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Chairperson

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GOVERNMENT OF INDIA  
राष्ट्रीय बालक अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

D.O. No.CP/NCPCR/2011  
Dated the 4<sup>th</sup> November, 2011

Subject: **Regarding holding of Shiksha Samvad on Right to Education**

Dear

As the monitoring agency for the Right to Education Act, 2009, the National Commission for Protection of Child Rights (NCPCR) is proposing a system of holding regular dialogues between Government officials and civil society on issues related to the implementation of the RTE Act. These "Shiksha Samvads" are meant to institutionalize a system of regular reviews that would bring people and organizations in contact with Government officials, allowing both sides to engage in a meaningful dialogue. This would enable the local administration to keep a close watch on how the implementation of the RTE Act is proceeding on the ground and also allow civil society groups to bring issues to the fore and seek speedy redress. Further, it would also serve as a forum for spreading awareness about the Act, seeking clarifications and obtaining information about government orders etc.

As the Act is being rolled out numerous problems and situations are arising that require immediate and often local solutions. At present however there is no mechanism in place to take up these issues and problems. As a result, NCPCR has found that complaints are being sent all the way to Delhi for redressal. Holding regular review meetings where a range of civil society groups and persons who have their ear to the ground, can help highlight the issues that need sorting out and ensure that the Act is being implemented successfully.

A suggested format for the *samvads* is given below:

1. Holding the *samvads* at the Block office on a monthly basis and District office on a quarterly basis, with the concerned officials participating for the full duration of the *samvad*, listening to people and interacting with them.
2. Wide participation of civil society groups. While not all groups may attend each meeting, a core group or groups should be present in all the meetings to ensure continuity. The core groups would be responsible for documentation of the proceedings and follow-up with relevant officials.
3. The day prior to the *samvad* could be spent by the civil society groups interacting amongst themselves, sharing information, developing strategies, planning joint activities etc.
4. The *samvad* itself could start with a sharing of information by government departments on new initiatives, orders, findings of audits or surveys and follow up

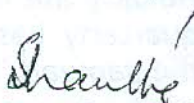
5. from previous *samvads*. The Government presentation can be followed by an discussion. Merits and demerits of new initiatives can be discussed; information whether orders have been received and implemented on the ground can be shared.
6. Complaints may be presented in writing to the concerned Government officers. More serious, persistent or general complaints may be presented and discussed with a commitment for action by the Government officials; taken reports from previous complaints can be placed for discussion.
7. Good practices may also be presented and suggestions on how aspects of implementation can be improved may be discussed.
8. Worst practices may also be presented and discussed.
9. Every month a focus area could be reviewed and discussed in detail. For instance, functioning of SMCs, or status of infrastructure requirements etc.
10. The venue for the *samvads*, including the food and accommodation, may be provided by the Government for one day. Transport may be paid for by the participants themselves. The extra day for civil society interaction may also be funded by the groups themselves.

The *samvads* will enable civil society groups to get heard, register complaints, and bring issues from the ground to the ears of Government. It would also help the administration to get a regular source of information on the status of implementation of the RTE Act – what is working, what is not; what needs changing etc. It would also allow the Government to get direct feed-back from the people on new initiatives. As such it would act not just as a great democratic forum but also help Government to formulate better policies.

I do hope that the Shiksha *samvads* at the block and district level would add value to the ongoing national campaign on the Right to Education.

Best wishes,

Yours sincerely,

  
( **Shantha Sinha** )

To The Chief Secretaries of States

**ANNEXURE 1**

**WALL WRITING**

**Children's Right to Free and Compulsory Education Act 2009**

**Rights of Children in School**

1. **NO child can be denied admission because of inability to produce any document/s**
2. **Children/parents will NOT be required to pay fees/funds (cash/kind) for any purpose at any time.**
3. **NO child can be subjected to corporal punishment or discrimination of any kind.**
4. **All children must be evaluated on the basis of a system of continuous comprehensive evaluation. NO child can be detained or asked to leave school without completing 8 years of education.**
5. **Admissions must be age-appropriate; special training must be provided for older children to bring them up to their age competency**
6. **Teachers must teach in class for a minimum of 4 hours every day.**
7. **In a year the School must remain open for**
  - a. **200 days for class 1-5**
  - b. **220 days for class 6-8**
8. **Upper Primary Schools must have subject teachers for Science, Math, Social Studies and Language and part time instructors for Art, Health and Physical Education**
9. **In every school there must be**
  - a) **One classroom for every teacher and separate room for Head Teacher;**
  - b) **Adequate, separate and functional toilets for boys and girls,**
  - c) **Adequate and safe drinking water facility,**
  - d) **Usable playground and sports equipment**
  - e) **Books and magazines in the library,**
  - f) **Kitchen shed for mid-day meals,**
  - g) **Barrier free access,**
  - h) **All weather buildings and a boundary wall with a gate or fence.**
10. **There must be a School Management Committee for every school with  $\frac{3}{4}$  parent members publicly elected; List of SMC members must be publicly displayed.**
11. **SMC members must :**
  - a) **Monitor the functioning of the school**
  - b) **Prepare the School Development Plan**
  - c) **Ensure teacher accountability**
12. **Following are the names of the SMC members of this school (You can contact them for any help or advice)**
  - i.
  - ii.
  - iii.
  - iv.

## दीवाल लेखन

### मुफ्त एवं अनिवार्य बाल शिक्षा का अधिकार अधिनियम, 2009

#### विद्यालय में बच्चों के हक

- 1 दाखिले के समय किसी भी प्रकार के दस्तावेज के अभाव में बच्चे का दाखिला नहीं रुक सकता है ।
- 2 साल में किसी भी समय बच्चों या माँ- बाप से किसी भी तरह की फीस नहीं ली जा सकती है ।
- 3 कोई भी अध्यापक बच्चे को शारीरिक या मानसिक दण्ड नहीं दे सकता / सकती हैं तथा बच्चों के साथ किसी तरह का भेदभाव नहीं कर सकते है ।
- 4 पत्येक बच्चे का मूल्यांकन "सतत एवं सर्वांगीण मूल्यांकन के सिद्धांत पर होगा अतः किसी को फैल अथवा विद्यालय से निकला नहीं जा सकता है ।
- 5 हर बच्चे को उम्र अनुसार प्रवेश दिया जायेगा और हर बच्चे को आवश्यकता अनुसार विशेष पशिक्षण दिया जायेगा ।
- 6 अध्यापक को हर रोज कम से कम चार घंटे पढाना अनिवार्य है ।
- 7 प्राथमिक स्कूल को साल में 200 दिन तथा उच्च प्राथमिक स्कुल को 220 दिन खुला रहना अनिवार्य है ।
- 8 उच्च प्राथमिक विद्यालय में विज्ञानं, गणित. सामाजिक विज्ञानं और भाषा विषय के लिए अलग अध्यापको का होना आवश्यक है एवं कला, खेल-कूद और शारीरिक शिक्षा के लिये अंशकालिक अध्यापक होना अनिवार्य है ।
- 9 हर विद्यालय में यह निम्नलिखित व्यवस्थाएं होना अनिवार्य है :

- हर अध्यापक को पढाने के लिए अलग कमरा,
- लड़के और लड़कियों के लिए अलग शौचालय,
- साफ और पर्याप्त पिने का पानी
- खेल-कूद का मैदान एवं खेल सामग्री,
- पुस्तकालय जिसमें पुस्तके , पत्र-पत्रिकए इत्यादि हो एवं घर ले जाने पढने की सुविधा उपलब्ध हो,
- मध्यान्ह भोजन के लिए अलग रसोई घर,
- बाधारहित पहुँच,
- पक्के भवन एवं चार दीवारी ।

10 हर विद्यालय में एक विद्यालय प्रबंधन समिति सार्वजनिक चुनाव द्वारा बनाना आवश्यक है जिसमें तीन-चोथाई सदस्य अभिभावक का होना अनिवार्य है तथा इन सारे नामों को सार्वजनिक करना आवश्यक है ।

11 विद्यालय प्रबंधन समिति...

- विद्यालय की निगरानी करेगी
- विद्यालय विकास योजना बनायेगी
- अध्यापकों की जबाबदेही सुनिश्चित करेगी

12 निम्नलिखित नाम इस विद्यालय की विद्यालय प्रबंधन समिति के सदस्यों के हैं (आप इनको किसी भी प्रकार की शिकायत अथवा सुझाव दे सकते हैं)

1..... 2.....