launching of children into the world.

Keywords: right to education, educational choice, child development, constitutional law, National Education Policy 2020

I. INTRODUCTION

Education is one of the most crucial instruments that empowers individuals, ensures social mobility, and leads to national progress. In countries like India, which work on constitutional democracy, education serves the creation of knowledgeable citizens who can engage in the social, economic, or political life of their countries. The very recognition of education as a right signifies that the Constitution of the Republic of India guarantees every child the possibility of his or her intellectual, moral, and social growth regardless of economic background. Throughout

* Author is a Student at SKP Law College, Tiruvannamalai, Tamil Nadu, India.

the years of its development, the education system has been subjected to different laws and policies that serve to widen educational opportunities and ensure good results in the educational development of the country.

However, despite these successes, there are still structural problems in the contemporary education system. Modern trends have emphasised competition, and education has changed its direction from intellectual growth to the urgency of measuring success. It forces pupils to follow the route that is created by their parents' expectations or the requirements of society in terms of work, while having no space for being creative. Self-learning, exploration of the latest learning methods, and academic research take a very secondary place in the learning process.

In parallel, technological progress, shifts in labour market requirements, and the rise of worldwide issues have altered the qualifications and skills that future generations will be obliged to fulfil. While industries increasingly require flexibility, creativity, analytical thinking, and the ability for problem-solving, educational systems still resort to conventional teaching methodology and evaluation systems that are often subject to criticism. As a result, the issues of employment among graduates, the lack of correspondence between demanded competencies and the skills of graduates, the mental conditions of students, and the outcomes of education have garnered wider attention.

The objective of the article is to clarify whether the notion of the right to education entails access to educational establishments or goes beyond that. By examining the influence of constitutional norms, court decisions, government educational policies, and international practices, the author outlines the relationship between educational freedom, child development, and the development of states.

A. Background of the Study

Education has always been regarded as one of the key influences on personal development, social change, and national development. In India, continuous commitment and policy steps have played a role in widening access to formal education, giving millions of children an opportunity to start their journey of education regardless of their socio-economic status. Traditional indicators of education-related success are therefore linked to enrolment rates or numbers and literacy levels of graduates. While these are important achievements, they also diverted attention mainly towards the goal of access without exploring the broader issues related to education, such as its goals and aims. In the last decades, education has altered so much. Academic performance is measured through grades received in applications, exam results, entrance tests passed, and job offers received. The extensive use of private tutoring, great

quantities of homework, as well as standardisation of the curriculum, have created a system in which the importance of homogenous results outweighs the role of personal talents or creativity. Often, practical learning, interdisciplinary studies, and individual research are given less priority than just managing the syllabus. As a result, education is often driven by the job opportunities available in the market, parents' expectations, and social attitudes rather than by the interests and needs of students.

At the same time, advancements in technology, including artificial intelligence, automation, and alterations in industry preferences, are changing the job market's work requirements. Employers are more interested in innovative aspects, adaptability, critical thinking, teamwork, and problem-solving abilities, while traditional methodologies still prefer the importance of memorisation and exams. This situation raises questions about employability, problems of skills, students' well-being, and whether the educational system will adapt to future challenges when it comes to educating students. Taking all this into consideration, the current research analyses whether the constitutional understanding of education should be considered related to the notion of an educational environment that is designed for the needs of children. Moreover, the work tries to gather understanding from the perspective of the constitutional base and modern realities to contribute to the ongoing discussions regarding the future of education in India.

B. Statement of the Problem

The acknowledgment of education as a basic right has greatly enhanced access to education, but merely gaining access to education is not sufficient to guarantee that education achieves its wider constitutional aim. Despite having the right policies in place, the education system remains largely focused on exams, with an emphasis on the curriculum and placement, and success is defined through grades, rankings, and competition rather than through individual abilities and the holistic development of students' skills. This results in students having minimal input into how they should shape their education due to the impact of expectations from family members, institutional practices, and the labour market.

This educational paradigm has generated concerns that go beyond the classroom setup. The reliance on coaching centres, rigid evaluation systems, and traditional teaching practices has led to increased pressure on students and problems with the development of innovative skills, a mismatch of students' skills and labour market needs, and issues connected to graduates' employment, as well as concerns regarding students' welfare in terms of psychological well-being. Despite the fact that recent educational reforms call for flexibility and multidisciplinary

learning, it is uncertain to what extent these reforms are implemented in educational practice. This study therefore aims to assess the extent to which the current educational and constitutional framework meets the educational needs, desires, and abilities of children in a society that is changing rapidly. In addition, the study evaluates whether the constitutional promise of education is only understood as providing formal schooling access, rather than creating an environment of learning that enables children to develop themselves and contribute to their country's future.

C. Research Objectives

The present study seeks to achieve the following objectives:

- To evaluate the constitutional principles and the legal development of the right to education in the country.
- To consider whether the existing schooling system enables children to receive qualified education according to their needs and desires.
- To determine the effect of examination-based education, traditional educational programmes, and employment-centred education on the development of children and society as a whole.
- To establish whether the current educational policies meet the needs of modern conditions.
- To suggest ways to develop a more flexible, learner-oriented, and future-oriented educational framework based on constitutional values.

D. Research Questions

The study is guided by the following research questions:

- Which constitutional vision is at the core of the right to education in India?
- Is the current education system able to guide children in their education based on their own capabilities, desires, and interests?
- In what way do exams, a standardised curriculum, and placement-focused education affect the all-round development of children?
- Are Indian education policies adapting to the growing levels of social, technological, and economic challenges?
- What reforms to the Constitution and policies may lead to the building of a flexible, innovative, and child-oriented educational system?

II. UNDERSTANDING EDUCATION AND THE CONSTITUTIONAL VISION

A. Meaning and Purpose of Education

The concept of education is not bound to just the acquisition of literacy or the completion of formal schooling programmes. Rather, it is a lifelong, ongoing process through which individuals acquire knowledge, form their intellectual capacity, develop moral values, and gain the ability to participate in society. Education transcends the mere passing of knowledge to equip people with the ability to think, question, innovate, and adapt to social, economic, and technological reality. Accordingly, its importance is more than just providing people with the skills and knowledge necessary for their future jobs, as it serves as a foundation for personal progression, active citizenship, and national development.¹

In a country that relies on constitutional democracy, education plays an important role in enabling individuals to show respect for their rights, fulfil their civic duties, and become useful members of democratic society. The process allows for decreased social and economic gaps while empowering people with skills to reach their full potential. Thus, in order to give full meaning to education, one also needs to include such aspects as critical thinking, innovativeness, scientific mood, responsibility, and lifelong learning.²

This change in perspective about education signifies the transition from the understanding of education as a mere means of teaching to the role of a catalyst for human progress. In contemporary society, where knowledge has gained importance, education goes beyond merely providing basic information and the individual development process and includes the invention of ideas, an interdisciplinary approach, flexibility, and the ability to come up with solutions. These functions are of particular importance in the context of India, a nation in which the process of education leads to both personal progress and nation-building efforts.

B. Evolution of the Right to Education in India

Recognising education as a constitutional right in India was a developmental process that included constitutional ambitions, court interpretation, and law-making changes. When the Constitution began, free and compulsory education was put into the Constitution as one of the principles concerning the responsibility of the State to make available educational opportunities and take up social justice. With time, courts came to recognise the fact that education was simply necessary for people to use their rights, including the right to life and dignity. Throughout the years, this constitutional perception led to the inclusion of Article 21A of the Constitution

¹ JOHN DEWEY, *DEMOCRACY AND EDUCATION: AN INTRODUCTION TO THE PHILOSOPHY OF EDUCATION* 1–7 (1916).

² AMARTYA SEN, *DEVELOPMENT AS FREEDOM* 53–76 (1999).

(Eighty-sixth Amendment Act), which established the right of every child aged between six and fourteen years to get free education.³

All in all, the path of the right to education can be considered progressive, as it goes from recognising the importance of education for people to making it a constitutional norm. However, the majority of discussions concentrate more on providing people with access to education than on ensuring the quality of education or the flexibility of education, or even recognising the role of individual abilities in education.

C. Constitutional Values Underlying Education

Within the constitutional paradigm in India, education plays a vital role and functions as a key catalyst for the advancement of equality, respect for individuals, social justice, and democratic engagement. The aim of education surpasses the mere dissemination of knowledge, since it plays an essential role in forming people who are knowledgeable in the areas of critical thinking, ethical behaviour, and civic duties. In this sense, education is important in enabling individual people to contribute to public life and commit to upholding and promoting the values and ideals of the Constitution, thereby creating social harmony.⁴ In a society that is constantly changing, the values and ideals set by the Constitution can hardly be achieved through an education system that fails to foster inquisitive thinking, creativity, ability to adapt, and the process of lifelong learning and focuses merely on academic success. An education model that embraces both theoretical knowledge and practical expertise is in a position to equip children with the necessary skills to cope with the challenges of modern life.

III. CONSTITUTIONAL AND LEGAL FRAMEWORK GOVERNING EDUCATION

A. Constitutional Framework

According to the Indian Constitution, education serves as a vital instrument for social change, with the Constitution acknowledging it as a basic right and duty. Article 21A of the Constitution enshrines the right of all youngsters in the age group of six to fourteen years to obtain free and compulsory education. Nevertheless, the constitutional position goes beyond the provisions of this article. Although the Directive Principles of State Policy underscore the duty of the State to work towards educational development, especially in the early years of life, the Fundamental Duties require citizens to nurture scientific temper, humanism, and a spirit of inquiry.⁵

³ INDIA CONST. art. 45; *Mohini Jain v. State of Karnataka*, (1992) 3 SCC 666 (India); *Unni Krishnan, J.P. v. State of Andhra Pradesh*, (1993) 1 SCC 645 (India); INDIA CONST. art. 21A.

⁴ AMARTYA SEN, DEVELOPMENT AS FREEDOM 53–76 (1999); MARTHA C. NUSSBAUM, NOT FOR PROFIT: WHY DEMOCRACY NEEDS THE HUMANITIES 1–23 (Princeton Univ. Press 2010).

⁵ INDIA CONST. art. 21A; INDIA CONST. art. 45; INDIA CONST. art. 51A(h), (j).

Therefore, the provisions of the Constitution mentioned above give the impression that education is regarded as a way of differentiating people and promoting the idea of equal opportunities and responsible citizenship, instead of only leading to academic achievements or enhancing their financial status.

B. Judicial Interpretation of the Right to Education

The constitutional situation with respect to education underwent notable changes due to judicial interpretation long before it got formal recognition as a constitutional right. The Supreme Court held that the right to education is vital for the effective implementation of the right to life and dignity, pointing out that constitutional rights cannot be exercised in the absence of opportunities to get an education. Eventually, this approach gave rise to the notion of education as a right recognised by the Constitution and led to the passing of the constitutional amendment which included Article 21A.⁶

Even though the aforementioned judgments made access to education a constitutional obligation of the State, their focus was on the obligation of the State to provide for education.

Today, the constitutional discussion is not merely about whether the State should provide for education, but about whether the right to education should be understood as a right to educational opportunities that will allow children to make use of their capabilities, interests, and desires. This topic is the focus of this study.

C. Legislative and Policy Framework

The educational aspiration embodied in the Constitution has become a reality with the introduction of the Right of Children to Free and Compulsory Education Act (RTE), 2009, which lays down the legal provision for a free and compulsory elementary education system. The Act focuses on different dimensions like universal access, enrolment, non-discrimination, and maintenance of minimum standards in schools, thereby enhancing the responsibility of the State to provide quality elementary education.⁷ The National Education Policy (NEP), 2020 has been developed based on this idea and represents a larger vision for educational reform by promoting multidisciplinary learning, flexibility in subject selection, experiential learning, critical thinking, and competency-based education. The NEP has also been created in order to align education with the continuously changing needs of society and the economy. Despite being a significant step towards a learner-oriented education policy, it must be ensured that the

⁶ *Mohini Jain v. State of Karnataka*, (1992) 3 SCC 666 (India); *Unni Krishnan, J.P. v. State of Andhra Pradesh*, (1993) 1 SCC 645 (India).

⁷ The Right of Children to Free and Compulsory Education Act, 2009 (India).

reforms mentioned above are effectively pursued so that the quality of education is delivered to every child while making significant contributions to his or her growth and development.⁸

IV. EDUCATION WITHOUT CHOICE: THE STRUCTURAL REALITY

A. Rigid Curriculum and Standardised Learning

In India, the education system is mainly based on a uniform curriculum which aims at achieving similar academic results in different educational establishments. Although uniformity ensures consistency and allows for measuring the results, it does not leave much room for variations in children's ways of learning, preferences, and talents. Most children are expected to follow a pre-decided syllabus within pre-determined time limits, since they do not have much opportunity to study subjects beyond their curriculum or to integrate and apply knowledge of different subjects.⁹ While it is necessary to maintain educational quality through specific standards, too much attention paid to fulfilling the syllabus and standardised measurement makes it impossible for children to wonder, create, and study.

B. Examination-Oriented Education

In India, the educational performance of students is primarily determined through examinations, rankings, and competitive entrance tests. Such elements have come to be the main indicators of how well education can be done, which in turn influences admissions, obtaining scholarships, and chances for getting hired. Thus, learning tends to be aimed at taking tests instead of getting the knowledge and developing one's reasonable thinking and creativity. This creates a situation where students' time is more occupied with the preparation for exams, while trainers and educational institutions are under pressure of proving measurable results in education.¹⁰ Despite the fact that exams are a significant part of educational evaluation, an over-reliance on the marks may limit the goal of education by encouraging memorisation instead of analytical thinking. Therefore, the education system aimed at the preparation of students for the changing society must be focused rather on the combination of academic evaluation methods with methods that will reward innovation and practical skills.

C. Coaching and Tuition Culture

The growing reliance on coaching institutions has led to education increasingly becoming a parallel system that operates independently of formal education. For most students, traditional

⁸ MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020).

⁹ MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020); KRISHNA KUMAR, WHAT IS WORTH TEACHING? (Orient Blackswan rev. ed. 2009).

¹⁰ MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020); UNESCO, REIMAGINING OUR FUTURES TOGETHER: A NEW SOCIAL CONTRACT FOR EDUCATION (2021).

school learning is not perceived as enough to succeed in competitive examinations, thus forcing them to undertake more academic activity outside their classes. The implication of this trend is that numerous resources in terms of time and money are spent on preparing for exams rather than acquiring necessary intellectual and practical skills.

The proliferation of the coaching culture has also affected the choices related to education, whereby students tend to choose courses based on the perceived success levels that such professions offer in terms of employment. This often results in pursuing courses and professions that are less appealing personally. This is not only financially exhausting for families but contributes to the development of an educational system where the outcome of studying is derived primarily from the students' examination scores as opposed to their creativity and innovation capabilities. As such, education choices are shaped more by external factors rather than students' preferences.¹¹

D. Placement-Centric Education

The impact of employability and placements on educational choices has become more significant than that of individual skills and aspirations. Students are thus pushed to choose their fields of study depending on the state of the job market, salaries, and job security of professions, while the professions in arts, humanities, sports, and technical fields seem to be underappreciated. Education may thus be considered as a means to achieve a job rather than a process developing intellect and personality. Although education is indeed to achieve employment objectives to a great extent, too much focus on job placements can result in a gap between students' interests and their studies. It should be noted that such an approach may undermine motivation, block innovation, and have a negative impact on the level of job satisfaction and productivity. Therefore, the education system has to provide students with knowledge that can help them find a job, but at the same time provide them with the opportunity to choose the fields of study that correspond with their interests and capabilities.¹²

E. Practical Learning Without Innovation

The main objective of practical learning is to connect theory with practice, yet in many cases, this learning takes place mainly to fulfil either curriculum requirements or assessment criteria, rather than encouraging experimentation, innovation, or independent inquiry. Students usually carry out ready-made experiments and procedures, giving them little opportunity to critique

¹¹ MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020); KRISHNA KUMAR, WHAT IS WORTH TEACHING? (Orient Blackswan rev. ed. 2009).

¹² AMARTYA SEN, DEVELOPMENT AS FREEDOM 53–76 (1999); MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020).

existing methods, seek other alternatives, and come up with new ideas. This method does not, however, allow students to develop analytical thinking and innovative and problem-solving skills, which are so important in modern society. While keeping the required academic standards is necessary, it is equally essential for practical education to develop students' ability to inquire, cooperate, and learn on the go. If students are encouraged to conduct experiments, fail, and gain knowledge through experience, it will help them better cope with the different technological, scientific, and societal issues that arise.¹³

F. Limited Student Participation in Educational Decisions

When it comes to making educational choices, parents, educational institutions, social norms, and job-related issues play an important role, cutting back on the students' possibilities of deciding about their own education. There is often no consideration of the students' interests, abilities, and future goals in making decisions connected to the subjects, streams, jobs, and higher education. While the advice of different parties may be beneficial, it sometimes fails to correspond to students' capability and goals. A child-centric education system has to facilitate educating children to become informed participants in the decision-making process regarding education by giving them proper advice, career guidance, and opportunities to gain experience in different spheres. Although recognising the students' participation in the educational process is vital from the point of view of education, as it creates the possibility for considering the student's aptitudes, interests, and future goals, resulting in making better decisions.

V. CONSEQUENCES OF AN EXAMINATION-CENTRIC EDUCATION SYSTEM

A. Psychological and Intellectual Consequences

A system of education which places excessive emphasis on examination performance might be limiting in terms of the actual development of students' mental capacities. If academic success is mainly measured with the help of marks and ratings, creativity, scientific research, and autonomous thinking are usually neglected in favour of the syllabus and exam preparation. In that case, students may start preferring ready-made answers over the ability to analyse and experiment. Additionally, the constant need to achieve better academic results adversely affects the psychological state of students. The strong competition for limited educational and job opportunities, as well as parents' and society's expectations, contribute to stress, anxiety, and

¹³ MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020); UNESCO, REIMAGINING OUR FUTURES TOGETHER: A NEW SOCIAL CONTRACT FOR EDUCATION (2021).

academic burnout, sometimes turning into depression. All of these factors create a situation that makes students lose motivation to study.¹⁴

B. Economic and Social Consequences

The negative effects of the examination-oriented education system can be seen not only in individual students but also in the economy and society. The long-term disparity between education and business needs in the job market raises concerns about graduate employability and the mismatch of skills, because there are lots of graduates with degrees who do not possess the skills necessary for an innovative labour market. At the same time, the increasing reliance on private tutoring and coaching resources increases the costs of education for parents. Moreover, these factors can have some negative implications for society as a whole. Long educational pathways, uncertainty about finding jobs, and lack of money negatively influence personal decisions concerning employment, marriage, and starting a family. This unfortunate result may happen due to different economic and social reasons, but the ability of the educational system to help people find jobs as a result of education will only make this situation worse.¹⁵

VI. REIMAGINING EDUCATION FOR A CHANGING SOCIETY

A. Reimagining Education for the Twenty-First Century

The challenges posed by twenty-first-century developmental changes require a mode of education that is wider than just intellectual learning, and which also ensures that students develop the skills of adaptation, creativity, collaboration, and critical thinking. With the changes in technology and industrial development leading to shifts in the nature of jobs, education must make sure that students acquire social skills that will enable them to deal with the needs of their careers and society. Therefore, the focus should not be on rote learning and passing tests only, but on interdisciplinary learning, research, experiments, and problem-solving. At the same time, education should be learner-oriented, which means that students will be given the opportunity to choose their curricula. Students should be allowed to study different disciplines, get involved in research and innovation initiatives, and make good decisions relating to their education. This

¹⁴ MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020); UNESCO, REIMAGINING OUR FUTURES TOGETHER: A NEW SOCIAL CONTRACT FOR EDUCATION (2021).

¹⁵ ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT, THE FUTURE OF EDUCATION AND SKILLS: EDUCATION 2030 (2018); MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020).

way, people will be successful not only in business but will also prove to be scientific and curious throughout their lives.¹⁶

B. Policy Reforms and the Way Forward

The education sector in India is restructuring at its own pace, although society, technology, and industry are progressing rapidly. The Kothari Commission made recommendations for the National Policy on Education of 1968, the National Policy on Education of 1986, and subsequently the National Education Policy of 2020, based on the recommendations of the Kasturirangan Committee. Although the objective of all three initiatives was the modernisation of education, their implementation has not been effective, given that the package was lagging behind the rapid developments in society, technology, and industry.

The future reforms in education need to be more responsive to change. Changes in curricula should be done on a continuous basis in line with the development of new knowledge, instead of carrying out such revisions in the long cycles which took place previously. The results can be achieved through an increase of institutional autonomy, regular curriculum updates, improvement of collaboration between educational institutions and industry, as well as active student involvement in decision-making processes.

C. Recognising Educational Choice as a Constitutional Value

The constitutional recognition of the right to education has led to enhanced access to education in India. However, as education continues to change in response to the evolving needs of society and technology, the debate about the constitutionality of education needs to go beyond the issue of access and consider the quality of education. Effective education means allowing children to have reasonable chances of discovering and following their own talents, interests, and ambitions under the support of a good educational framework. It does not mean that individuals should be able to explore every aspect of their education without any limitations. Rather, it calls for creating an educational environment which should ensure institutional standards, parental supervision, and the interests of society, together with the account of the capabilities of the learner. This approach is in line with the provisions of the Constitution guaranteeing the dignity of every individual, equality, the scientific way of thinking, and development of the individual in all aspects. It is also in accordance with the general objectives of the National Education Policy adopted in 2020, which pursues more freedom in education, a multidisciplinary approach, critical thinking, and practical learning. Therefore, if educational choice is perceived

¹⁶ MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020); UNESCO, REIMAGINING OUR FUTURES TOGETHER: A NEW SOCIAL CONTRACT FOR EDUCATION (2021).

as a constitutional principle, it will help to strengthen the transformational goals of education for the future of India.¹⁷

VII. COMPARATIVE PERSPECTIVES: LESSONS FOR INDIA

Many countries are moving to a newer educational model based on flexibility, competency, and the learner's upliftment. Even though countries function in their own social, economic, and cultural contexts, some ideas can help India in its transformation. In Finland, the focus is mainly on concept-based education, teacher autonomy, interdisciplinary learning, and not depending much on the formal examination system. Educational achievements are measured by means of a continuous education model instead of constant assessment tests. Such a model allows students to be creative and develop their problem-solving abilities.

In Germany, vocational education is integrated with formal learning through the dual approach, which combines classes with real practice in industry. This makes it easier to enter the labour market and creates more links between education and employers' needs. In Japan, the focus is made on discipline as well as on moral education, joint teaching, and character building, alongside the emphasis made on educational achievements.

While it is true that the education systems in question operate in a context very different from that of India, experiences from those systems show that educational quality need not be assessed only on the basis of marks, rankings, or examinations. A more effective solution is therefore likely to be a well-balanced model that allows for a combination of academic success, flexibility, experiential learning, innovation, and involvement of students.¹⁸

VIII. FINDINGS AND RECOMMENDATIONS

A. Key Findings

The study arrives at the following findings:

- The existing Constitution and legislation have broadened access to education; nonetheless, the concept of substantial educational choice is still not sufficiently tackled within the system.
- Education today is more oriented towards testing, rating, and placement, leaving aside the idea of an all-around development process.

¹⁷ INDIA CONST. arts. 21A, 45, 51A(h), 51A(j); *Mohini Jain v. State of Karnataka*, (1992) 3 SCC 666 (India); *Unni Krishnan, J.P. v. State of Andhra Pradesh*, (1993) 1 SCC 645 (India); MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020).

¹⁸ ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT, EDUCATION AT A GLANCE 2024: OECD INDICATORS (2024); UNESCO, REIMAGINING OUR FUTURES TOGETHER: A NEW SOCIAL CONTRACT FOR EDUCATION (2021); MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020).

- Inflexible programmes, limited diversity of educational opportunities, and standardised ways of evaluation hinder students' creativity, inquisitiveness, innovative thinking, and independence.
- Educators are often guided by outside factors, such as parents' expectations and public perception.
- Although the National Education Policy of 2020 created a chance for the advancement of Indian schools, proper execution faces difficulties due to institutional, managerial, and systemic issues.
- The conflicts between reforms in education policies and changes in technology, industry, and society show how important a flexible and forward-looking education is.

B. Policy Recommendations

- Education policies should create opportunities for more academic freedom through interdisciplinary education and ownership of decisions related to studies and careers, expressed in the choices of students.
- Evaluation processes should evolve beyond the traditional grading system and the ranking process by including competencies and performance assessments, research-based projects, practical approaches to learning, and the assessment of knowledge.
- The process of updating educational programmes should become regular and continuous to take into account technological innovations, industrial needs, and societal requirements.
- Educational organisations should intensify career-counselling programmes to help students make informed decisions concerning their studies and careers.
- Practical and experiential approaches to learning should be transformed into innovative tools that would stimulate students to think creatively and tackle problems rather than finish some assignments.
- Educational institutions should collaborate more with industry and policymakers in order to narrow the gap between education and employability.
- Future educational reforms should preserve the constitutional principles of education, such as dignity, equality, and a scientific approach to knowledge, and place students at the centre of the learning process, providing them with the best academic conditions.

IX. CONCLUSION

India's constitutional journey has turned education from being merely a directive principle into a right. The role of education in promoting equality, dignity, and democratic participation is, therefore, of utmost importance. It should be made clear that the fulfilment of constitutional promises should be measured in more ways than just access to schools or enrolment in them. In particular, an education system that is predominantly examination-driven and placement-oriented fails to serve the larger purpose that education has. It is argued in the analysis that the modern educational framework should increasingly appreciate the role of learners' active participation in education, flexibility, innovativeness, and aptitude-based education without losing sight of academic standards and institutional discipline.

Although the Constitution does not grant a person the right to choose education for oneself, the values embedded in it justify the provision of an environment where children can discover their potential and talents and develop their scientific mindset. New policies like the National Education Policy (2020) represent the change that is happening, but there should be sustained application of those policies.¹⁹ The future of education lies not merely in producing successful examination candidates but in nurturing informed, innovative, and responsible citizens. As India progresses towards becoming a knowledge-driven economy, educational reforms must continue to balance constitutional ideals with practical realities, ensuring that every child is provided not only the opportunity to realise their fullest potential through it.

¹⁹ INDIA CONST. arts. 21A, 45, 51A(h), 51A(j); MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NATIONAL EDUCATION POLICY 2020 (2020); UNESCO, REIMAGINING OUR FUTURES TOGETHER: A NEW SOCIAL CONTRACT FOR EDUCATION (2021).