

Commodification of Knowledge: Technology, Marketisation, and the Right to Education in India

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Abstract:

Right to Education has been a tool of social transformation, operationalising multiple other freedoms such as civil, political, and socio-economic rights. One cannot be expected to express their discontent with their government as a matter of civic right. Therefore, a right that secures every citizen the basic knowledge of their entitlement and its corresponding civic duties is a necessity of every democracy. Simultaneously, digitalisation is another important factor that drives massive economic growth and transparent governance. It also connects rural and urban citizens to basic necessities, including access to education through the rise of EdTech platforms. However, such platforms are not neutral agencies but operate with Market-driven agendas. This research argues that digitalisation introduces new forms of secondary exclusion that threaten the constitutional promise of Article 21A. By analysing the impact of technology on teaching, learning, and assessment, the paper demonstrates how the commercialisation of education risks holistic learning to standardised, profit-oriented outcomes. The paper concludes that corporate influences risk undermining the social and democratic function of education.

Key Words: *Right to Education, Digital Divide, Digitalisation, Digital Pedagogy, EdTech, Marketisation of Education, Digital Literacy*

1. INTRODUCTION

The Global education landscape is in peril. It is estimated that globally, over 200 million children and youth failed to participate in the learning process (UNESCO, 2026). Recently, this figure might have crossed the 250 million mark due to a regime change in Afghanistan, prompting the mass exclusion of girls from secondary education (Tulsyan & Ranjan, 2025). But it is not necessary that only changes at the macro socio-political level would increase school dropout. Socio-cultural issues also lead to a disbalanced educational system (Dahal et al., 2021). Also, several international reports draw links between income capacity and education (Kearney et al., 2016). Artificially, access to education also decreases, given that one-third of the global population remains offline (International Telecommunication Union (ITU), 2025). Apart from man-made causes, there are natural causes such as the Ebola epidemic (Powers & Azzi-Huck, 2016), the COVID-19 pandemic (Tadesse & Muluye, 2020), and other natural disasters (Hebebcı, 2023). In India, too, the situation is worse. Since all the global

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factors are presently at work, they impede access to education. Although digitalisation serves as an antidote to most of the issues mentioned above (Javed, 2025), irregularities in the process threaten access.

Digitalisation does not merely support the Indian Education system, but it transforms the Right to Education itself. After showcasing the historical underpinnings of this right, this paper breaks it into its components to assess digitalisation's impact on its mode of delivery and on the access, accountability, autonomy, and equality that underpin the constitutional right. It argues that this phenomenon is shifting education's agenda from a tool of social revolution toward stratified entitlement, partly due to resource constraints, and is transforming traditional pedagogy into platform- and market-driven systems.

The primary focus of this paper is on how a State-regulated public entitlement gradually becomes a technology-mediated, capability-dependent, and market-shaped ecosystem.

2. LITERATURE REVIEW

Right to Education: According to Katarina Tomasevski (2023), the right to education is conceptualised through four essential dimensions: Availability, Accessibility, Acceptability, and Adaptability. She also distinguished between the right to education, which guarantees physical and economic access to schooling; rights in education, which ensure that human rights, privacy, dignity, and safety of students are protected within the learning environment; and Rights through education, which ensures that the curriculum empowers learners to understand and claim their broader civil and political rights. International Human Rights law also acknowledges that the full implementation of the right to education is constrained by a State's resources (Article 2, ICESCR, 1966). However, regardless of such constraints, States must immediately implement five minimum core obligations to ensure that rights-holders are not fundamentally deprived of the right (CESCR, 1999). Shah and Lopes Cardozo (2019) proposes a conceptual model that integrates Tomasevski's legal-doctrines and Nancy Fraser's social justice framework, synthesizing four dimensions of justice: Redistribution, ensuring that sufficient human resources are equitably allocated, Recognition, integrating diversity within curricula and teaching practices, Representation, Guaranteeing transparent, democratic, and non-discriminatory participation of teachers, parents, and community members in educational decision-making, and lastly, Reconciliation, leveraging educational institution to address historical injustice, heal societal divides and foster positive peace.

Digitalisation of Education: Singh (2026), defines digitalisation as the broader integration of digital tools to restructure educational processes, including administrative and instructional practices. Raju (2026) expands on digital tools as interactive elements, such as animations, gamified tasks, and audiovisual media. The Ministry of Education (2021) conceptualises digitalisation as a tool for implementing the principles of equity, accessibility, and non-commercial utility, but a PMC (2021) report notes that digital platforms assume constant high-speed connectivity and power that rural India often lacks. Vegas (2021) cited a household study in Chennai, Tamil Nadu, which found that 1 in 5 children was enrolled in a school that offered no remote instruction during the pandemic. This substantiates the claim that most schools suffer from an infrastructural divide. However, Rodriguez-Segura (2022) and Muralidharan (2019)

argue that digitalisation alone has no effect on learning outcomes and should instead complement traditional methods.

Marketisation or Commercialisation: The concept of Marketisation, as defined by Ball (2007), represents a fundamental structural transition where education is re-engineered from a traditional, socio-cultural public good into a highly financialised, asset-gathering, and platform-oriented digital marketplace. Giroux (2014) observes that this shift transforms students from democratic citizens into consumer-investors and educational institutions into corporate training hubs. Srnicek (2017) provides the foundational economic framework in which EdTech platforms operate as digital infrastructure to extract raw data as a central economic asset. Williamson (2017) and Selwyn (2016) argue that EdTech platforms shift from institutional accountability to commercial accumulation and quantifiable, market-ready metrics.

3. CONCEPTUALISING RIGHT TO EDUCATION IN INDIA

In India, rights are generally negative in nature, in the sense that they impose a negative injunction on the State. To understand the idea of RTE, one would need to unfold its history. It is obvious that RTE is not merely the outcome of the recent struggle to secure the entitlement; rather, it represents the culmination of a long-standing constitutional and social commitment to universal education in India.

Dr. B. R. Ambedkar held that Fundamental Rights and Directive Principles were the conscience of the constitution. Both types of rights were products of common demand, that is, the national and social revolution, the desire for civil rights, which can be traced back to the nineteenth century. While the former operates to ensure individual liberties, the latter reminds the States of the objectives for future generations. K.M. Munshi and Alladi Krishnaswamy Ayyar, both lawyers and prominent members of the assembly, hailing from Gujarat and Madras respectively, considered Directive Principles as an Instrument of Instruction to the State. American historian Granville Austin travelled to India to document the process of drafting India's Constitution in his classic book *The Indian Constitution: Cornerstone of a Nation*, referring to the document as a statement of social revolution and a force of Modernization. K. Santhanam, a prominent southern member of the Assembly, described the National freedom struggle in terms of three revolutions which were running simultaneously.

1. The first one, the political revolution, signified the overthrow of colonial rule and the establishment of freedom and independence.
2. The second concerns the social revolution, which meant reconfiguring Indian society out of medievalism based on birth, religion, custom and forming a social structure based on law, merit and secular education.
3. Lastly, the economic revolution to transform the primitive rural economy of India into a scientific and planned agriculture and Industry.

Of these three revolutions, the first occurred when India gained Independence, while the second and third evidently prevailed. The Fundamental rights were thus created and tasked with fostering social revolution by creating an egalitarian society where all citizens were to be equally free from coercion or restriction by the state or by society. These principles, though not

justiciable, meaning a court cannot enforce them, are fundamental in the governance of the country. One of the main reasons for this distinction was that those rights whose fulfilment would require substantial effort and economic resources, which the then country would find it difficult to enforce immediately, were put into the basket of Directive Principles.

The Constituent Assembly Debates shed light on the members' belief that education would be one of the foundations of democracy. There was unanimity on this point in the assembly, but divergence on whether it should be justiciable or non-justiciable. K.T. Shah and H.V. Kamath both held that citizens would fail to fully realise their freedoms of speech, expression and participation in the democratic process unless universal education is achieved. Contrary to the above viewpoint, Dr. B. R. Ambedkar, along with T.T Krishnamachari and other members of the drafting committee, held on to the view that though education was vital, it would burden the fledgling nation uncontrollably due to economic and administrative limitations, making its immediate enforcement impractical. The Nation, post-independence, was already burdened with the aftermath of colonial exploitation. Poverty, illiteracy, and a lack of infrastructure and finance all cut short hopes of universalising elementary education during that period. So to ensure that when India achieves the requisite conditions to foster universal education, and to remind the State of its promises the Constituent assembly adopted the Right in Article 45 of the Constitution of India which directed the State *endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years*. This enshrinement laid down the moral and legislative roadmap for the republic. Dr. B. R. Ambedkar also justified this demarcation of the right as a Directive Principle by arguing that it would be an affront to the masses to make this *a right without remedy*. Therefore, as aptly stated by Granville Austin, this arrangement reflects a pragmatic compromise. While the members considered education indispensable for social revolution, they consciously deferred its enforceability until the State acquires sufficient means.

This right had to remain dormant for the next few decades as merely an aspiration. The government had failed to achieve universal elementary education within the prescribed ten-year period. It was through judicial activism in the 1980s and 1990s that the right was retrieved from its dormant state. Chronologically, the issue was first addressed in *Mohini Jain v. State of Karnataka* (1992), where a student challenged the Karnataka Government's policy allowing private medical colleges to charge exorbitant *capitation fees* for admission. The petitioner argued that such demands denied access to education for the economically weaker section and created a system conducive only to the privileged classes. The court, addressing the issue, raised the pertinent question of whether the right to education is a fundamental right. The judgment answered in the affirmative and affirmed that RTE is implicit and directly emanates from the right to life and personal liberty guaranteed under Article 21 of the Constitution. The court reasoned that the right to life is not merely the right to *animal existence* but is inclusive of living with dignity, and such dignity, which is unattainable without basic education.

However, the judgment's rationale was challenged in *Unnikrishnan J.P. v State of Andhra Pradesh*, where several private educational institutions contended that it would impose an undue burden on the entire spectrum of education, rendering it unworkable. Thereby, the court

partly affirmed and partly modified Mohini Jain. It held that RTE is indeed a fundamental right, but as the level of education increases, its scope tends to be limited.

Therefore, the court further held that every child up to the age of fourteen years has a fundamental right to free education, corresponding to the State's obligation under Article 45. But beyond that age, the State's duty to provide education is subject to its economic capacity and development. The rationale behind this holding is that the higher the level of education, the more resources are required to impart such education effectively and without compromise. Justice B.P. Jeevan Reddy, on behalf of the majority, provided the following explanation for why Directive Principles and Fundamental Rights are complementary to each other. The reason is that without the former, it would be difficult to achieve the latter's goals. Thereby repeating the same arguments as the Constituent Assembly that education is the foundation of democracy and social justice, and without its operation, the promise of equality and freedom would become meaningless.

In the meantime, despite sustained efforts of policies such as the *National Policy on Education (1986)* and programmes like *Operation Blackboard* and *Sarva Shiksha Abhiyan (2001)*, India continued to face disparities in literacy, enrolment, and school infrastructure. Therefore, the above-mentioned two pronouncements became the doctrinal foundation and paved the way for transforming the RTE from an early state of being only a Directive Principle to States and a judicially interpreted entitlement into an explicit constitutional guarantee. Also, the 1990 World Declaration on Education for All (Jomtien Conference) and India's commitments under international covenants, such as the Convention on the Rights of the Child (1989), externally pressurised India to recognise education as a fundamental right. Consequently, the legislature sought to formalise the already judicial mandate through constitutional amendment. The 86th Constitutional Amendment Bill's statement of objects and reasons emphasised the State's new obligation to provide free and compulsory education, thereby strengthening *the constitutional fabric by making education a fundamental right*. The bill was introduced in Parliament by the then Minister of Human Resource Development, Dr. Murli Manohar Joshi, on the premise that India's democratic future and socio-economic development depended on ensuring universal elementary education. The 86th Constitutional Amendment Act, 2002, introduced three interlinked constitutional changes. Firstly, *the insertion of Article 21A obligates the State to 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*. This provision transformed education in India by balancing the enforceability with administrative flexibility, acknowledging India's vast socio-economic diversity. Secondly, Article 45 was amended in such a manner as to focus on early childhood care and education, again making it the State's responsibility *to endeavour to provide early childhood care and education for all children until they complete the age of six years*, thereby for the first time giving constitutional recognition to pre-primary education, cognitive and emotional development of children. Lastly, a new clause was also added to the list of fundamental Duties in Article 51A, making it the duty of every parent or guardian to provide opportunities for education to their child or ward between the ages of six and fourteen years.

The parliamentary debates on the amendment reveal a broad political consensus. The

constitutionalisation of the right strengthened accountability and ensured efficient resource allocation. The amendment was significant as it recognised education as both a right and a developmental imperative. Philosophically, the amendment also served as an example for Transformative Constitutionalism, indicative of the evolution of aspirational directives into enforceable guarantees. From this historical evolution, it is revealed that RTE has a transformative purpose. The next step is to unpack its internal workings to identify the key components to assess the impact of a social phenomenon like digitalisation on it.

2.1 Deriving the components of Right to Education

A productive analysis of the right to education in relation to social transformation requires breaking it down into its components. Now, to correctly determine the derivatives of the Right to Education, it is necessary to first establish some anchorage. Finding these anchor points requires identifying the underlying objectives that the right seeks to achieve.

2.1.1 Social Mobility and Integration

The right to education is primarily viewed through the lens of Economic, Social, and Cultural Rights. It is true that without education it is difficult to cultivate the necessary capability to join a workforce, serving as a primary vehicle for social mobility (Vujic, 2010). Even today, education is perceived as the only tool available to members of the lower-middle class to alleviate poverty (Vaid, 2018).

2.1.2 Productive Political Participation

However, right to education is not limited to the domain of Economic, Social, and Cultural Rights. In colonial India, by restricting the access to education for large sections of the population ensured their political subjugation. Leaders such as B.R. Ambedkar repeatedly remarked about the significance of education as a tool for political emancipation, arguing formal political rights would remain hollow in the absence of educational empowerment (Ambedkar, 1937). One can notice a similar pattern in the American civil rights movement, where segregated and unequal schooling entrenched political exclusion (*Brown v. Board of Education of Topeka*, 1954).

From the combination of these two objectives, the derivation of the essential components of the Right becomes easy.

2.1 Equal Access

First and foremost, education needs to be accessible to all sections of society. Numerous scholarships demonstrate that exclusion from education has been a central mechanism through which social stratification and political subordination have been maintained (Anderson, 1988). Restricting equal access to education would prevent a part of society from achieving social mobility, thereby entrenching both economic stagnation and political subordination.

2.2 Justiciability or Positive State Obligation

The effectiveness of this right depends upon enforceability. The justiciable character of the right ensures that education serves as a gateway to social mobility and political participation

rather than a discretionary welfare measure. It is obvious from historical account where the endeavour was left to private actors, accessibility tended to align with economic capacity.

2.3 Substantive Quality and Adequacy of Education

Accessibility and justiciability alone are not sufficient if the education provided is of inadequate quality. An inferior schooling system disproportionately targets at marginalized populations, failing to deliver the skills necessary for economic advancement or civic engagement. Education is meaningless if it lacks trained teachers, adequate infrastructure, or relevant curricula.

2.5 Right to Choose the Bundle of Education

The recognition of education as a fundamental right through Article 21A has largely focused on its accessibility, but on inquiring deeply into its scope and meaning, one tends to ask, *does this right extend to the freedom to choose the form, type or content of education one wishes to receive?* To rephrase this question, does the fundamental right to education also encompass the liberty to determine the *bundle of education* that aligns with one's values, aspirations, and cultural identity? In *T.M.A. Pai Foundation v. State of Karnataka* (2002) and *P.A. Inamdar v. State of Maharashtra* (2005), the Court affirmed that individuals and groups have a constitutional right to establish and administer educational institutions of their choice. But none of these cases deals with the individual Right to choose a Bundle of Education. Till now, no court has recognised the fundamental right of parents or students to demand a particular curriculum or institutional model from the State. The courts carefully avoided converting education into a market-based consumer right. The judgments indirectly enabled the right of diverse institutions to exist, allowing plurality in educational offerings. This plurality in practice creates choice for parents and students, but not legally. Thus, the right to choose the Bundle of Education is derivative of the right to Education and not an autonomous right.

4. IMPACT OF DIGITALISATION ON THE INDIAN EDUCATION SYSTEM

It must be clear now that the education domain is rapidly changing. These changes are being brought out by several factors, ranging from social to technological. To understand why technological change profoundly transforms education, it is first necessary to define education. Simply, it means the transmission of knowledge from one generation to another. This definition provides us with the main concept that is connected to technology, i.e. the process of transmitting data or information. Especially after World War II, information has been stored in ever-growing volumes, transferred at a rapid pace, and processed in less than a second. One of the aspects of this revolution is Digitalisation.

Digitalisation is the systematic integration of digital technologies, data, and infrastructure into existing social, economic, administrative, and institutional processes (Brennen & Kreiss, 2016). Instead of a manual, paper-based, and physically constrained system, digitalisation offers data-driven automation and a virtual platform enabled by network interaction (Castells, 2010). To sum it up, digitalisation means: Utilisation of digital technology- adopting technologies such as computing devices, internet connectivity, sensors and digital platforms. Transformation of Processes- Changing the ways of doing work, decision making and

interacting. Now, to assess the implications of Digitalisation on the education process, we need to analyse the activity and what it entails. Education is a composite activity. Grasping the impact of technology requires breaking it down into its components. The process of education implies the following three steps:-

Teaching- a systematic and purposive activity through which knowledge, skills, values and dispositions are transmitted to learners. It is not merely a passive delivery of information but an intentional pedagogical engagement that assumes responsibility for enabling conditions for learning, critical thinking, and personal development (Gage, 1963).

Learning- it is not only impossible to define the process of teaching without learning, but also the activity itself is meaningless without learners. A process where individuals from different age groups acquire, interpret and internalise knowledge or skill. Some scholars characterised the process as involving cognitive, emotional and social dimensions, leading to a permanent change in capacity independent of biological maturation (Illeris, 2009).

Assessment- the core principle of this stage of education is collecting evidence, certifying or analysing the acquisition of knowledge, skills, and values by the learners. This stage ensures accountability and positive learning outcomes (Bloom et al., 1971). Simply, this stage marks the progression of the individual partaking in the learning process. Also, a key element of this stage is that it is usually conducted by an authoritative figure with considerable credibility, in contrast to self-evaluation.

This breakdown highlights the multiple layers of the education process. Although the application of digitalisation is harmless at first glance, it disrupts pedagogical coherence and introduces non-educational actors into the core structure, thereby shifting the objectives of education. This is noticed when we apply the social phenomenon to each level. Traditional classroom hierarchies, which are characterised by an authoritative structure, are replaced by digital platforms, where learners can simultaneously choose from multiple instructors, resources and perspectives. Digitalisation unbinds the teaching process, creating a larger pool of educators from which learners can choose to study (Yoo et al., 2010). Prioritising learner autonomy by offering a self-paced, adaptive learning system that keeps them engaged socially, emotionally and academically. Motivation is derived when the learner finds control over the pace, sequence of study, and interactive multimedia tools (OECD Publishing, 2019). Digitalisation offers instant connectivity with not only pedagogy but also to peers, allowing networking and participatory activity.

This part answers the question of what the foundation is behind Computer-based Testing, Online Examination, and Automated Grading. First of all, it provides learning analytics just like sports analytics after a game of cricket. With rising student-teacher ratios, it becomes difficult for any institution to manually conduct examinations and physical assessments, which require a lot of manpower. Digitalisation thus provides immediate feedback and individual performance tracking (Black & William, 1998). Reducing dependence on authority and human evaluator credibility, Digitalisation increases reliance on algorithms, automated scoring, and data analytics.

5. DIGITAL PEDAGOGY AND CURRICULUM CHANGES

Digital pedagogy represents a shift in educational philosophy from the transmission of knowledge to the construction of learning through technology-mediated engagement. Digital education is flagged to be irregular due to its inability to meet minimum pedagogical and quality standards. This is often the case in places where educational content is commercially driven and unregulated. Digitalisation converts teaching activities into a passive video-delivery system (Hodges et al., 2020). In the Indian context, digital pedagogy operates as both a necessity and an innovation. Most edtech companies deploy their content through an assembly-line production style, resulting in a standardised model of education. This fails to adapt to the diverse needs of students across categories such as linguistic, disability, and cultural needs. Understanding the consequences requires extracting the elements of these structural inequalities.

The inequality is directly perpetuated by the policies framed and practices adopted by the institution. It is evident in their adopted misaligned assumption that all students have internet access or are well aware of how to access it. Pricing courses without considering the financial situations of most students creates an economic burden. Many take on debt to subscribe to such courses. Structural Inequalities does not take into account other inequalities faced by students. Therefore, it has a compounding effect on disadvantages. For example, a girl child with a rural background faces multiple layers of barriers in accessing digital education.

But it is not all negative about the digitalisation of the education system. The old method was based on the colonial administration of education, which prioritised rote learning over conceptual understanding. Such prioritisation is a characteristic of the fact that the colonial regime wanted Indian subjects to be subordinate and subjugated. Although colonial rule ended a long time ago, its education system still persisted through policies and practices. One can argue this step of digitalisation is the complete eradication of that method. Digital tools enable students to work independently and provide networking opportunities. It is also evident that most edtech companies are mistaken for Comprehensive and wholesome agents in promoting education. But in reality, they are no more than coaching platforms centred on specific targets and objectives, such as employability and skill formation. Thus, it can be said that the current digital education market cannot be regarded as a replacement for the traditional educational institutions (Sen, 1999).

The most important thing compromised by capitalisation is teachers' autonomy. They become subordinate to the corporate structure. Education policy and content are influenced by corporate policy, which typically prioritises maximising profit. Traditionally, teacher autonomy entails: Designing curricula, selecting pedagogical approaches and assessing student learning. But market-based online education platforms produce and distribute standardised curricula that aim at specific purposes extrinsic to the educational agenda. Pedagogy in such an environment is limited in adapting materials to local classroom needs and exercising autonomous judgement. These phenomena are widely observed in corporate content providers.

Digitalisation also decentralises the teaching environment, allowing platform providers, content creators, and algorithm designers to influence teaching and learning. Because these

actors operate with non-pedagogical, business-oriented motives, they create specific challenges for teachers. This business orientation creates specific challenges for teachers: pressure to keep classes affordable often translates into low hourly pay; teachers are frequently engaged as independent contractors rather than employees, forfeiting healthcare, insurance, and pension benefits; the demand for constant content output drives excessive workloads and burnout; weak safeguards for educators' intellectual property enable piracy and plagiarism; and the relational, teacher-learner core of education is displaced by a factory-style model that prioritises speed and content delivery over pedagogy. While the RTE ensures that no child shall be denied education by reason of financial or social disadvantage, the digital divide introduces a subtler form of deprivation, which can be called secondary exclusion. Unlike traditional exclusion, which denied enrolment or access to schools, this newer form arises within the system itself, where learners are formally included but substantively excluded from meaningful participation due to technological, infrastructural, and digital literacy gaps (van Dijk, 2020).

6. ROLE OF EDTECH COMPANIES IN SHAPING ACCESS

After discussing how digitalisation reconfigured the pedagogy it is important to discuss how Edtech companies are shaping the access of education. As already mentioned, most prevailing digital educational providers do not meet the requirements to be considered parallel to the traditional education system, not because they lack capability or resources, but because they simply lack the motivation.

The proliferation of EdTech companies, such as Byju's, Unacademy, Vedantu, and Coursera, has revolutionised learning delivery in India. They made the opportunity to learn accessible to a wide range of the population. It is possible due to their financial resources, technological capacity and institutional reach. But they do not match the rigour of the traditional education system. It is for the same reason that they possess the qualities to make education accessible. Such qualities result from business investment made with a profit-making objective.

The traditional education system is characterised by the pursuit of true knowledge, wholesome development and the formation of civic sense. These objectives are framed to enable *full development of the human personality* (United Nations, 1966). In contrast, Edtech companies' priorities align with their business practices, which operate within market logic. They strive to fulfil immediate consumer demand. Marketisation of education produces narrower educational content that emphasises short-term outcomes rather than developing broader intellectual commitment (Ball, 2012).

Looking at the top-selling courses offered by most EdTech companies, it is evident that they emphasise employability and the development of labour-market skills. Most of the courses revolve around Industry Certification, Technical skills, Interview preparation, and placement outcomes. This is a legitimate crisis flagged by UNESCO, warning that education should not be reduced to workforce preparation, which undermines social, cultural and democratic functions (UNESCO, 2021).

So, what factors are preventing EdTech Companies from replicating the full scope of the traditional education system? Firstly, it is observed that holistic education requires a sustained teacher engagement. For that, companies need to employ teachers with appropriate educational

qualifications, not private contractors. To do that, they must realise it is a resource-intensive task and that profitability is difficult to scale. Secondly, digital platforms need to unfocus from metrics and analytics like engagement rate and user retention models. If the education industry keeps focusing on such metrics, it will lead it to stray from its real objective. Lastly, their tendency to evade regulatory standards by referring to their business as merely a *supplementary education* provider.

This model of the education system also reshapes access to education by giving an advantage to the already well-positioned urban, English-speaking learners with digital literacy. Comprehensive education is limited to these classes of learners, while vocational pathways are the only option left open to the marginalised learners.

7. ASSESSING DIGITAL LITERACY AMONG INDIAN LEARNERS

For a proper understanding of what digital literacy is, it is necessary to break it down into its components and identify which of those components are missing from the Indian Demography. Conceptual understanding, as composed from contemporary scholarship, rejects it as merely a *computer skill*. Instead emphasising that it is a composite capability made up of technical skills and social motivating factors. The first factor commonly cited as the primary requisite for accessing digital education is technical and operational competency. To operate digital devices, one needs to know the software, hardware, and platforms. One should be competent in the following areas: use of hardware, navigation of the operating system, basic diagnostic ability in case of malfunction, and access to and use of internet services. All these indicators are considered to be the first threshold for digital participation. The second critical factor to acquire is Information Literacy. This factor is characterised by the capacity to locate, interpret, and manage digital information and data effectively. Therefore, one should be competent in the following areas: searching and filtering information, checking the credibility and accuracy of data, understanding what the data represents, and data storage and management. Thirdly, digital literacy calls for active users to participate rather than passive consumers. It empowers those who possess certain qualities, such as the ability to critically analyse, evaluate, and interpret digital content. Thus, to do so, one would require the ability to critically evaluate online content, differentiate algorithmic influences, and be aware of manipulative tactics and platform designs. What needs to be remembered is that these digital platforms are, at the end of the day, applications of communication technology. And one of the key characteristics is the capacity to communicate and collaborate effectively in a virtual social environment. To achieve a productive level of digital literacy, one needs to acquire the following skills like: Online etiquette, Inclination to participate online and understanding digital social norms. Digital literacy also requires making normative judgments to navigate ethical dilemmas. This calls for maintaining a responsible, ethical, lawful, and socially acceptable attitude. To hone the proper mannerism, one needs to adopt the following ideas: Data privacy awareness, Cybersecurity practices, Respect for intellectual property, Ethical online conduct and digital citizenship. Now, to comparatively evaluate these parameters against the actual conditions observed among Indian learners. This exercise would give us a benchmark of where they are positioned. Evidence indicates that Indian learners possess a moderate level of technical and operational competency to use a digital device. Even though a majority of youngsters have access to digital

devices, they cannot perform basic tasks that require a certain level of cognitive ability. It would be difficult to blame the already simplified graphical user interface for children's inability to set an alarm, browse the internet, and access videos on specific topics. It is therefore clear that mere ownership of devices is not fruitful since it does not necessarily imply proficiency in digital operations. National surveys indicate that one out of three candidates was successfully able to perform essential functions on the internet. Searching for information, sending and receiving messages, and digital financial etiquette are common concepts that learners should be aware of. Combined, these tasks are essential for a productive digital education session. When comparing Indian learners against cognitive ability parameters, qualitative research indicates that most students are unable to discern misinformation from the truth. These deficits indicate that most Indian individuals are passive consumers of online content. They do not show critical engagement. There is a positive result in the benchmarks of communication and online interaction parameters. A high percentage of adolescents demonstrate strong engagement with basic communication tools and social media. But these participants alone do not translate to responsible digital communication practices. When it comes to understanding digital safety and ethical conduct, there is a general lack of consistent digital safety and ethical literacy. ASER shows that children have limited knowledge of safety features, blocking, and reporting profiles.

8. CAPITALISATION OF EDUCATION IN INDIA

The rapid digital transformation of India's education system, while ambitious, has brought a new architecture of inequality and digital marginalisation. But this transformation would not have taken place without another socio-economic change that occurred long before digitalisation: the capitalisation of Education. It is a process by which market logics, capital growth, and commodification are made the primary endeavour of education through reorganisation, governance, and changes in value. Various pieces of literature highlight this transformation: converting traditional educational goals into an economic asset, an investment vehicle, and a profit-generating sector. This purpose is a major shift from the definitions of education given by Socrates and Francis Bacon, who believed that education has intrinsic value. According to these proponents, accumulation is the fundamental human pursuit that distinguishes humanity. Simply meaning *scientia propter se* or knowledge for its own sake.

Where capitalisation shifts education from its intrinsic value to instrumental goals, tying a degree's value to the institution's prestige. Depth of intellectual growth is sacrificed to secure a high-paying job. Students are considered consumers to whom educational services are sold as a commodity. Commodification of education is achieved by narrowing the curriculum to meet the immediate demands of a specific job or technical skill, such as coding or data analytics. This compromises the broader goals of the humanities, the arts, and critical thinking, which are significant for social consciousness. Existing social and economic inequalities are exacerbated by this privatisation model, which becomes a luxury accessible only to those who can afford the high cost. This limits social mobility and entrenches existing stratification. Corporate structure influences the EdTech companies to shift their focus from educational content towards profit motives and data extraction.

9. CONCLUSION

From the above analysis of the RTE and the identification of components, and by observing the impact of digitalisation, it can be said that the commercialisation of educational technology does not inherently violate the RTE. But when access to education becomes contingent upon subscription fees or when access to advanced digital infrastructure is required, it indirectly imposes a condition on constitutional entitlement. This led to the formation of secondary exclusion, contrary to the spirit of Article 21A.

Another major challenge is that RTE is jeopardised when education is neither meaningful nor of good quality. Several studies report that poor-quality digital instruction converts teaching into passive content delivery. The standardisation of the content framework has become standard practice, reducing teacher autonomy and increasing reliance on corporate governance. Such control puts a restraint on pedagogical independence by taking over curriculum production and distribution. Another key point is that, for a right to qualify for protection as fundamental, the duty-bearer must be identified. At present, the state is responsible. But the recent trend indicates outsourcing the delivery of education to private platforms. When accountability is difficult to ascertain, enforceability weakens. As stated, when the components forming the conceptual framework of RTE are tweaked, it would yield a clear, distinguishable outcome. The outcome is proportional to the impact on each component. Since digitalisation is negatively affecting the component, it would undermine the RTE.

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