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Course	M. Ed

Unit overview	
Unit plan title	Right to Education Act 2009 and Child Rights
Curriculum framing questions	
Essential questions	<ol style="list-style-type: none"> 1. Explain Right to Education Act 2009 in detail. 2. What are the different provisions in RTE 2009? 3. Explain the various rights of children.
Unit questions	<ol style="list-style-type: none"> 1. What is RTE? 2. What are the aims of RTE 2009? 3. Explain child rights.

Content questions	<ol style="list-style-type: none"> 1. What do you mean by free and compulsory education? 2. Give any two characteristics of RTE 2009. 3. Give any four child rights.
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<p><u>Unit Summary</u></p> <p>The topic comprises of the following topics:</p> <ul style="list-style-type: none"> • Origin and meaning of RTE 2009 • Characteristics and provisions of RTE 2009 • Main aims of RTE 2009 • Children Rights

- **Origin and meaning of RTE 2009:**

The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that every child has a right to full time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards. Article 21-A and the RTE Act came into effect on 1 April 2010. The title of the RTE Act incorporates the words 'free and compulsory'. 'Free education' means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. 'Compulsory education' casts an obligation on the appropriate Government and local authorities to provide and ensure admission, attendance and completion of elementary education by all children in the 6-14 age group. With this, India has moved forward to a rights based framework that casts a legal obligation on the Central and State Governments to implement this fundamental child right as enshrined in the Article 21A of the Constitution, in accordance with the provisions of the RTE Act.

- **Characteristics and provisions of RTE 2009:**

1. The main aim of RTE is to provide free and compulsory education to children belonging to the age group of 6 to 14 years.
2. It makes provisions for a non-admitted child to be admitted to an age appropriate class.
3. It specifies the duties and responsibilities of appropriate Governments, local authority and parents in providing free and compulsory education, and sharing of financial and other responsibilities between the Central and State Governments.
4. It lays down the norms and standards relating inter alia to pupil teacher ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours.
5. It provides for rational deployment of teachers by ensuring that the specified pupil teacher ratio is maintained for each school, rather than just as an average for the State or District or Block, thus ensuring that there is no urban-rural imbalance in teacher postings.
6. It also provides for prohibition of deployment of teachers for non-educational work, other than decennial census, elections to local authority, state legislatures and parliament, and disaster

relief.

7. It provides for appointment of appropriately trained teachers, i.e. teachers with the requisite entry and academic qualifications.
8. It prohibits (a) physical punishment and mental harassment; (b) screening procedures for admission of children; (c) capitation fee; (d) private tuition by teachers and (e) running of schools without recognition.
9. It provides for development of curriculum in consonance with the values enshrined in the Constitution, and which would ensure the all-round development of the child, building on the child's knowledge, potentiality and talent and making the child free of fear, trauma and anxiety through a system of child friendly and child centered learning.
10. The RTE Act is the first legislation in the world that puts the responsibility of ensuring enrolment, attendance and completion on the Government. It is the parents' responsibility to send the children to schools in the US and other countries.

- **Main aims of RTE 2009:**

- To provide full time primary education to the children in formal schools.
- To provide in-service training to teachers.

- **Children rights:**

The most important right among the rights provided by the constitution is children rights. According to the United Nations Convention on the Rights of the Children – that India ratified in 1992 – all children are born with fundamental rights.

The declaration related to the rights of children is the most obvious and comprehensive in the International Human Rights law. In the article 54 of the International Human Rights, the rights like financial, social and political related to children are given together.

1.Prohibition of Child Marriage Act 2006

Prohibition of Child Marriage Act 2006 in India was implemented from November 1, 2007. UNICEF has defined the marriage of girls before the age of 18 years as a child marriage and for boys this age is 21 years and its violation is considered as the violation of human rights. The government of India passed The Child Marriage Act 2006 to prevent the child marriages in India. Child Marriage Restraint Act, 2006 was brought in place of Child Marriage Restriction Act -1929

2.Child Labor (Prohibition and Regulation) Act, 1986

The most controversial legislation related to children's right in India is "Child Labor (Prohibition and Regulation) Act, 1986. This Act has clearly mentioned that how children can

work and where they can't work?

3.Right to Education

Article 21-A has been included as a fundamental right in the Indian Constitution by the 68th Constitution Amendment Act, 2002, in which provision has been made to provide free and compulsory education to all children under the age group of 6-14 years. This law compels all the government aided\private schools in India to provide 25% seats to the children of economically backward sections of the societies.

4.Child Trafficking

According to UNICEF, if any person under the age of 18 is recruited, transported, transferred or sheltered for the purpose of exploitation within or outside the country, then it falls under the crime of child trafficking.

5.The Protection of Children from Sexual Offences Act (POCSO Act) 2012

There are 53% of children in India face child sexual abuse in some form. Therefore, in India this act has been implemented for both male and female. This law prohibits the display of pornography in front of the children and any kind of involvement of the children in pornographic content and even storage of pornography related to children is also an offence. This act makes child sexual abuse a punishable offence.

6. Juvenile Justice (Care and Protection of Children) Act, 2015

The Juvenile Justice (Care and Protection of Children) Amendment Bill 2015 has been passed by the Rajya Sabha. It was introduced in Parliament in 2014 after public outrage because one of the offenders in the 2012 gang rape case was a few months short of 18 years of age. The bill had already been passed by the Lok Sabha. Now the age of a Juvenile is reduced to 16 years.

Why do children need special attention?

- Children are more vulnerable than adults to the conditions under which they live. Hence, they are more affected than any other age group by the actions and inaction of governments and society.
- In most societies, including ours, views persist that children are their parents' property, or are adults in the making, or are not yet ready to contribute to society.
- Children are not seen as people who have a mind of their own, a view to express, the capacity to make a choice and an ability to decide.
- Instead of being guided by adults, their life is decided by adults.
- Children have no votes or political influence and little economic power. Too often, their voices are not heard.
- Children are particularly vulnerable to exploitation and abuse.

What are the Child Rights?

All people under the age of 18 are entitled to the standards and rights guaranteed by the laws that govern our country and the international legal instruments we have accepted by ratifying them.

The Constitution of India guarantees all children certain rights, which have been specially included for them. These include:

- Right to free and compulsory elementary education for all children in the 6-14 year age group (Article 21 A).
- Right to be protected from any hazardous employment till the age of 14 years (Article 24).
- Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength (Article 39(e)).
- Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment (Article 39 (f)).

Besides these they also have rights as equal citizens of India, just as any other adult male or female:

- Right to equality (Article 14).
- Right against discrimination (Article 15).
- Right to personal liberty and due process of law (Article 21).
- Right to being protected from being trafficked and forced into bonded labour (Article 23).
- Right of weaker sections of the people to be protected from social injustice and all forms of exploitation (Article 46).

Role of the State:

The state should:

- Make special provisions for women and children (Article 15 (3)).
- Protect interest of minorities (Article 29).
- Promote educational interests of weaker sections of the people (Article 46).
- Raise the level of nutrition and standard of living of its people and the improvement of public health (Article 47).

Scope and Importance of RTE 2009 and Child Rights:

Right to Education and child rights is a very relevant topic. The teacher aims at orienting the students to know about the RTE Act 2009 in India. She aims to clarify about the concept of RTE and child rights to the students. She focuses on the characteristics and provisions of RTE. The students would be able to get an idea about the various child rights prevalent in the Indian Constitution.

Subject areas: RTE 2009, free and compulsory education, child rights

Class Level: D.EL.Ed.

Student Objectives/ Learning outcomes

1. To understand the concept of RTE Act 2009.
2. To know the various provisions under RTE 2009.
3. To know about the various child rights.

Procedures

Teacher refreshes the class through ask some questions related to education and RTE and provide orientation to the students. She makes the students understand about the characteristics and provisions of RTE 2009. She teaches aims of RTE. She also teaches about the various child rights. Later the teacher assigns group activities and concludes the meaning and provisions of RTE and gives a recap about the various child rights.

Approximate time needed: 1 Hour

Prerequisite skills

Ideas about education and the various fundamental rights

Printed Materials

Text book, Resource books

Supplies

Black board, Chalk, Reading materials, Picture related to education

Other resources

Short film related to Education

Accommodations to Support different levels of learners in your classroom

Slow learners

Group discussion, extended work time, detailed description, clarification of doubt,remedial classes

Gifted student: Assignment for detailed study
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Student assessment

Report:

Key word search: Education, Right to Education Act 2009, child rights
