

RESEARCH ARTICLE

Age Limitation on Primary Education in Pakistan: A Legal and Rights Based Analysis

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Abstract: Education is something every person needs, because it is not only for their own life but for society as well. The Constitution of Pakistan clearly guarantees the right to education. Despite this right, many people still do not get the chance to study in school. Main reason is the age limits set by schools. Children who miss school at the right age because of poverty, moving from one place to another, family responsibilities, or simply because there was no school nearby. Later when they want to peruse their education, they are later told that they are too old to be admitted. Because of this, many children are left out of the education system, even though it is supposed to be their right. This situation creates serious legal as well as moral problems. This article discusses the issue of age limitation on primary education in Pakistan from a legal and rights-based point of view. It looks at constitutional provisions, education policies, Islamic teachings, and international human rights standards to see whether strict age limits are reasonable. The study points out the gap between the legal promise of education and how it actually works in practice. This work argues that treating age as a strict condition for primary education goes against the real purpose of the right to education. The article highlights that age should not become a barrier to learning, and education policies should be flexible enough to give everyone a fair chance to study.

Keywords: Primary Education, Limitation on Age, Education Right, Pakistan, Islamic Narrative

Introduction

Education plays very important role in shaping individuals and society. It helps people to develop basic skills, understand their rights and duties, and guides them to take part in social and economic life. In Pakistan, education has given great legal importance as its constitution guaranteed right to education through Article 25-A of Constitution which makes state accountable and responsible to provide free and compulsory education to children. But unfortunately, the reality faced by many people shows that access to education is not as accessible as it appears in law (Constitution of Pakistan, Art. 25-A).

One important but often ignored barrier to primary education is age limitation. Schools usually admit children only within a fixed age group. People or students who fails to get admission at early age usually face problems in getting admission later. This greatly affects people who could not go to school earlier due to poverty, migration, lack of access to schools, or family responsibilities. In multiple situations, such individuals are either pushed towards non-formal education or are completely excluded from education (Government of Pakistan, National Education Policy 2017–2025).

This exclusion raises serious questions that if education is a fundamental right, then should it depend strictly on age? Is it fair to deny admissions in schools to someone who could not attend school earlier due to reasons beyond their control? These questions become more important when viewed through constitutional perspective, Islamic perspectives, and international human rights standards.

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This article highlights the issue of age limitation on primary education in Pakistan by analyzing laws, policies, and ethical considerations. The purpose is to see that are current practices rightly support the right to education or whether they create unfair barriers that needs to change.

Research Problem

As education is recognized as a fundamental right and this right is guaranteed by constitution in Pakistan, age-based admission policies still act as a barrier for people who could not get primary education within the right age. Existing laws and education policies greatly ignore the situation of over-age learners who couldn't get education earlier due to multiple reasons that were beyond their control. This caused a clear gap between the promise of guaranteed education for everyone and its actual implementation. The absence of proper legal policies for over age admissions for primary education raises concerns related to equality before law, non-discrimination, and real access to educational justice.

Research Objectives

1. Explore laws and policies in Pakistan that are controlling age based admissions.
2. To analyze that whether these age limitations on education are contradicting with Constitutional provisions, Islamic teachings and International Human Rights Standards.
3. To suggest legal and policy measures that will help to promote inclusivity on access to primary education regardless of age.

Research Questions

1. What laws and policies are governing age limitation in primary education in Pakistan?
2. Does this age limitations on primary education are causing conflicts between constitutional provisions, Islamic teachings and International human rights standards?
3. Which steps lawmakers and policymakers can take to guarantee that every person gets a fair chance to receive primary education without age limitations?

Methodology

This research was done by using both qualitative and doctrinal methods. It uses secondary sources such as constitutional provisions, statutory laws, educational policies, judicial interpretations, international conventions, reports by international organizations, and academic literature. It used Islamic sources such as Quran and Hadith are also examined to understand the religious view on education and age. This research does not include any fieldwork or empirical research. Study is done through legal analysis and interpretation to answer questions of research and to analyze age limitation in primary education from constitutional, Islamic, and international human rights perspectives.

Literature Review

Much research is done on primary education in Pakistan that mainly focuses on issues such as access to education, enrollment number in schools, quality of education, and gender differences (World Bank, 2020). Most of the time these studies highlighted that poverty, weak infrastructure, and socio-economic problems are the main reasons why children do not enroll in school at the proper age. These researched and studies shows that delayed enrollment is usually caused by factors outside the control of children and their families, such as financial issues, long distance from schools, and lack of educational facilities in remote areas. Muhammad Zakria Zakar in his article has identified that existence schools need locally integration with the community and other local institutions by making them the stakeholders (Zakar et al., 2020)

One of the recent studies conducted in Karachi identified problems faced by public sector primary schools (Memon, 2007). Research highlighted problems such as bad administration, shortage of trained teachers, lack of coordination, and lack of facilities. This research highlighted the weaknesses within the education system itself that is contributing to delayed enrollment and interrupted education, especially for children from low earning backgrounds (Rasheed et al., 2024)

Another research in Pakistan analyzed factors that are affecting primary school enrollment and found that household income, parents' education, distance from school, and age at enrollment play an important role. The study shows that children who join school late due to economic or social pressure suffer long term educational crisis. This supports the perspective that age-related exclusion is closely related to wider social and economic issues rather than personal choice (Toor & Parveen, 2025).

In Pakistan legal scholars mostly discuss education as a fundamental right under Article 25-A of the Constitution (Khan, 2017). They mainly focus on the State's responsibility to provide free and compulsory education, while no one highlights this age-based admission practices. Because Age is usually treated as an administrative issue rather than a legal barrier affecting access to education.

Few studies and researchers discuss non-formal education and adult literacy programs as options for over-age learners (UNESCO, 2019). Although these programs are important, researchers argue that they are treated as secondary and do not provide the same recognition or opportunities as formal primary education. As a result, they do not fully solve the problem created by strict age-based admission rules. Also, Islamic teachings greatly support the importance of education and learning throughout life (Maidugu & Isah, 2024). But it does not directly address modern age restrictions imposed by State education systems. International human rights literature promotes lifelong learning but lacks focused discussion on Pakistan's age-based education policies (Phattanasin et al., 2025).

In general, the current existing literature shows that while primary education in Pakistan has been widely studied, the issue of age limitation as a legal and rights-based barrier has not been discussed enough in detail. This highlights the need for focused and detailed research on how age-based practices are affecting the access to education in Pakistan.

Legal and Policy Framework Governing Primary Education in Pakistan

This part explains the legal and policy framework governing primary education in Pakistan with specified focus on age-related rules. It discusses constitutional guarantee of education as an absolute right, provided under Article 25-A of the Constitution. It also looks into education laws of provinces, national education policies, and school admission practices that fix these age requirements (Adams, 2002). This part highlights how age criteria work in practice and do it help or restrict access to primary education for those who weren't able to get education at right age.

Constitutional Provisions

Pakistan's constitution provides the basic foundation for the right to education. Article 25-A that was added through the Eighteenth Constitutional Amendment, places a legal responsibility on State to provide free and compulsory education to children within a specified age range as determined by law. This constitutional provision shows that education is treated as a fundamental right and not just a policy goal (Constitution of Pakistan, Art. 25-A).

But Article 25-A does not clearly explain how this right applicable to those individuals who could not enroll at the prescribed age (Hassan & Khan, 2024). Constitution of Pakistan is silent on the matter of over-age learners (Qidwai et al., 2025). This silence has made provincial authorities and schools to develop strict admission practices based mainly on age which is greatly unfair.

From a constitutional Perspective, the purpose of Article 25-A is to promote universal access to education. A narrow interpretation that links the right strictly to age defeats this purpose (Nisar, 2023). When people are excluded from primary education because of age, the constitutional promise of education becomes limited and conditional (Awan et al., 2023).

Statutory Laws and Education Policies

After the Eighteenth Amendment, education became a provincial matter and different provinces enacted their own education laws (Ali et al., 2023). The laws are mainly focused on compulsory education for children and assign duties to provincial governments. And while they stress enrollment and attendance, they usually depend on age-based categories for admission into primary schools.

Currently in practice, school administrations are allowed to refuse admission to students who are over aged (Shah, Batool & Zahoor, 2023). All such rules are applied strictly everywhere, and very less to no attention is given to the reasons for late enrollment. Issues include poverty, child labor, displacement, disability, or lack of schools etc. are rarely addressed. As a result, laws that are made to promote education end up excluding vulnerable groups who are over aged.

The lack of clear legal protection for over-age learners gives wide discretion to school authorities. Administrative benefits and comforts are mostly preferred over inclusion. This clearly shows the legal framework that focuses more on regulation than on ensuring real access to education for all.

Administrative Practices

Administrative practices play a very crucial role in how age-related rules are applied in primary education (Ullah et al., 2025). Even when laws and policies do not clearly put strict age limits, school administrations often apply age criteria in a rigid manner. Decisions related to admission are usually made at the school level, where officials rely on age registers and standard forms rather than individual circumstances. Which results in rejection of students who are older than the prescribed age, Despite if there is no clear legal prohibition or restriction against their admission (Government of Pakistan, National Education Policy 2017).

As in most cases, there are no proper written guidelines explaining how schools should deal with over-age learners. Because of this absence of guidelines, decisions are based on usual practice and convenience. Authorities of School often fear administrative complications, such as classroom management or examination eligibility if older students are admitted (Ullah et al., 2025). And as a result, age becomes an easy ground for refusal rather than a factor to be addressed and solved.

Policies related to education at national and provincial levels mostly talks about improving enrollment and literacy rates. However still these policies treat age as a fixed requirement (Malik et al., 2022). Non-formal education and adult literacy programs are mentioned as alternatives, but they are not presented as equal to formal primary education. Learners that are over age are therefore pushed into separate systems that do not offer the same recognition or future opportunities (Butt & Park, 2024).

This administrative approach creates exclusion in practice. Because instead of helping individuals who were unable or denied getting education earlier are still suffering as the system places further barriers in their way. And Without clear directions promoting flexibility, administrative practices continue to prioritize their order and uniformity over fairness and access to education for all.

Islamic Perspective on Education and Age

According to Islamic teachings and perspective, education is given great importance and is considered essential for moral and intellectual development of human beings. In Islam knowledge is not limited to make earning for living but is seen as a means of understanding ones faith, improving character, and serving

society. Quran has repeatedly encouraged reflection, learning, and use of intellect without putting any restrictions on the basis of age. This clearly shows that learning in Islam was never limited to childhood but is a lifelong process (Qur'an, Al-'Alaq 96:1-5).

Prophet Muhammad (peace be upon him) teachings have always strongly supported this idea. There are many Hadith emphasizing on seeking knowledge is an obligation upon every Muslim, without making any distinction based on age. The scholars of Islam have traditionally understood and recognized this obligation as continuous. There is no concept in Islamic teachings that learning becomes less valuable or unacceptable if it begins later in life. Intention and effort are given greater importance than age (Sunan Ibn Majah, Hadith No. 224).

The Muslim societies historical practices further support this understanding. Places for Education such as mosques, madrasas, and study circles were open to people of all ages. The renowned Islamic scholars started their formal education later or continued learning throughout their lives (Islamic, Ishaq & Dayati, 2024). History clearly shows that age was never used as a reason to exclude individuals from education.

According to Islamic legal perspective, education supports the objectives of Shariah especially the protection and development of intellect (Shihan, Amanullah & Zaroum, 2023). As Education allows individuals to understand their religious duties and to make informed moral choices. And denying access to basic education because of age clearly goes against this objective.

In Islam there are also great emphasis on justice, fairness, and compassion (Ali et al., 2024). Those policies which deny education to individuals who missed early schooling due to poverty, displacement, hardship or any circumstances conflict with these values. Because punishing people for circumstances that were beyond their control is inconsistent with Islamic principles.

International Human Rights Standards on Education

International Human Rights (IHR) laws treats education as a fundamental and universal right that is linked to human dignity. The Universal Declaration of Human Rights also highlights its importance by stating that everyone has the right to education and that education should aim at full development of the human personality (Kushnir & Nunes, 2022). As the wording of Declaration is broad and does not place any age based restrictions on access to education (UDHR 1948, Art. 26).

ICCPR (International Covenant on Economic, Social and Cultural Rights) also strengthened this position as it requires the States to ensure education without any discrimination and also emphasizes that primary education should be compulsory and accessible to all. As it focuses on inclusion and removal of barriers, rather than creating strict eligibility rules. States are expected to address social and economic factors that prevent access to education (ICESCR 1966, Art. 13).

Another convention that is Convention on the Rights of the Child requires States to make primary education compulsory and available. While its major focus is on children it does not support permanent or any kind of exclusion of individuals who were deprived of education during childhood due to any kind of circumstances. The modern interpretations of human rights law recognize that State failure should not result in lifelong depriving of education (CRC 1989, Art. 28).

There are International organizations such as UNESCO promote the concept of lifelong learning. Approaches like these recognizes that educational paths are not always continuous and that interruptions may occur due to economic hardship, migration, or social instability (Hanemann & Robinson, 2022). The States are strongly encouraged to design flexible education systems that respond to these realities.

As these Strict age-based admission rules often affect marginalized or vulnerable groups more severely. Considering where alternative education programs are weak or socially stigmatized, exclusion from

formal primary education has long term social and economic consequences. From the perspective international human rights such exclusion raises serious concerns.

Analysis and Discussion

Although Pakistan's Constitution recognizes education as a fundamental right through Article 25-A (Constitution of Pakistan 1973, Art. 25-A), its practical implementation remains weak in relation to age-based admission practices. Primary education access is still controlled through strict and rigid age limits that are applied at the administrative level.

As In reality, individuals who do not fall into right age requirements are mostly denied admission to public schools (Rashid et al., 2025). Even in situations where the law does not clearly require such exclusion, administrative practices and policy assumptions policy to their rejection (Haider et al., 2025). And as a result, their right to education operates in a conditional manner rather than a fair and accessible.

These exclusions on the basis of age works as indirect discrimination. Even if these age related rules appear neutral, they still disproportionately affect people from disadvantaged backgrounds. Because circumstances like Poverty, child labor, displacement, and social pressures often delay enrollment. So, considering this when age is later used as a ground for refusal, existing inequalities are reinforced instead of reduced.

According to constitutional perspective, this narrow approach clearly weakens the purpose of Article 25-A (Hashmi, Bakhsh & Tariq, 2024). All Fundamental rights should be interpreted in line with equality without creating any discrimination and respecting human dignity (Ojanen, 2022). Due to the absence of clear legal protection for over-age learners allows unfair practices to continue without challenges.

As examined in light of Islamic teachings and international human rights standards, strict age limitations that are in practice are difficult to justify. Because both frameworks clearly emphasize on inclusion, justice, and lifelong access to education. But this current system in Pakistan gives priority to administrative convenience over social justice.

Conclusion

Education is very important for every individual's growth and social progress. In Pakistan, education has always been give great importance and is recognized as a fundamental right, yet age-based practices continue to block access to primary education for many people. As individuals who miss early schooling due to poverty, displacement, or family responsibilities are often permanently excluded from formal education. After the great analysis it clearly shows that strict age limits are not clearly required by the Constitution. Rather, they arise from administrative practices and policy gaps. These practices weaken the constitutional promise of education to its citizens by turning a fundamental right into a conditional benefit.

Both Islamic teachings and international human rights law reject and do not support exclusion based on age. As Islam views education as a lifelong obligation, while human rights standards emphasize universality and non-discrimination and both support flexible access to education for all. On that account, meaningful reform is required. Education system of must move away from rigid age-based limitations on primary education and adopt inclusive approaches. As this matter of over age should not become a permanent barrier to basic education, especially where the State has failed to provide timely opportunities.

Recommendations

1. The laws related to Education and rules and policies regarding school admission should be revised to allow everyone to get into primary education especially for individuals who were delayed due to socio-economic or structural reasons.

2. Proper administrative instructions should be issued to schools to prevent this forced or unfair rejection of over-age learners and to promote inclusive admission practices.
3. For Non-formal education and adult literacy programs they should be formally linked with the mainstream education system and provided with recognized certification equal to primary education.
4. For awareness small initiatives should be taken so that people know that education is their right and that there are options available for late enrollment.
5. There should be clear reflection of Islamic values and international human rights standards that emphasize fairness, inclusion, and lifelong learning in educational policies.

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