

Mapping the Constitutional and Statutory Landscape of Early Childhood Education in India

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Abstract:

Early Childhood Education (ECE) provides the foundation for a child's cognitive, social, emotional, and physical development, fostering lifelong learning and holistic growth. In India, early childhood encompasses the first six years of life, a critical period characterized by rapid brain development and the acquisition of foundational skills. The constitutional and educational policy framework governing ECE has evolved around the mandate of Article 45 of the Constitution, both before and after the 86th Constitutional Amendment, reflecting an increasing recognition of the significance of the early years in a child's development. However, the discretionary nature of Section 11 of the Right of Children to Free and Compulsory Education Act, 2009 (RTE Act) has created a significant gap between constitutional and policy aspirations and the enforceable statutory obligation to provide Early Childhood Care and Education (ECCE) for children aged three to six years. Against this backdrop, this paper critically examines the constitutional and statutory framework governing Early Childhood Education in India and evaluate its adequacy in ensuring equitable, inclusive, and universal access to quality early childhood education. This study will primarily employ a doctrinal and qualitative legal research methodology, supplemented by policy analysis.

Keywords:

Early Childhood Education, Right to Education Act 2009, Article 45, policy.