



## Teacher's Guide

### Constitutional Design

#### Part 4

Based on the NCERT Curriculum for Standard IX



JANAAGRAHA CENTRE FOR CITIZENSHIP & DEMOCRACY

Janaagraha's initiative to improve citizen engagement in India's democracy through their civic learning program

Developed in collaboration with Young Leaders for Active Citizenship (YLAC)

## Constitutional Design | Teacher’s Guide (4/4)

### Part 4

Class IX  
 Board – CBSE  
 Subject – Social Science  
 Textbook – Social Science text book for grade 9 (NCERT)  
 Chapter 3 – Constitutional Design  
 Number of parts – 04  
 Length – 75-85 minutes (estimated, for a class of 40-45 students)  
*Note: Teachers may divide the lesson plan into as many periods as they see fit*

#### **Section I – What are we going to learn and why is it important?**

Learning objectives

Students will be able to:

- Understand the relationship between legislature, executive and judiciary.
- Analyse how democracy is being constantly designed and redesigned in India.

Learning outcomes

Students will:

- Understand the importance of institutional design of democracy.

Key Terms

Institutional design	Judiciary	Executive	Legislature	Amendment

#### **Materials needed**

- A4 size sheets
- Sketch pens/markers

## **Section II – How are we going to learn?**

### **1. Institutional Design**

**Time:** 30-40 minutes

**Materials needed:** Handout 1 (in appendix), A4 size sheets, and sketch pens

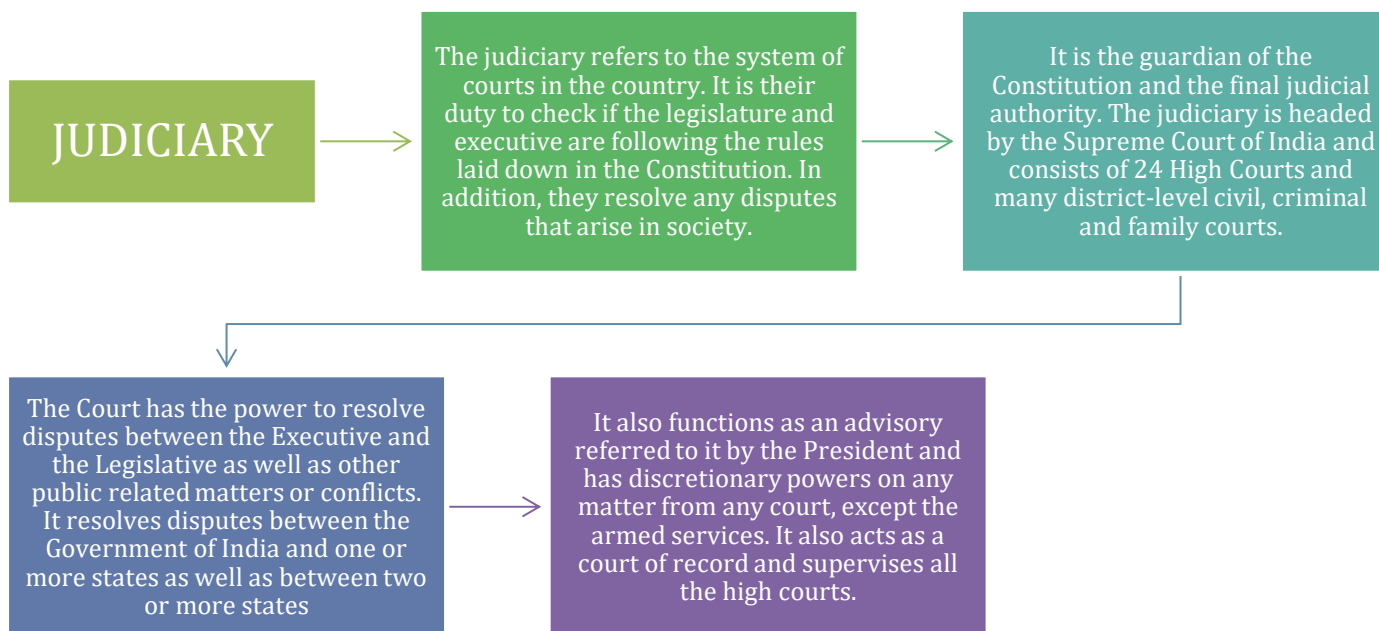
#### **Facilitation Notes:**

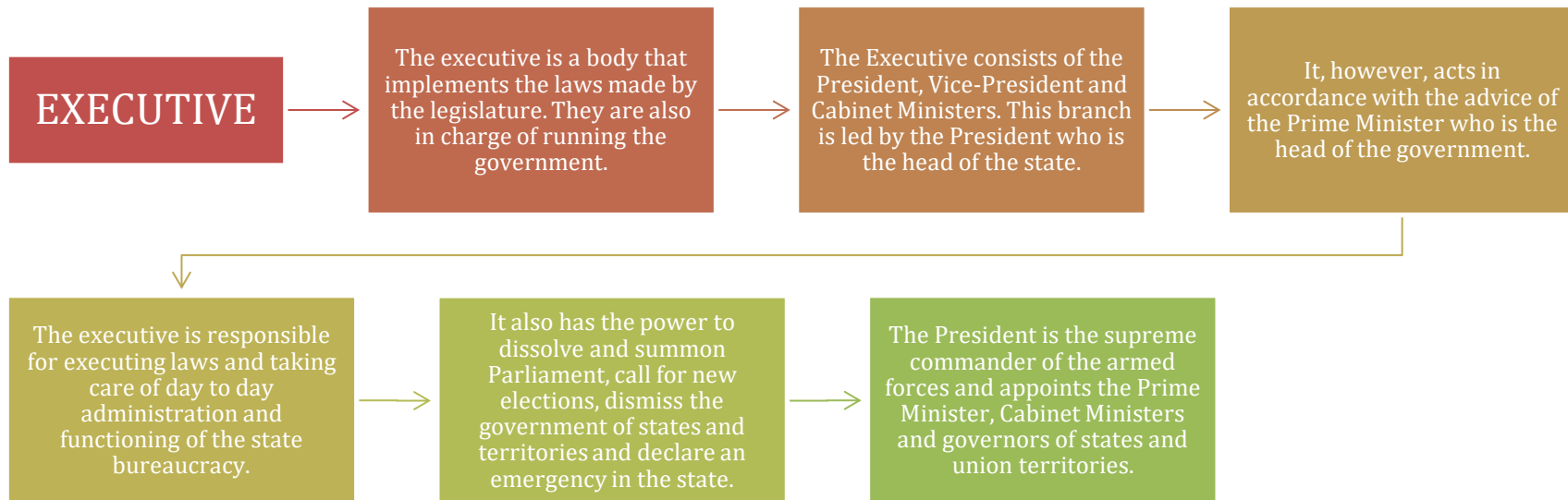
- In the previous class, we studied about the guiding values and philosophy of our constitution. We designed a Preamble for our own classroom. But do you think only talking about values and philosophy is enough when it comes to day to day functioning of the classroom procedures? What else do you think should be part of our classroom constitution apart from the values?
- What are the things that you think we need clarity on in order to manage the classroom effectively? (*Take a few responses*)
- *Likely responses:*
  - Who is responsible for what?
  - Who makes the rules?
  - Who implements them?
  - Who oversees that these rules are followed in accordance with the classroom constitution?
  - How and when a rule in the classroom constitution can be changed?
- If managing a classroom is so difficult and requires us to plan so many things in advance, then imagine how complicated it would be to govern a country like India which is so diverse.
- But, to our rescue we have our constitution. It is not merely a statement of values and philosophy.
- A constitution is mainly about embodying these values into institutional arrangements. Much of the document called Constitution of India is about these arrangements.
- Like any Constitution,
  - The Indian Constitution lays down a procedure for choosing persons to govern the country.
  - It defines who will have how much power to take which decisions.
  - It puts limits to what the government can do by providing some rights to the citizen that cannot be violated.
- The Constitution also divides each level of government into three organs, based on their functions and responsibilities — the legislature, the executive, and the judiciary.
- Let's do an activity to understand how much you already know about the three organs.

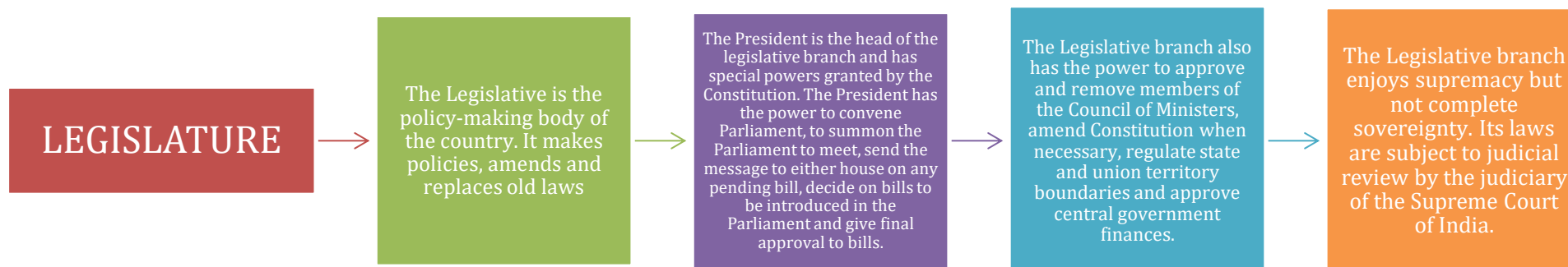
- Now I am going to divide the class into three groups namely the legislative, the executive and the Judiciary. I will be distributing newspaper reports (Handout 1) that demonstrate the relationship between the three bodies of the government. Each group will read these stories and then we will begin the activity.
- Each group will get an A4 size sheet and sketch pens.
- In the first round, you will get 5 minutes to write everything you know about your assigned branch.
- At the end of 5 minutes, give your paper to the group next to you. Each group should have a new branch of government. For the next 3 minutes, you will add points that you know about the branch you have at present.
- Rotate papers one more time. You’ve probably figured out that at this point each group should have the branch of government they haven’t had yet. This last brainstorming session should last about 2 minutes.
- Key for teachers: The article mentions the judiciary and executive detail. The legislative is mentioned briefly in parts. Look out for words like *laws, act* etc. which denote the significance of the legislative body.

De-brief

- Let’s go into these three organs in some more detail.







- In order to ensure the sanctity of the constitution there are various provisions that keep a check on arbitrary power of the Parliament of India.
- The Founding Fathers of our Constitution were aware of the dangers that successful governance may face when one branch of government wielded too much power. They therefore devised processes which would help all arms to work independently yet ensuring balance between each other, so as to operate national governance in an effective manner.
- Judiciary is an independent branch of the government. It is vitally important in a democracy that individual judges and the judiciary as a whole are impartial and independent of all external pressures and of each other so that those who appear before them and the wider public can have confidence that their cases will be decided fairly and in accordance with the law.
- On various instances, the State failed to exercise its duty of providing these rights to the people, who often had to suffer for no fault of their own. Therefore, it became an imminent necessity for the Supreme Court to intervene in a timely manner and curtail the violation of fundamental rights, and further its duty to protect the rights of the people.

## 2. Importance of Constitutional Amendments

Time: 45-50 minutes

Materials needed: Handout 2(in appendix), and A4 size sheets

### Facilitation Notes:

- We all have latest mobile phones. These are updated from time to time. There are software updates available. Why do you think it is important to update your phone? *Likely response: To ensure it works smoothly, doesn't get slow, also updates have important patches for keeping the phone secure from threats etc.*
- Do you think the constitution of India also needs to be updated with the changing needs of the society? Why?(Take a few responses)
  - *Likely response: Yes, we have come a long way and the world is changing. With changing times it is really important to embrace change.*
- Yes, the constitution is a very long and detailed document. Therefore it needs to be amended quite regularly to keep it updated.
- Those who crafted the Indian Constitution felt that it has to be in accordance with people's aspirations and changes in society. They did not see it as a sacred, static and unalterable law. So, they made provisions to incorporate changes from time to time. These changes are called constitutional amendments.
- What do you think constitutional amendments are? *Likely responses: Incorporating changes in the constitution*
- Why do you think amendments are required in the constitution?
- *Likely response:*
  - *Amendment is necessary to Indian Constitution as and when the society changes its attitude towards a particular thing or matter.*
- I am going to give you an article on a constitutional amendment. The Constitution 86th Amendment Act, 2002 enshrined right to education as a fundamental right in part-III of the constitution. A new article 21A was inserted below the Article 21 which made Right to Education a Fundamental Right for children in the range of 6-14 years.
- Why do you think Right to Education was not a fundamental right from the beginning? Let's make it more interesting. I am going to divide the class in two groups. We are going to have a debate on Right to Education as a fundamental right. The statement is, 'Right to Education should have been included as a fundamental right in the constitution from the beginning'.
  - Group A will speak in favour of the statement.
  - Group B will speak against the statement.
- Each group will get a sheet to plan for the debate. You have 15 minutes for preparing and next 15 minutes will be used for debating.
- *Likely responses:*
  - *Group A*
    - *Yes, as India was struggling with huge population and scarcity of resources it was necessary to educate the masses to create a sustainable and peaceful society and therefore it should have been included as a fundamental right since the inception of the constitution.*
      - *Education is a basic human right for all and is important for everyone to make the most of their lives.*

- *Education would have improved an individual's chances in life and helped to tackle poverty in a better way.*
- *Both individuals and society would have benefited from the right to education as it is fundamental for human, social, and economic development and a key element to achieving lasting peace and sustainable development.*
- *It could have been used as a powerful tool in developing the full potential of everyone and ensuring human dignity, and in promoting individual and collective wellbeing because-*
  - *It is an empowerment right*
  - *It lifts marginalised groups out of poverty*
  - *It is an indispensable means of realising other rights*
  - *It contributes to the full development of the human personality*
- *Group B*
  - *India was struggling with basic necessities. It had a huge task of national integration.*
  - *There were not enough funds available. The partition resulted in division of resources.*
  - *There were riots, hunger, natural calamities. Providing food, shelter and clothing to the entire population was a task in itself.*
  - *Implementing Right to Education as a fundamental right would have added to the cost of expenditure.*
  - *There were other issues like- School infrastructure, trained teachers, community involvement, etc.*

### Debrief

- Are constitutional amendments important? What would have happened if our constitution was a static document? *Likely response: We would not be able to change policies as per current the needs of the society.*
- Just as our needs got evolved compared to 1947. Like bicycle became bikes and cars, dhoti kurtas became jeans and tees, and many other changes occurred. Likewise, the way people are governed are changed accordingly. There was no digitalisation when constitution came into force, there were no cybercrimes, no fundamental duties.
- Those who crafted the Indian constitution felt that it has to be in accordance with people's aspirations and changes in the society.
- They did not see it as a sacred, static and unalterable law. Our makers were very well aware of these facts and thus they provided a reasonable amount of flexibility in our constitution to cope up with these changes.
- So, they made provisions to incorporate changes from time to time. These changes are called constitutional amendments.
- The constitution describes the institutional arrangements in a very legal language which is difficult to understand if you read it for the first time.
- The Constitution has laid down the framework for the government formation. It has put in place the structure, power and functions of the three organs of the government, i.e. executive, legislative and judiciary.



- The rights of the citizens are laid down in the Constitution as fundamental rights, which are enforceable by law. The powers and functions of the government are divided into the executive, legislative and judiciary. It is done to keep each organ under check by the other organs to ensure power functioning of the government.
- And it puts limits to what the government can do by providing some rights to the citizens that cannot be violated.
- The rules of the Constitution have greater authority and the Parliament has to abide by them. For amending these rules, a special procedure has to be adopted.
- Can you name some constitutional values we read in this chapter?
  - *Likely response- Sovereignty, Socialism, Secularism, Democracy, Republic, Justice, Liberty, Equality*
- Let's do an activity. The game is called 'HOT SEAT'. The directions are as follows-
  - I am going to divide the class in four groups.
  - All the groups will participate in this activity simultaneously (all the four hot seats in a single horizontal line and the team members facing each other).
  - One member from each group will sit on the hot seat facing their groups (with their backs facing the blackboard.)
  - I am going to write the names of the values we read in this chapter one by one. The group members have to help their team mate sitting on the hot seats guess the name of the value without taking its name (all teams are playing at the same time). You can only give a real-life example which demonstrates that value. So, you have to think, how you would contribute as an active citizen having that value in you as a responsible citizen. The team that guesses first would get 10 points.
  - For example, if the value is equality, you can say that I respect everyone for their individual age, gender, race, cultural background, skills, beliefs etc. You can't use the word equal in your explanation.

### **Section III –Assessment**

Time: 10 minutes

Materials needed: Blackboard and chalk

Facilitation notes:

Q.1. Who am I? Identify the branch of the government.

1. I am a body made up of elected representatives who make laws for the country. Who am I? [Legislature]

2. I implement laws in the country. Who am I? [Executive]
3. My duty is to check if the laws laid down in the constitution are being followed or not. Who am I? [Judiciary]

#### Q.2. True/False Quiz

##### Note to the teacher:

Divide the class into two teams, and divide the blackboard into two columns for Team A and Team B. Ask each team to answer if the following statements are true or false. Give 10 points for every correct answer.

1. The executive implements laws. [True]
2. The legislature and the executive are the same. [False]
3. The judiciary makes laws. [False]
4. Separation of powers creates a system of checks and balances. [True]
5. The President is the supreme commander of the armed forces. [True]
6. The Executive is the guardian of the constitution. [False]
7. Supreme Court is the highest court in our country. [True]
8. Constitutional amendments help in designing and redesigning our democracy according to societal needs. [True]
9. Fundamental rights are not enforceable by law. [False]
10. The rules of the Constitution have greater authority and the Parliament has to abide by them. [True]

#### **Section IV – Closure**

Time: 5 minutes

#### **Summary by students**

Get a student to summarise the definition and features of constituent assembly. Ask other students to add to his points to ensure everything is covered.

#### **Recap by a student**

Time: 2 minutes

**Recap by the teacher**

Time: 3 minutes

Please ensure that all the following points are covered in the recap by the teacher and student.

- A constitution is not merely a statement of values and philosophy. A constitution is mainly about embodying these values into institutional arrangements.
- The Indian constitution lays down a procedure for choosing persons to govern the country. It defines who will have how much power to take decisions.
- And it puts limits to what the government can do by providing some rights to the citizens that cannot be violated.
- The rights of the citizens are laid down in the Constitution as fundamental rights, which are enforceable by law. The powers and functions of the government are divided into the executive, legislative and judiciary. It is done to keep each organ under check by the other organs to ensure power functioning of the government.

**Section V- Homework**

1. Write an essay on the importance of constitutional amendments in our constitution.
2. Find out how many times has the Indian Constitution been amended until now? How does this compare to other countries?

**Section VI – Additional Resources****For teachers**

1. Video: Focus Charcha on Constitution and its amendments

Link: [YouTube](#)

**For students**

1. Video: Samvidhan: Three Pillars: Executive, Legislature, Judiciary

Link: [YouTube](#)

## Appendix

### Handout 1

#### **Supreme Court and Air Pollution: An Overview of the Vehicular Pollution case (1985-2019)**

By Alphonsa Jojan

‘Beating air pollution’ is this year’s environmental day theme. Pursuant to this, global community is taking concerted efforts to build consciousness about the environmental and health hazards posed by air pollution. The theme is central to India as a study by IQAir AirVisual and Greenpeace has identified 23 of 30 worst world’s polluted cities in India. This highlights the pressing need to have an effective mechanism to check pollution.

Legal efforts to curb pollution were taken as early as 1981, primarily by enacting the Air (Prevention and Control) Pollution Act, 1981. Despite having a specific law, pollution continued unabated. The issue is a multifaceted problem with various sources of emission of toxic air which did not get adequate attention from the government. This may have prompted many to approach an active judiciary for an effective solution. Over the three decades, Supreme Court of India has been hearing many issues relating to air pollution including pollution from vehicles, industries, burning of agricultural residues, burning of crackers, smoking in public spaces etc. Judiciary was instrumental in pushing the government to develop and adopt various policies and programmes for combating air pollution. Supreme Court was also severely criticised for overreaching its jurisdiction by adorning the role of a policy maker and monitoring agency.

This article discusses one of the important cases, M.C. Mehta V. Union of India, commonly known as the Vehicular Pollution case (W.P. 13029 of 1985). Vehicular pollution is recognised as one of the main causes of air pollution as exhausts released from vehicles contains nitrogen dioxide, sulphur dioxide, carbon monoxide and fine particulate matter which adversely affect the environment, health and ecosystems.

#### **Calling for Planning and Action-** Judgement of 14<sup>th</sup> March 1991

The petition in Vehicular Pollution case was filed to control air pollution caused by vehicles plying in Delhi. After referring to various data on vehicular pollution, the Supreme Court observed the inadequacy of the normal steps taken to check and control pollution. These efforts included emission checking, prosecution and cancellation of registration. The Court opined that the challenging task of pollution control “requires a clear perception and imaginative planning. It also requires sustained effort and result oriented strategic action”. The Ministry of Environment and Forest as a response suggested constitution

of a committee to devise methods for controlling pollution in Delhi. This was one of the important outcomes of this case as it has led to creation of a statutory authority, namely the Environment Pollution (Prevention and Control) Authority for the National Capital region under the Environment Protection Act, 1986. Since 1991, the Supreme Court heard various suggestions and pleas for reducing pollution from various stakeholders including various Ministries and Departments, amicus curie, associations of automobile industry. The suggestions included use of a clean fuel such as Compressed Natural Gas (CNG) instead of polluting fuel like diesel requiring fitting of catalytic converter in exhaust system to reduce the release of air pollutants, supply of lead free petrol, phasing out of polluting old vehicles and so on. The next important judgement, perhaps the most important, is that of July 28<sup>th</sup> 1998.

### **Delhi's CNG based Public Transport Programme, Phasing out of old vehicles- Judgement Of 28<sup>th</sup> July 1998.**

This judgement was passed after directing Environment Pollution (Prevention and Control) Authority (EPCA) headed by Bhurelal to submit a report and action plan to tackle the problem of vehicular pollution in the National Capital Region (NCR). The Court approved suggestions of the Bhurelal Committee and gave about 17 time-bound directions for arresting air pollution in the region. Important of these directions included restriction of plying of 15 year old commercial vehicles, complete conversion of city buses (both public and private) into CNG mode, replacement of all pre-1990s autos and taxis with new vehicles run on clean fuels, banning of 8 year old buses except on CNG or other clean fuels.

These directions with the stipulated timeframe created much uproar and several petitions were filed by many over the course of two to three years. Many of the diesel automobile manufacturers and vehicle owners approached the court for some relief. Certain modifications with respect to extension of time was allowed. A few relaxations such as permission to ply vehicles to those who have placed orders for CNG or new vehicles were also given. The directions passed by the Supreme Court had far reaching consequences especially on public transportation. The government therefore, approached the court to balance the interest of public transportation and air pollution which led to another important judgement passed on 5<sup>th</sup> April 2002.

### **Judgement of 5<sup>th</sup> April 2002**

This judgement is pertinent as the Court was considering Centre's prayer that based on the recommendation of Mashelkar Committee, user may be allowed to choose the fuel of her choice provided the fuel has only 0.05% of sulphur content. The Court rejecting the plea, cautioned the Centre that one cannot abdicate the constitutional and statutory duty to preserve environment and protecting public health. The three judge bench comprising B.N. Kirpal, V.N. Khare and Ashok Bhan reiterated the link between right to health and right to clean environment. They clarified that CNG is considered as a clean fuel and supply of CNG to transport sector should be the priority of the government. The Court also passed strict orders by denying application seeking extension of

time for phasing out diesel run buses and by imposing penalty of Rs. 500 per day for plying diesel buses. This was increased to Rs. 1000 per day after 30 days of operation. The Court suggested that LPG or other alternate fuel as suggested by Bhurelal Committee can be considered.

#### **National emission and fuel quality standards- Bharat Stage (BS) BS I- IV**

One of the main policy decisions to combat air pollution is through controlling fuel quality standard which was also influenced by orders in the Vehicular Pollution Case. Modelled on Euro norms, India developed its own emission standards, namely Bharat Stage. The BS introduced new standards for producing better fuels which emit less air pollutants such as particulate matter, nitrogen dioxide, carbon monoxide from internal combustion engine. The Supreme Court order dated 29<sup>th</sup> April 1999 had directed that all private non-commercial vehicles in NCR should conform to Euro II norms. The government of India passed its Auto Fuel Policy in 2003 which mentioned shifting to Bharat Standard (BS) IV by 2010. BS IV standard was initially applicable to a few metropolises and by 2007 to the entire country.

#### **Several orders relating to Environmental Compensation Charge**

The Vehicular Pollution case was also significant since the Supreme Court ordered imposition of 'Environment Compensation Charge' (ECC) on all light and heavy duty commercial vehicles entering Delhi from outside. The amount collected is ordered to be exclusively used for augmenting public transport and improving roads, particularly for most vulnerable users, that is, cyclists and pedestrians in Delhi. Later, several vehicles such as passenger vehicles, ambulances, vehicles transporting essential commodities like food items and oil were exempted from ECC. The direction of restriction on vehicles entering Delhi was very stringent as those registered in the year 2005 or earlier shall not qualify for such entry. The Court also clarified that vehicles running on CNG are not required to pay ECC. In addition, those private vehicles with 2000cc diesel engine are required to pay 1% of ex-show room price as ECC for allowing them to ply in Delhi.

#### **Uniform fuel quality standard norm- shift from BS IV to BS VI to whole of India by 31<sup>st</sup> March 2020**

The latest judgement is that of 24<sup>th</sup> October 2018. In this, bench consisting of Justice Madan Lokur, Justice Deepak Gupta and Justice Abdul Nazeer, was hearing the petition of whether accumulated stock of BS IV compliant vehicles manufactured till March 2020 can be registered till September of 2020. Sub-rule 21 of Rule 115 stated that accumulated stock of BS IV compliant vehicles manufactured before 1<sup>st</sup> April 2020 but sold in drive away chassis can be registered till September 2020. The Supreme Court relying on purposive interpretation, read down the sub-rule 21 of rule 115 of the Motor Vehicles Rules, 1989. The Court ruled that no BS IV compliant vehicles can be sold or registered from 1<sup>st</sup> April 2020. This is to ensure that by 1<sup>st</sup> of April 2020, the whole India

will shift from BS IV to BS VI standard. It is pertinent to note that the Court affirmed that no one has a right to manufacturing polluting vehicles when the technology for producing less polluting vehicles is available.

From the above discussions it is evident that judiciary played a key role in devising stringent emission control norms for vehicles. The issue of vehicular pollution is now being recognised as not just confined to NCR but as a menace affecting the entire country.

Source: [LiveLaw.com](https://www.livelaw.com)

## Handout 2

## THE CONSTITUTION (EIGHTY-SIXTH AMENDMENT) ACT, 2002

[12th December, 2002.]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:-

1. Short title and commencement. - (1) This Act may be called the Constitution (Eighty-sixth Amendment) Act, 2002.  
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. Insertion of new article 21A. - After article 21 of the Constitution, the following article shall be inserted, namely:-  
Right to education.-"21A. The State shall 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."
3. Substitution of new article for article 45. - For article 45 of the Constitution, the following article shall be substituted, namely: - .  
Provision for early childhood care and education to children below the age of six years.  
"45. The State shall endeavor to provide early childhood care and education for all children until they complete the age of six years."
4. Amendment of article 51A. - In article 51A of the Constitution, after clause (J), the following clause shall be added, namely:-  
"(k) Who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years."

SUBHASH C. JAIN,  
Secy.to the Govt. of India.

## STATEMENT OF OBJECTS AND REASONS

1. The Constitution of India in a Directive Principle contained in article 45, has 'made a provision for free and compulsory education for all children up to the age of fourteen years within ten years of promulgation of the Constitution. We could not achieve this goal even after 50 years of adoption of this provision. The task of providing education to all children in this age group gained momentum after the National Policy of Education (NPE) was



announced in 1986. The Government of India, in partnership with the State Governments, has made strenuous efforts to fulfil this mandate and, though significant improvements were seen in various educational indicators, the ultimate goal of providing universal and quality education still remains unfulfilled. In order to fulfil this goal, it is felt that an explicit provision should be made in the Part relating to Fundamental Rights of the Constitution.

2. With a view to making right to free and compulsory education a fundamental right, the Constitution (Eighty-third Amendment) Bill, 1997 was introduced in Parliament to insert a new article, namely, article 21 A conferring on all children in the age group of 6 to 14 years the right to free and compulsory education. The said Bill was scrutinised by the Parliamentary Standing Committee on Human Resource Development and the subject was also dealt with in its 165th Report by the Law Commission of India.
3. After taking into consideration the report of the Law Commission of India and the recommendations of the Standing Committee of Parliament, the proposed amendments in Part III, Part IV and Part IVA of the Constitution are being made which are as follows:-
  - (a) to provide for free and compulsory education to children in the age group of 6 to 14 years and for this purpose, a legislation would be introduced in Parliament after the Constitution (Ninety-third Amendment) Bill, 2001 is enacted;
  - (b) to provide in article 45 of the Constitution that the State shall endeavor to provide early childhood care and education to children below the age of six years; and
  - (c) to amend article 51A of the Constitution with a view to providing that it shall be the obligation of the parents to provide opportunities for education to their children.

The Bill seeks to achieve the above objects.

MURLI MANOHAR JOSHI.

NEWDELHI;

The 16th November, 2001.

#### Right to Education Act 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.

The RTE Act provides for the:

- Right of children to free and compulsory education till completion of elementary education in a neighbourhood school.
- It clarifies that ‘compulsory education’ means obligation of the appropriate government to provide free elementary education and ensure compulsory admission, attendance and completion of elementary education to every child in the six to fourteen age group. ‘Free’ means that no child 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.
- It makes provisions for a non-admitted child to be admitted to an age appropriate class.
- 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.
- It lays down the norms and standards relating inter alia to Pupil Teacher Ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours.
- 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. 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.
- It provides for appointment of appropriately trained teachers, i.e. teachers with the requisite entry and academic qualifications.
- 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,
- 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.

Source: MHRD

## Handout 3

Preparing for the debate.

Group-	Task-
Opening Argument	
First Supporting statement	
Second supporting statement	
Third supporting statement	
Closing argument	

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