

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 5 | Issue 1

2022

© 2022 *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 suggestion or complaint**, please contact Gyan@vidhiaagaz.com.

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

Obligation of Parents to Educate their Children

UPASANA SHARMA¹

ABSTRACT

In our life, parents are two angels sent by God who are with us since birth. The credit of our education, initiation, rituals, ideals, values goes to them. Today if we are able to write two letters or it is understandable, then it is theirs. In our society, parents have the highest position in the life of children. The mother is also called the first teacher of the children, and the family is called the first school of the child. The foundation of the personality of a child lies in the family itself, from where his formal education begins. The biggest factor in the process of building a child's personality is his parents and family background, which is called hereditary and environment. If we look at the education system of the changing times, then the children are left with no stone unturned to mechanize. The meaning of education is set by our parents up to ninety percent. Our son or daughter should come first in every subject, nothing less than this is allowed. Parents who sacrificed innocence in this dense competition do not hesitate even once, what we are doing with the childhood of the children. It is the responsibility / duty of the parents to respect the wishes of their children, to get them educated according to their interests. Respect their decisions and give them multiple opportunities to do something, there is no shortage of talent among our children but do not let them sprout under the pressure of your expectations.

Keywords: *Bookmark Knowledge, Nuclear Family, Transcendental, Farmers of the Constitution.*

I. INTRODUCTION

The relationship of children and parents is eternal and unbreakable. Children thrive under the umbrella of parents. Parents instruct children on what to do and what not to do. Due to such instructions from parents, children are properly nurtured and they get the required directions of development. However, in today's era of material civilization, the question arises whether the parents properly perform their duty towards children? Are they in a position to give proper guidance to the children? Are they in a position to provide proper and primary education to the children? The answer on the top seems acceptable. However, upon considering it, the answer

¹ Author is a Assistant Professor at Law at Maharaja Ganga Singh University, Bikaner, India.

is negative.

II. IMPORTANCE OF PARENTS IN CHILDREN EDUCATION

It is true that today's parents are paying special attention to the education and education of their children compared to the earlier parents. There are two reasons for this - the first is that today's parents themselves are educated, they understand the importance of education. And second, that today is an era of tough competition. In this competition era, every person has to demonstrate his or her highest qualifications, which requires that he or she undergoes hard work. Today's parents want their children to succeed in life. Therefore, they pay great attention to children's education.

However, it should not be forgotten in this context that today's parents insist on one aspect of children's education, the other aspect of education remains completely untouched by them. And that is to give good values to children. The earlier parents were advocates of giving good values to children, but today's parents do not focus on good values, but only on the knowledge of books so that their children can become doctors, engineers, administrators, lawyers etc. and earn more and more money. All-round development of children is not possible with this one-sided approach, which is the primary objective of 'education'. 'Education' means placing children in the right environment and imparting knowledge of higher values along with bookmark knowledge. In the absence of high values, the meaning of 'education' goes wrong. 'Education' means learning, that is, learning and knowing life in its fullness.

In the era of joint family, children used to take many human rituals from their grandparents and uncles and aunts. But today is the era of nuclear family. It is the responsibility of parents in this era to educate their children properly.

It is the duty of parents to make their children realize from childhood that life has a aim. Aimless life has no meaning. School- college education is a means of achieving that aim. In this age of competition, natural awareness should be created in the children about the competition, not the children should be thrown into the fire of this competition. According to the ability of children, one should expect them only. Do not put extra burden on them to do very well. Parents should be exposed to children like ideal men, that is, the ideal is coordinated in their actions and statements. They do not break after good sanskars are born. It is the biggest and best duty of parents and guardians towards children to instill rites in children. Good rites coordinate body, mind and soul. All-round development is possible only with this coordination.

(A) Right to education - Children are the highest asset of any country. They have the potential human resources to be strongly knowledgeable and capable of progressing the country.

Education is of transcendental importance in a man's life.

III. PROVISIONS RELATED TO EDUCATION OF CHILDREN IN THE INDIAN CONSTITUTION

Education, which was a constitutional right, is now a fundamental right. The development for the right to education has happened in this way: At the beginning of the Constitution of India, the right to education was recognized under **Article 41** of the Directive Principles of State Policy according to which,

"States, within the limits of their economic capacity and development, work to assist the public in terms of education and unemployment, old age, sickness and disability, to make effective arrangements to achieve the right, and in other matters of undeservedness".

The assurance of free and compulsory education was made again under the Directive Principles of state policy **Article 45**. In addition, with providing education, **Article 46** also related to Schedule Castes, Scheduled Tribes and other weaker sections of the society. The fact that the right to education has been dealt with in 3 articles as well as dealt with under Part IV of the Constitution explains how important it has been perceived by the makers(farmers) of the Constitution. **Article 29** and **Article 30** Agreement with the Right to Education And now, we have **Article 21A**, which gives assurance in a stronger way now.

In 2002, the Constitution (Eighty-sixth Amendment) Act came to be recognized as a fundamental right through the right to education. **Article 21A** therefore came into force stating that,

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

We should punish those teachers." who just sits in the classes not teaching the students It was ultimately the decision given in (**Unni Krishnan JP Vs. State of Andhra Pradesh**)

that education is being brought into a fundamental right. Even after this, it involved a lot of struggle To bring about **21A** and later, **The Right to Education Act**. Therefore, a raw draft Bill for the **RTE Act** was proposed in 2005.

The Right of Children to Free and Compulsory Education Act, popularly known as the Right to Education Act came into effect on 1 April 2010. The Parliament passed the Free and Compulsory Education Act 2009 to give practical effect to this right. Which came into force from 1 April 2010.

IV. CASES RELATED TO RIGHT TO EDUCATION

Subsequently, the Supreme Court of India Court affirmed the fundamental right to education in two landmark cases,

In **Mohini Jain v. State of Karnataka**, the Supreme Court held that the fundamental right to education is inherent in the life and personal liberty exercised in Article 21, without education, it cannot properly exercise its fundamental right. But in this case it was not decided that the age up to which education is necessary for children.

In **Unnikrishnan's case**, this question again came up for consideration by the court. The Supreme Court did not accept the decision given in Mohini Jain that all citizens have the right to education. The Court ruled that Article 21 is a fundamental right to education. But keeping in view the Directive Principle of State Policy and the financial condition of the state, only a special age can be provided for children from 6 years to 14 years.

In a recent case Quashing the issue of process order of the Magistrate Court against a son in a case filed by his father, the Bombay High Court recently observed that **parents are obligated to spend money on their children's education** and that such monetary transactions shouldn't be transformed into litigations. Justice Mridula Bhatkar observed, "To educate a child and spend money on his education. as per the capacity is an obligation of the parents and if it is discharged, then the child should be grateful and it is not a legal issue. Such monetary transactions are out of love, affection, care and concern, which should not be transformed into litigations."

V. CONCLUSION

Home is the best place for moral education. The initial approach that is formed in childhood about family life also affects the later approach. The parents are the first as well as the best teachers for education. The role of home is very important in character building and personal building of children, it is the moral responsibility of parents to prepare children for personal life and professional life. Along with this, it is also the responsibility of the parents to provide school primary education to their children under the right to education and do not deprive them of this right.
