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# **EDUCATION – A CHANGED SCENARIO DURING COVID PANDEMIC**

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## **ABSTRACT**

The basis of the growth of an individual is the kind of education he/she receives. It is the learning process of achieving knowledge, value, skills, beliefs and moral habits. Good education not only transforms the one from inside but it also effects the outside of a person by change of mind and personality as well as by enhancing the confidence level. During Covid period, it became difficult to follow the traditional methods of education and the education became wholly dependent on online mode. The paper will try to analyze the fundamental right of education in Indian perspective. An attempt will be made to state impact of Covid on methods as well as the quality of education. Lastly, it will be discussed how far we have been successful to achieve our fundamental right during the pandemic.

Keywords: Education, Fundamental right, Covid

“Education is the manifestation of perfection already in man.”

**Swami Vivekananda**

## **Introduction**

It is rightly said the providing education is like carving a beautiful statute out of a stone. It effects the overall growth of any person, be it his inner growth or be it his outer growth. Education is extremely essential for everyone to grow and succeed in life. It helps a person to look upon the things from a different point of view. It polishes the intellect growth of a person which enables him to face every situation with courage. Importance of education has been recognized socially as well as legally. If we look upon the legislative framework, various national and international documents recognize the right of education. Right to education means entitlement to education. It also includes an obligation to provide basic education for an individual, to provide access to education, to set minimum standards for education, to work on the quality improvement and mostly importantly to eliminate every kind of discrimination in availing the right to education.

The global outbreak of the COVID-19 pandemic has spread worldwide, affecting almost all countries and territories. The outbreak was first identified in December 2019 in Wuhan, China. The countries around the world cautioned the public to take responsive care. The public care strategies have included handwashing, wearing face masks, physical distancing, and avoiding mass gathering and assemblies. Lockdown and staying home strategies have been put in place as the needed action to flatten the curve and control the transmission of the disease<sup>1</sup>

This article evaluates the impact of the COVID-19 pandemic on teaching and learning process across the world. The challenges and opportunities of online and continuing education during the COVID-19 pandemic is summarized and way forward suggested

## **International perspective of right to education and Covid 19**

The right to education has its roots in many international instruments:

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<sup>1</sup> Sintema 20

**The Universal Declaration Of Human Rights (UDHR), 1948<sup>2</sup>-**

Article 26 recognizes right to education. It states, “Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.”

**UNESCO Convention against Discrimination in Education, 1960<sup>3</sup>**

The Convention takes measures to prevent discrimination in education under Article 3. Article 4 specifies a few main principles to formulate and apply a national policy which will promote equality in education. The task was significant because “of all forms of discrimination, those that occur in education are the most pernicious because they affect the very essence of the individual and society, namely the forming of mind – and the most abhorrent- because the victims are first and foremost children<sup>4</sup>

**The International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966<sup>5</sup>-**

Article 13 of the convention states,” the States parties to the present covenant recognize the right of everyone to education”. It further states, “Primary education shall be compulsory and available free to all.

**The Convention on Rights of Child, 1989<sup>6</sup> -**

Article 28 recognises the right to education of the children and prescribes free and compulsory education.

**International organization working for Education**

- UNESCO- United Nation Educational, Scientific and cultural Organization
- UNICEF- United Nation Children’s Fund
- ILO- International labour Organization

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<sup>2</sup>(Adopted on 10 Dec.,1948) G.A.res 217 A (111), UN Doc A/810 at 71 (1948)

<sup>3</sup> Adopted on 14 Dec.,1960, 429 UNTS 93

<sup>4</sup> Yves Daudet & Pierre Michel Eisemann, Commentary on the Convention against Discrimination in Education,1 (UNESCO publishing, France, 2005)

<sup>5</sup> Adopted on 14 Dec.,1966,( entered into force on 3 Jan.,1976), 993 UNTS 3

<sup>6</sup> Adopted on 20 Nov.,1989, (entered into force on 2 Sep.,1990) 1577 UNTS 3; 28 ILM 1456( 1989)

- World Bank

More than 1 billion children are at risk of falling behind due to school closures aimed at containing the spread of COVID-19. To keep the world's children learning, countries have been implementing remote education programmes. Yet many of the world's children – particularly those in poorer households – do not have internet access, personal computers, TVs or even radio at home, amplifying the effects of existing learning inequalities. Students lacking access to the technologies needed for home-based learning have limited means to continue their education. As a result, many face the risk of never returning to school, undoing years of progress made in education around the world.<sup>7</sup>

### **Right to Education and Indian Constitution during corona period**

The right to education in Indian constitution starts its recognition from the preamble itself where social justice is provided which can only be achieved through education. Our founding fathers were very much aware regarding the importance and significance of right to education so they made it a constitutional goal, and placed the same under the constitution of India.

The commitment enshrined in the preamble and various articles of the constitution.

- Article 15(3) enables the state to make special provisions.
- Article 21A deals with Right to Education.
- Article 24 prohibits employment of children below the age of 14 years in hazardous jobs.
- Article 39(f) recommends the protection of childhood against exploitation and moral and material abandonment. The founding fathers made these safeguards to protect interest of the weaker sections of the society.
- Article 45 directs the state to provide free and compulsory education to all the children under the age of 14 years.

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<sup>7</sup> data.unicef.org last visited on 28-06-2021

- Article 46 declares that state shall promote with special care the education and economic interest of the weaker section of the people. It is important to mention here that among several Articles enshrined in Part IV.

Armed conflicts, forced displacement, climate change induced disasters and protracted crises have disrupted the education of 75 million children and youth globally. And that number is growing in an unprecedented way with the spread of COVID-19. Education has been hit particularly hard by the COVID-19 pandemic with 1.53 billion learners out of school and 184 country-wide school closures, impacting 87.6% of the world's total enrolled learners. Drop-out rates across the globe are likely to rise as a result of this massive disruption to education access.<sup>8</sup>

### **Judicial response to right to Education**

Judiciary has always a positive role in recognizing the importance of education. The courts in the plethora of cases has embarked and declared that the right to receive the primary education is an integral part of article 21. This judicial mandates clearly demonstrate that right to education is necessary for the growth of a person, his mind and personality.

In **Anand Vardhan Chandel v. University of Delhi**<sup>9</sup>, in this case, the court held that education was fundamental right in Indian constitution because:

- Education is a natural right;
- Declaration of Human Rights looks education as fundamental;
- Article 41 of Indian Constitution talks of right to education

**Mohini Jain v. State of Karnataka**<sup>10</sup>, popularly known as capitation fee case, the Apex court held that right to education is a fundamental right under Article 21 and it cannot be denied to any citizen by charging higher fees known as capitation fee. The charging of fee was held to be illegal. The court further held that dignity of an individual cannot be assured unless right to education accompany it so even the poor person must be provided with the right to education. The court directed the states to take up the responsibility to ensure the free flow of education.

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<sup>8</sup> education cannot wait. Org last visited on 28-06-2021

<sup>9</sup> AIR 1978 Delhi 308

<sup>10</sup>( 1992) 3 SCC 666

In **Unni Krishnan v. State of A.P.**<sup>11</sup>, the Apex court

held that the right to free education is available only to children until they complete the age of 14 years, but after the obligation of the state to provide education is subject to the limits of its economic capacity and development. The obligation created by Article 41, 45 and 46 can be discharged by State either establishing its own institutions or by aiding, recognizing or granting affiliation to private institutions. Thus, the Supreme Court by rightly and harmoniously construing the provision of Part III and Part IV of the Constitution has made right to education a basic fundamental right.

In the **T.M.A. Pai Foundation case**<sup>12</sup>, the supreme court held that Article 30(1) gives religious And linguistic minorities the right to establish and administer education institutions of their choice. The use of the words ‘of their choice’ indicates that even professional education institutions would be covered by Article 30(1).

### **Right to Education Act**

The Right of children to Free and Compulsory Education Act came into force from April 1, 2010.

The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India. It provided for free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that every child has a right to full time elementary education of satisfactory and equitable quality in a formal school.

The words ‘free and compulsory has been used in title of the Act itself’. ‘Free education’ means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. This concept proves to be very helpful to those who cannot afford the fee structure. ‘Compulsory education’ impose an obligation on the appropriate Government and local

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<sup>11</sup> AIR (1993) SC 2178

<sup>12</sup> AIR 2003 Sc 355

authorities to provide and ensure admission, attendance and completion of elementary education by all children in the 6-14 age group.

India has stepped forward in the direction based which impose a legal obligation on the Central and State Governments to implement this fundamental child right as enshrined in the Article 21A of the Constitution, in accordance with the provisions of the RTE Act.

### **Covid-19 – A challenge to Education:**

The breakdown of Covid-19 has affected the world in every aspect. It has affected the education as well. Due to this pandemic, the government had to shut all educational institutions so that the spread may be prevented. But this came like a challenge to the education sector. No one knew what will be exact timing of this closure, so we had to switch from traditional methods i.e. book and face to face study to the virtual method i.e. online study. Platforms like Zoom, Google classrooms, Microsoft Teams etc were introduced to the students so that there could not be complete deprivation of education due to closure of education institutions.

As per UNESCO, Covid- 19 has disrupted education. It has affected more than 91% students and 99% of teachers. Thus UNESCO announced the theme for International Literacy Day 2020 as “literacy teaching and learning in the Covid-19 crisis and beyond”.<sup>13</sup>

School is the foremost fountain of knowledge children are exposed to. It gives a chance for the to acquire knowledge on various fields of education such as literature, history, mathematics, politics and other numerous subjects.<sup>14</sup>

### **Offline Classes v. Online Classes**

In the current educational scenario, a child learns to go beyond the traditional way of rote learning. They are taught to develop a mind of their own while physically sitting in the classes. School play the role of caretaker for a child. In schools, children had face to face meetings with the teachers. They are happy with their friend. In lunch break, they share their Tiffin. They play

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<sup>13</sup>[http://timesofindia.indiatimes.com/articleshow/77991200.cms?utm\\_source=contentofinterest&utm\\_medium=text&utm\\_campaign=cppst](http://timesofindia.indiatimes.com/articleshow/77991200.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst) visited on 19-04-2021

<sup>14</sup> <http://educationworld.in/visited> on 09-04-2021

together during their game period. They participate in competitions and functions. So, in schools there will be more positivity and better learning process.

The offline education is one of the important way where a student learns faster and in details about various topics.<sup>15</sup> Face to face education is teaching methodology where the students interact with each other by being physically present in a classroom or in a open space and conduct teaching where students learn different subjects by interacting with teachers, reading and learning text books, clarifying their doubts about particular topic etc.<sup>16</sup> it is one of the oldest methods followed around the world where teachers and students connect directly. It is most effective mode of teaching and learning experience. It involves a journey of learning where teacher get a chance to pass on the information to their students directly. They do that not only by explaining the concepts but by sharing the real life experience by giving reference of time with examples etc.<sup>17</sup>

### **Virtual method - Greater need**

The internet has found a great utility in the education sector as well. Online education is a form of education using the internet or multimedia tolls. Due to Covid-19 pandemic, online education proves to be a very fruitful to the children who were sitting in their homes because of lockdown and curfew.

Just like courses taken in a traditional classroom setting, virtual learning can provide you with a number of career advancement opportunities. But online students have better opportunities to collaborate with international classmates, and often have more individual contact with other students. Students may also receive more one-on-one time with their professor with virtual learning, which is beneficial for both learning and networking.

Courses taught online provide students the flexibility to learn on their own schedule, instead of a mandatory class time. Online courses, including those taught at Drexel cost less than traditional on-campus courses, making them more affordable. Virtual courses give students more selection in their courses. In a face-to-face setting, courses taught at the same time for students to choose between courses they like. Lastly, virtual learning gives students access to

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<sup>15</sup> <http://tophat.com>

<sup>16</sup> <http://www.futurelearn.com>

<sup>17</sup> <http://www.colleges.co>

classmates all around the world, providing networking opportunities you can't get through an on-campus program.

Students who find their focus suffers from classroom activity may benefit from online classes. Students who aren't as assertive may have better opportunities to participate in class discussions when communicating online. Working from your own choice of environment, with self-paced learning, the result can be a more personalized learning experience.

### **Disadvantages of Online Education**

But it is not so that the virtual education has provided us only with advantage. There are some side-effects also. The First and foremost problem lies with the teachers. Staff and teachers are not familiar with online teaching platforms. Teachers used to struggle with difficulties in the area of technology and lack of infrastructure availability. Some private schools may not pay their staff's salary and some schools may pay half salary.

Many students don't have access to the equipment at home. The physical school closure and the implementation of distance education lead the student to spend less time learning, stress and lack of learning motivation.

The closed schools and higher education institution negatively affect the mental and physical health of children, students, parents and teachers in the world, especially in developing countries. Since during school closure, both boy and girl students in most rural areas may be forced to fully support their families in cattle herding and farming. Girl students from low income families and rural areas can be at a higher risk of sexual abuse, forced labour and early marriage.

The infected cases rapid increase has created a sense of anxiety and uncertainty about what will happen. The lockdown may cause stress, fear and anxiety such as a fright of dying, a fear of their relatives dying. This stress may affect the mental as well as physical health of students.

The use of electronic media has caused many effects on the eyes of the students as well as of the teachers. Researches show that it has caused adverse effect on the behaviour of children. They have become more irritated. They quarrel on tiny matters. These things become hindrance in their overall growth.

### **Conclusion**

The Covid-19 is a pandemic disease caused by a virus that affects the education system of both developing and developed countries. Education is the pillar of every country's development. In the world, most schools, colleges and universities are closed to control the spread of the Covid-19. The school closure brings difficulties for students, families and teachers. So, distance learning is a solution to continue the education system. However, distance learning is challenging in developing countries because many parents have not themselves been to school, lack of ICT infrastructure, computers, radio, and television. The poor and digitally illiterate families with lower education levels, children with poor learning motivation and more suffering in this situation and this increase inequality. Finally, the Covid-19 pandemic has been impacting the face to face education system of developing countries. Therefore, developing countries should scale online teaching and learning infrastructures.