

ARTICLE 25TH A: IMPLICATIONS OF FREE AND COMPULSORY SECONDARY EDUCATION

TAHIRA BIBI

Educational Planning Policy Studies and Leadership Department, Allama Iqbal Open
University Islamabad Pakistan

tahira1epm@aiou.edu.pk

ABSTRACT: The constitution of Islamic Republic of Pakistan 1973, after 18th amendment, under Article 25(A) provides free and compulsory secondary education as fundamental right for Pakistanis and responsibility of the state. On April 19th, 2010 the president of Pakistan signed this document. The government of Pakistan has therefore made constitutional efforts to synthesize the importance and need of free and compulsory secondary education. The implementation of this provision is on the part of provincial government after 18th amendment. The main objectives of this study were: 1. to understand the constitutional provisions about right to education as fundamental right and actual situation of schools for its implications. 2. to make recommendations to the government of the Punjab for the effective implication of article 25th A. The research was descriptive in its nature. The data was collected by using Survey method, from the 20 District education officers (EDOs) who were randomly selected from 36 districts of the Punjab. The tool for collection of data was self developed questionnaire on three-point scale. Major finding was: Lack of basic infrastructure, shortage of teacher, less physical and material facilities, burden on parents in the form of allied expensive for study, transportation expenditures, opportunity cost in case of earning hand of family are the major issues needed to be addressed on emergencies bases for implication of free and compulsory secondary education. The study recommended that local community and non-government organizations may be involved to make education for all at secondary level.

Keywords: Article 25th A, Free secondary Education, Compulsory Secondary Education

Introduction: Education is a human right, a vital sector that play decisive role in human resource development, social-economic growth, holistic development, building human capabilities through knowledge based society, creativity, knowledge, and knowledge based learning organization. (Malik, 2011)

Education is not just preparation for life but a life in itself (Malik, 2006). Education is a right and shall be free and accessible for everyone which develops human personality, understanding, and tolerance among all nations, racial or religious groups. Every person shall be able to benefit from educational opportunities designed to meet their basic learning needs, these needs comprise both essential learning tools and the basic learning content (World Education Report, 2000)

According to PES, 2010-2011 the educational institutions in the Pakistan can be divided into following categories. Pre-Primary & Primary, Middle High, Higher Secondary & Inter-Colleges, Degree College Technical & Vocational Institutions, Teacher Training Institutions, Non-Formal basic Education, Deeni Madari and Universities.

Secondary education is one of the levels of education that plays pivotal role in the socio-economic development, produce middle level work force and feeding crop for higher education (Hussain, 2011). "Secondary education is a period of education which follows after elementary education and acts as foundation for tertiary education. The purpose of secondary education is to prepare the students for either higher education or vocational training" (Goel, 2005)

Secondary Education in Pakistan is comprises of class 9th and 10th and usually the age of the students in these classes is 13—15 years (UNESCO, 2009). The education system of Pakistan contains 25,209 secondary schools, which is 9% of total institutions of both public and private sector. Out of these 10,555 schools are in the public sector, 42 % the total where as 14,654 are in private sector which is 58 % of the total. The boys enrollment at secondary level is 1.491 million (58%), whereas, the girls enrollment is 1.079 million (42%). The total teachers at secondary level are 395,709, out of which 188,353 (48%) are in public and 207,356(52%) are in Private sector. (PES, 2010-2011)

It is an obligation of the State to provide equal opportunity and make possible measures to access it to all citizens for improving their status in life. State is responsible to make sure compulsory and free education at secondary level. When we talk about the government, article 7 of the constitution of Pakistan 1973 define the status that the Federal Government Majlis-e-Shoor (parliament), a Provincial Government, a Provincial Assembly, and such local or other authorities in Pakistan as are by law empowered to impose any tax, are consider as government that implement laws and enforce the fundamental rights (Mehmood, 2011).

The Constitution of state is a very important and source of legislation document. A document which reflects the collective will of nation, major principles for national development, give direction to achieve national objectives (Isani, 2001). Right to compulsory and free secondary education is the constitutional right. Chapter 2, Principles of Policy, Article 7 of the constitution of Pakistan 1962 mentioned free and compulsory Primary Education (The constitution of Pakistan, 1962).

Secondary education was focused in chapter 2 Part II, Principles of the policy, Article 37(b) of the constitution of Islamic Republic of Pakistan 1973, the promotion of social justice and eradication of social evils has already given a provision that the state shall remove illiteracy provide free and compulsory secondary education within minimum possible time period. The provision of Article 37(b) is concerned it is a kind of directive and non-justice able, this is not cognizable by any court and shell not be enforceable (Butt, 2008).

The constitution fails to mention a deadline by which the government is expected to meet the targets. Secondary education never got the priority and adequate resources that it deserved. (Isani, 2001).

Education as fundamental right particularly free and compulsory secondary education is given in chapter 1, part 2, Article 25 A of, right to education the Constitution of Pakistan 1973, the state shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as determine by law which is given in 18th amendment as fundamental right for the citizens of Pakistan (Mehmood, 2011).

The term ‘right’ in civil society is defined to mean which a person is entitled to have, to do, or to receive from others, within the limits prescribed by law. Fundamental rights are those natural rights which are personal to the individual as a citizen of a free and civilized country and belongs alike to every man, woman and child (Butt, 2008). To achieve the goal of Free and compulsory secondary education allocate funds, specific grant to district government to fulfill obligations, regular schools inspection for both qualitative and quantitative bases and training for teachers for quality education are necessary (Nirajanaradhya, 2013).

The fundamental rights are those rights that shall be enforceable either by judicial or any other prescribed process in law. Courts having jurisdiction are bound to declare void ab initio such action in the violation of fundamental rights taken by the legislatures or the executive and provide relief to the effete parties.

To implement the targets of free and compulsory secondary education as fundamental right in Pakistani perspective, is required realistic and continuing planning, inter sectoral coordination, viable strategies, and sufficient resources with social and cultural considerations. This study is planned to get an in depth insight into the implication/ prospect of constitutional provisions for free and compulsory secondary education

Problem Statement: Right to education Article 25th A was established fundamental right in 18th Amendment of Constitution of Islamic Republic of Pakistan 1973. The government of Pakistan has therefore made constitutional efforts to synthesize the importance and need of free and compulsory secondary education. The implementation of this provision is on the part of provincial government and their might be different levels of implications at provincial level. The present research has been designed to study the implications of the Constitutional Provision, article 25th A, regarding free and compulsory secondary Education.

Objectives:The main objectives of this study were:

1. To understand the constitutional provisions about right to education as fundamental right and actual situation of schools for its implications.
2. To make recommendations to the government of the Punjab for the effective implication of article 25th A.

The Questions Of The Present Research:Following were the main questions of the study

- i. What was the existing situation of education in providing free and compulsory secondary education in Pakistan?
- ii. What measures had been taken for free and compulsory secondary education at provincial and district level?
- iii. What were the problems in implementing free and compulsory Secondary Education at provincial level?
- iv. How it was possible to provide free and compulsory Secondary Education in Punjab?

Delimitations:The study was delimited to the followings:

1. Districts of Punjab Province
2. EDOs Education of respective districts

Methodology:The research was descriptive in its nature. Survey method was used to collect the data from respondents included in the study. Besides, following procedure was adopted to carry out the study:

a. Population:The population of the study was consisting of the following:

1. All (36) districts of Punjab
2. All (36) EDOs of the respective districts

b. Sample: A stratified sampling technique was applied for sampling.

- Twenty districts (10 literacy wise high and 10 with low literacy) was taken as sample.
- (Literacy rate was the indicator of sample of these districts. (Kiani, 2014)
- Twenty EDOs education from twenty districts of Punjab.

c. Instrument:The tool for collection of data was the questionnaire. The questionnaire was designed Self-developed three-point scale for EDOs.

Application Of Statistical Techniques:The primary sources of data collection were questionnaires administered to EDOs of twenty districts of Punjab. The data were analyzed in the light of objectives of the study. Percentage of each item under each question was calculated for meaningful interpretation; the data were further presented and illustrated in the form of tables.

Data Analysis Of Questionnaire: Data collected through questionnaire consisted of 26 questions and six sub-scales which were as under:

Table.8.1. Subscales of Research Instrument

	Sub Scales of Implications of Implications of Free And Compulsory Secondary Education
1.	Free and compulsory education
2.	Current situations of schools
3.	Availability of facilities
4.	Parents Involvement
5..	Situation about teachers
6.	Financial and Administrative Issues

8.2. Results:

Table 8.2.1

Q.No	Free and compulsory education	Result	A	UN C	DA
1.	Free education means education free of any cost.	<i>f</i>	20	-	-
		%	100	-	-
2.	Students passing middle examinations are enrolled in secondary education.	<i>f</i>	10	-	10
		%	50	-	50
3.	All students who apply for admission get admission in secondary education.	<i>f</i>	20	-	-
		%	100	-	-
4.	Dropout rate at secondary level education is comparatively higher in your district.	<i>f</i>	06	-	14
		%	30	-	70
5.	Free secondary education increases enrollment of the students.	<i>f</i>	20	-	-
		%	100	-	-

Table 8.2.1 indicates that 100% respondents are agreed the statements about the free and compulsory education, admission for all policy, and free education increases enrollment. 50% are agreed that students continue secondary education after passing middle exams, 70% agreed upon high drop our rate at secondary level.

Table 8.2.2

	Current situations of schools	Result	A	UN C	DA
6.	Numbers of secondary schools are sufficient to meet the existing need of your district.	<i>f</i>	-	-	20
		%	-	-	100
7.	Numbers of rooms in your district school are sufficient for enrolled students.	<i>f</i>	-	-	20
		%	-	-	100

Table 8.2.2 shows that 100% respondents are agreed in Q.No6, and 7 statements.

Table 8.2.3

	Availability of facilities	Result	A	UN C	DA
8.	Library facility is available in all schools for secondary classes.	<i>f</i>	-	-	20
		%	-	-	100
9.	Laboratory facility is available in all schools for secondary classes.	<i>f</i>	-	-	20
		%	-	-	100
10.	Secondary Schools have basic infrastructure to provide compulsory education.	<i>f</i>	-	-	20
		%	-	-	100
11.	Safe Drinking water is available in all secondary school in your district.	<i>f</i>	-	-	20
		%	-	-	100
12.	All secondary Schools have sufficient play ground (s).	<i>f</i>	05	-	15
		%	25	-	75
13.	Secondary School provides uniforms to students.	<i>F</i>	-	-	20
		%	-	-	100
14.	Free books are provided to students.	<i>f</i>	20	-	-
		%	100	-	-
15.	All School Provide free transportation facilities.	<i>f</i>	-	-	20
		%	-	-	100

The data tabulated in table 9.4 mentions that 100% respondent fully disagreed with the existing facilities and demand of secondary education in schools.75% are agreed upon the statement that schools have sufficient play ground and 100% agreed that free books are provided to students.

Table 8.2.4

Q.No	Parents Involvement	Result	A	UN C	DA
16.	Community /parents are aware of the free and compulsory secondary education is responsibility of the state.	<i>f</i>	18	-	02
		%	90	-	10
17.	Parents are willing to send their children to school at secondary level in your school community.	<i>f</i>	15	-	05
		%	75	-	25
18.	Parents are willing to send their girls at schools for secondary education.	<i>f</i>	13	-	07
		%	65	-	35

Table 8.2.4 reflects that 90% parents are aware of the concept of free and compulsory secondary education. 75% parents are willing to send their children and 65% are willing to send their girls to schools for secondary education.

Table 8.2.5

Q.No	Situation about teachers	Result	A	UN C	DA
19.	Existing teachers are sufficient to cater the demand of education at secondary level education.	<i>f</i>	-	-	20
		%	-	-	100
20.	Teachers are burdened in non-teaching work (reports preparing, filling up forms and attending training programmes).	<i>f</i>	04	-	16
		%	20	-	80
21.	Extra work load on teachers affect the quality of education.	<i>f</i>	06	-	14
		%	30	-	70

Data placed and illustrated in Table No.8.2.5 indicates that 100% respondents agreed to the statements that insufficient teachers to cater the demand of secondary education.20% to 30% are disagreed with the Q.No 20 and 21.

Table 8.2.6

Q.No	Financial and Administrative Issues	Result	A	UN C	DA
22.	Adequate funding for secondary education has been provided by the government.	<i>f</i>	-	-	20
		%	-	-	100
23.	Access to the government funds is easy for your school.	<i>f</i>	-	-	20
		%	-	-	100
24.	Allocated funds for free and compulsory secondary education are properly utilized.	<i>f</i>	04	-	16
		%	20	-	80
25.	Accountability system is active to check proper use of resources.	<i>f</i>	08	04	08
		%	40	20	40
26.	Coordination amongst the departments is necessary for implication of free and compulsory secondary education.	<i>f</i>	20	-	-
		%	100	-	-

Data placed and illustrated in Table No.8.2.6 indicates that 100% respondents agreed to the statements that practices given in Q.No 22, 23 that adequate funds and easy access to school may be possible. Coordination among the department is necessary. 20 % are agreed with the statement Q.No 24. 40% agreed, 20 % are uncertain and 40 % disagreed with the statement Q.No.25

Conclusion: The study reported that Article 25th A is a milestone towards the prosperity of Nation, what is written in the constitution of Pakistan as fundamental right after eighteenth amendment is not yet being implemented at the grass root level. Many issues and barriers are in the form of shortage of physical facilities, monitoring and assessment mechanism, qualified personnel i.e. teachers, management and technical experts. Parents bear cost of stationary, transport fair, uniform etc which is a question on the concept of free education. On the other hand inadequate funds, slow procedure to access it also an issue. Population growth and development in schools sectors are inversely proportionate.

Recommendations:

- i. Allocate funds to free and compulsory secondary education.
- ii. Local community, Non-government organizations and donor agencies may invite as stakeholders for the implementation of Article 25th A.
- iii. Non-formal and distance mode of education system may used as open school concept.
- iv. Allocated funds for free and compulsory secondary education are properly utilized
- v. Accountability system is active to check proper use of resources.
- vi. Coordination amongst the departments is necessary for implication of free and compulsory secondary education.

Acronyms And Abbreviation: EDOs District Education Officer *f* Frequency

REFERENCES

- [1] Butt, M. Rafiq, (2008). the Constitution of Pakistan 1973 Mansoor Book House Katchehry Road Lahore
- [2] District Education profile 2011- 2012 retrieved 26-08-2013 at 3:30 P:M www.aepam.edu.pk
- [3] Goel, O.P. (2005). School Organization and Management. Delhi: Isha Books.
- [4] Hussain, Khawaja Sabir, (2011). Ph.D thesis title “needs assessment and development of a model for managerial training of Heads of Secondary Schools” Department of Educational Planning, Policy studies and Leadership Faculty of Education AIOU Islamabad.
- [5] Isani, Usman Ali (2001). “Higher Education In Pakistan Historical Futuristic Perspective”. National University of Modern languages Islamabad.
- [6] Kiani, almas (2013). PhD thesis title “application of adkar model for the change management competencies of school’s heads in Punjab. Department of Educational Planning, Policy studies and Leadership Faculty of Education AIOU Islamabad.
- [7] Malik, Dr. Allah Bakhsh (2011). “Policy analysis of education in Punjab province UNESCO Islamabad” Pakistan.
- [8] Mehmood, M. (2011). The constitution of Pakistan 1973, Al-Qanoon Publishers, Lahore
- [9] National education policy (2009). Ministry of Education Government of Pakistan, http://www.infopak.gov.pk/National_Education_Policy_2009.pdf
- [10] Nirajanaradhya & jha, 2013 a case study on right to education to free and compulsory education Act-Milesto, Center for child and the law National Law school of India University Nagarbhavi, Bangalor-560042 India
- [11] Pakistan Education Statistics 2011-2012. National Education Management Information System Academy of Educational Planning And Management Ministry Of Professional And Technical Training Government Of Pakistan.
- [12] UNESCO, (2009). Research study on technical and vocational Education in Pakistan at secondary level.
- [13] World education report, (2000). “The right to education towards education for all throughout life” UNESCO publishing.
- [14] <http://legal-dictionary.thefreedictionary.com/constitution> Retrived at 11:25 AM 16-08-2013
- [15] <http://planipolis.iiep.unesco.org/upload/Pakistan/Pakistan%20National%20Education%20Policy%20Review%20WhitePaper.pdf> retrieved at 20-08-2013, 10:30 A.M

- [16] <http://www.aepam.edu.pk/Files/EducationStatistics/PakistanEducationStatistics2010-11.pdf>
retrieved at 20-08-2013, 9:40 A.M
- [17] http://www.aepam.edu.pk/Files/Publications/National_EMIS_Survey_Report2ndEdition.pdf
retrieved at 26-08-2013, 10:40 A.M
- [18] <http://www.vuhelp.net/constitution-pakistan-1973-11b-part-2/36473-q-describe-principles-policy-given-constitution.html> retrieved at 27-08-2013, 9:40 A.M