PREFACE

Educational status in India is constantly changing as per the needs and capabilities of the nation. Now a days education has transgressed national education system and policies governing them are constantly changing in an attempt to meet the challenges of globalization continued stress is being placed on restructuring of curricula, teaching technologies, planning and management generating resources.

The scope of this thesis is not only to discuss the sociological foundation of education but one must have the basic knowledge of the fundamentals of education, therefore in part one of this thesis, we have discussed the fundamentals of education which will enable the reader to understand sociological foundations of education, which are being discussed in part two of this thesis. In first Introduction all chapters, historical aspects of right to education are given briefly as under.

The Constitution of a state is a living organism and a powerful instrument adopted for the purpose of adjusting conflicts and tension, which are raised by the reasons class through of conflicting interest between constitutional institutions, the State and its citizens. The book contains within folds the progress in the fields of fundamental rights in the long march since the Supreme Court handed down the first decision in A.K. Gopalan in 1950 interpreting fundamental rights though the principles enunciated therein holds the field no more. The conceptual departure is manifest and the interplay of Arts. 14, etc. The fundamental rights are in flux. I have discussed the methods of interpretation with particular reference to relevance of foreign decisions and concepts in the interpretation process. The effects of amendments and emergency upon fundamental rights, with reference to the basic structure of the Constitution and the case laws have been contained in separate chapters.
The scope of protection of life and liberty has magnified manifold through the process of judicial interpretation encompassing within its fold the right to education, health and medical treatment, compensation for loss of life due to State action and negligence, protection of environment. The constitutional debate on the right to privacy, right to die, death sentence, compensation for medical negligence remains inconclusive. In the matter of criminal justice, specific mandatory guidelines have been provided to discharge the accused where the trial is not concluded within the stipulated time frame. Mandatory procedural safeguards have been recommended for the Police and the Courts for preventing custodial violence, torture and death. In several cases the Supreme Court suggested steps for reformation of Correctional Homes (erstwhile prisons).

India has been facing a lot of problems almost in every walk of life. The field of education has also been polluted with those significant problems. After analyzing the various factors we come to the conclusion that it is all due to our system of Right to Education. Which discriminates between masses and classes. The class education becomes Superior and rest of the masses become helpless to achieve the desired goal of life.

The preparation of this thesis is an earnest and humble attempt towards that direction within the limitations of the available data, my knowledge and ability. I have tried to analyze the scope and magnitude of right to education. I have also tried to trace the historical background of rights to education development globally and in India in particular. In the preparation of this thesis I have referred to many authoritative textbooks, websites, consulted eminent academicians, social workers, study groups, and conducted a field survey. It is my duty to acknowledge and thank them all for the guidance and help given to me. To name each one of them would be great task and hence I do not attempt so.
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