

Constitution of India Art 21A - Right to education

The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.

SYNOPSIS

Cited in Sankaranarayanan 2017

Right to Education—Every Child up to 14 years has a fundamental right to free education, Unni Krishnan v. State of A.P., (1993) 1 SCC 645; Ashoka Kumar Thakur v. Union of India, (2008) 6 SCC 1.

Constitutionality—Constitutionality Article 21-A and Article 15(5) and the Right of Children to Free and Compulsory Education Act, 2009 upheld. However, unaided and aided minority educational institutions excluded entirely from the purview of the Act, Pramati Educational and Cultural Trust v. Union of India, (2014) 8 SCC 1. Previously, the Supreme Court in Society for Unaided Private Schools of Rajasthan v. Union of India, (2012) 6 SCC 102, had assuming the constitutionality of Article 21-A and Article 15(5), upheld the constitutionality of the Right to Education Act and thus upheld the reservation for the children of economically backward classes in all government and aided minority and non-minority institutions and all unaided non-minority institutions, while excluding only unaided minority institutions from the purview of the Right to Education Act. Thus, Pramati, (2014) 8 SCC 1 overruled Unaided Society, (2012) 6 SCC 1 to the extent of excluding aided minority schools from the purview of the Right to Education Act as well.