

# **SUPPORTING PROVISIONS** **OF** **RTE HELPLINE**

RTE Helpline is mandated by:

1. THE MIZORAM RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION RULES, 2011 PART-8 Sec. 25 (1) & (2)
2. MODEL RULES UNDER THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION ACT, 2009 PART VIII – PROTECTION OF RIGHT OF CHILDREN

**Manner of furnishing complaints before the State Commission for Protection of Child Rights**

25(1) The State Commission for Protection of Child Rights, or the REPA, as the case may be, shall set up a child helpline, accessible by SMS, telephone and letter, which would act as the forum for aggrieved child/guardian to register complaint regarding violation of rights under the Act, in a manner that records her identity but does not disclose it.

(2) All complaints to the helpline should be monitored through a transparent ‘alert and action’ online mechanism by the State Commission for Protection of Child Rights, or the REPA, as the case may be.

1. TAKSA CHUNGA INHREMNA  
(PHYSICAL/CORPORAL PUNISHMENT)
2. ṬAWNGKAA HRAWK/VAU/DIRIAM, ETC.  
(VERBAL ABUSE/HARASSMENT)

THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION  
(RTE) ACT, 2009

Prohibition of physical punishment and mental harassment to child

Section 17. (1) No child shall be subjected to physical punishment or mental harassment.

(2) Whoever contravenes the provisions of sub-section (1) shall be liable to disciplinary action under the service rules applicable to such person.

3. CHHAIH NAWMNAH/TIHDUHDAH/ENHRAN  
(BULLYING/RAGGING/DISCRIMINATION)

THE MIZORAM RIGHT OF CHILDREN TO FREE AND COMPULSORY  
EDUCATION RULES, 2011

## PART III – Duties of State Government, Local Authority (Page No. 5-6)

5.

(5) The Government, Local Authority and the School authority shall ensure that a child belonging to a weaker section and a child belonging to disadvantaged group is not segregated or discriminated against in the classroom, during mid-day-meals, in the playgrounds, in the use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms.

The Central Board of Secondary Education (CBSE) ordered the setting up of Anti-bullying committees in 2015, by issuing guidelines for the prevention of bullying and ragging in school. Various methods to curb this threat, recommended by the committee is warnings, suspension, rustication expulsion. This circular suggests that anti-bullying committees be set up in schools.

### UGC Circular:

In 2009 an anti-ragging circular, “*UGC Regulations on Curbing the Menace of Ragging in Higher Education Institutions, 2009*” was issued and applied in all institutes of higher education. To address the brutal ragging faced by college students. There is an exhaustive definition given of ragging and also calls up for setting up an Anti-ragging Squads. This has lead to the regulation of ragging; however, the same cannot be completely curbed.

### Provisions of IPC:

Most college-going students who had been alleged to commit an act of ragging in juniors are over the age of 18 and are considered to be adults in the eyes of the law. Thus, the consequences of criminal acts committed by them would be governed by the [Indian Penal Code](#). Broadly following are the relevant provisions of IPC under which they can be found guilty.

1. [Section 506- Punishment for criminal intimidation](#)
2. Section 323 to 326, causing hurt and grievous hurt and their respective punishments.
3. [Section 304- provisions of culpable homicide will be applicable in case of death of the victim.](#)
4. [Section 306- Abetment of suicide.](#)
5. [Section 307- Attempt to murder.](#)

### Cyberbullying

CBSE Circular also recognizes cyber-bullying as a form of bullying. It can be defined as the use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature.

Broadly, an act of cyberbullying sweeps following offenses. This list is inexhaustive.

1. Posting any humiliating content depicting the victim. Hacking the victim’s account.
2. Sending obscene/vulgar messages.
3. Threatening to commit acts of violence.
4. Stalking by means of calls, messages, etc.
5. Threats of child pornography.

*The Ryan Halligan Case of Vermont (2003)* was the first case that dealt with the issue of cyberbullying in which the defendant was not held liable for cyberbullying the girl because of [criminal law](#) could not be applied in that matter.

In India, there is no specific legislation dealing with the same. However, there are certain provisions of the subsisting statutes, which are applied in the case of Cyber Bullying.

Section 506 and 507 of the IPC which deal with criminal intimidation may be applicable in case of cyberbullying. [Section 499 of the IPC deals with defamation](#), may be used if the cyberbully threatens to publish humiliating content about the victim. An amendment to IPC includes stalking, sexual harassment and harassment in general through electronic means in Sub-section 354 A of the IPC. Section 6E of IT Act deals with punishment for violation of privacy may be applied to cases of cyberbullying.


#### 4. SIKUL IPTE RIT LUTUK (HEAVY SCHOOL BAG)

Ref.: D.O. No. 1—4/2018-15-3, MHRD, New Delhi Dated 05.10.2018

The Ministry of Human Resource Development (MHRD) has instructed all states and union territories to formulate guidelines to rationalise teaching of subjects to regulate the weight of school bags as per the instructions of the Government of India.

The circular instructed that school bags of students of classes I and II should not weigh more than 1.5 kilograms and in case of students of class III and IV, the weight of bag should not exceed 3 kilograms.

They also ordered schools not to exceed the weight of bags beyond 4 kilograms for students of class VI and VII, 4.5 kilograms for class VIII and IX students and 5 kilograms for class X students.



**Centre puts cap on weight of school bags**

- Human Resource Development (HRD) ministry has banned assigning homework for students of Classes 1 and 2.
- Schools should not prescribe any other subjects except language and mathematics for classes I and II and language, EVS and mathematics for classes III to V students as prescribed by the NCERT.
- Students should not be asked to bring additional books, extra materials and the weight of a school bag should not exceed the prescribed limit.
- The school bag of students of classes VI and VII should not be more than 4 kg, while weight of school bags of classes VIII and IX students should not be above 4.5 kg. The school bag of a class X student should not weigh above 5 kg

CLASS	Weight of School Bag
I - II	1.5 KG
III - V	2 - 3 KG
VI - VII	4 KG
VIII - XI	4.5 KG
X	5 KG

5. ZAHMAWH RAWNGKAI/MIPAT HMEICHHIATNA LAM HAWI  
ZAWNGA CHHAIH/TAKSA KHAWIH SAK, KHAWIH TIR, ETC.  
(**VERBAL/PHYSICAL SEXUAL ABUSE/HARASSMENT**)

POCSO Act, 2012

6. PIANPHUNGA RUALBANLOTE TAN – ZIRTIRTU BIK AWM LO;  
REMCHANNA AWM t̄HA TAWK LO  
(**NO SPECIAL EDUCATOR(S)/TRAINED TEACHER(S);  
NO/LIMITED BARRIER FREE ACCESS FOR CHILDREN WITH  
SPECIAL NEEDS**)

RTE Rules, 2010

Special Training.- (1) The School Management Committee of a school owned and managed by the appropriate Government or local authority shall identify children requiring special training and organise such training in the following manner, namely:

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- (a) The special training shall be based on specially designed, age appropriate learning material, approved by the academic authority specified in sub-section (1) of section 29;
- (b) The said training shall be provided in classes held on the premises of the school, or in classes organised in safe residential facilities;
- (c) The said training shall be provided by teachers working in the school, or by teachers specially appointed for the purpose;

**“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”**

**Section 1 – Infrastructure (Page No. 15 onwards)**

14. Barrier Free Access for Children with Disabilities

MHRD circular to the states/SSA framework for implementation of RTE Act specifically highlights the importance of making the school environment safe for children with disabilities and special needs.

1. Ramps must be constructed to provide access to the following places.
  - Entry to the school
  - Classrooms
  - Toilets
  - Playground
  - Library
  - Canteen
  - Auditorium/Hall
  - Floor to floor
2. Railings need to be provided on the both sides of ramp.
3. The school needs to make provision for children (children with visual impairment and low vision) to move around in the school safely and independently.

4. The school should make provision to provide a school map in Braille indicating all the facilities including classrooms, common rooms, library, toilets, etc. that may be suitably placed at the main gate of the school or at any other suitable place. In addition, all the classrooms should have the signage in Braille for children with visual impairment.
5. An emergency and evacuation plan of the school should also be in Braille.

## **PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) ACT, 1995**

### CHAPTER V EDUCATION (Page No. 259 onwards)

26. The appropriate Governments and the local authorities shall-

- (a) Ensure that every child with a disability has access to free education in an appropriate environment till he attains the age of eighteen years;
- (b) Endeavour to promote the integration of students with disabilities in the normal schools;
- (c) Promote setting up of special schools in Government and private sector for those in need of special education, in such a manner that children with disabilities living in any part of the country have access to such schools;
- (d) Endeavour to equip the special schools for children with disabilities with vocational training facilities.

27. The appropriate Governments and the local authorities shall by notification make schemes for-

- (a) Conducting part-time classes in respect of children with disabilities who having completed education up to class fifth and could not continue their studies on a whole-time basis;
- (b) Conducting special part-time classes for providing functional literacy for children in the age group of sixteen and above;
- (c) Imparting non-formal education by utilizing the available manpower in rural areas after giving them appropriate orientation;
- (d) Imparting education through open schools or open universities;
- (e) Conducting class and discussions through interactive electronic or other media;
- (f) Providing every child with disability free of cost special books and equipments needed for his education.

28. The appropriate Governments shall initiate or cause to be initiated research by official and non-governmental agencies for the purpose of designing and developing new assistive devices, teaching aids, special teaching materials or such other items as are necessary to give a child with disability equal opportunities in education.

29. The appropriate Governments shall set up adequate number of teachers' training institutions and assist the national institutes and other voluntary organizations to

develop teachers' training programmes specializing in disabilities so that requisite trained manpower is available for special schools and integrated schools for children with disabilities.

30. Without prejudice to the foregoing provisions, (be appropriate Governments shall by notification prepare a comprehensive education scheme which shall make Provision for-

(a) Transport facilities to the children with disabilities or in the alternative financial incentives to parents or guardians to enable their children with disabilities to attend schools.

(b) The removal of architectural barriers from schools. colleges or other institution, imparting vocational and professional training;

(c) The supply of books, uniforms and other materials to children with disabilities attending school.

(d) The grant of scholarship to students with disabilities.

(e) Setting up of appropriate forum for the redressal of grievances of parent, regarding the placement of their children with disabilities;

(f) Suitable modification in the examination system to eliminate purely mathematical questions for the benefit of blind students and students with low vision;

(g) Restructuring of curriculum for the benefit of children with disabilities;

(h) Restructuring the curriculum for benefit of students with hearing impairment to facilitate them to take only one language as part of their curriculum.

31. All educational institutions shall provide or cause to be provided amanuensis to blind students and students with or low vision.

### **“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”**

#### **Section IV – Roles & Responsibilities of Teachers (Page No. 56-57)**

#### **4. Minimum Standards for Inclusive Education of Children with Disabilities (IECD)**

The CBSE Guidelines on Children with Special Needs (CWSN) advises the following.

- I. To ensure that no child with special needs is denied admission in mainstream education
- II. To monitor the enrolment of disabled children in schools.
- III. To provide support through assistive devices and availability of trained teachers.
- IV. To modify the existing physical infrastructure and teaching methodologies to meet the needs of all children including Children with Special Needs.
- V. To ensure that 3% reservation of persons with disabilities is done in all institutions receiving funds from Government (Under The Person with Disabilities Act, 1995)
- VI. To ensure that all schools are made disabled friendly by 2020 and all educational institutions including hostels, libraries, laboratories and buildings will have barrier free access for the disabled.

- VII. To ensure availability of study material for the disabled and Talking Text Books, Reading Machines and computers with speech Software.
- VIII. To ensure an adequate number of sign language interpreters, transcription services and a loop induction system will be introduced for the hearing handicapped students
- IX. To revisit classroom organisation required for the education of Children with Special Needs.
- X. To ensure regular in-service training of teachers in inclusive education at the elementary and secondary level.

## 7. SIKULA DAWN TUR THIL DAWNG LO/DAWNG KIM LO (DENIAL OF ENTITLEMENTS)

### THE MIZORAM RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION RULES, 2011

#### PART III – Duties of State Government, Local Authority (Page No. 5-6)

5.

(1) A child attending a school established, owned or controlled by the Government, a child attending Government Aided School, and a child attending a specified category school such as, Kendriya Vidyalaya, Navodaya Vidyalaya, Jawahar Novadaya Vidyalaya and Sainik School shall be entitled to free text books and writing materials.

Provided that a child belonging to Below Poverty Line (BPL) family, attending the school mentioned in sub-rule (1) above shall also be entitled to free school uniforms.

Provided further that a child with disabilities shall be provided free special learning and support material.

(5) The Government, Local Authority and the School authority shall ensure that a child belonging to a weaker section and a child belonging to disadvantaged group is not segregated or discriminated against in the classroom, during mid-day-meals, in the playgrounds, in the use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms.

## 8. SIKUL AṭANGA HNAWHCHHUAH (EXPULSION FROM SCHOOL)

### RTE Act, 2009

#### CHAPER IV – RESPONSIBILITIES OF SCHOOLS AND TEACHERS

16. No child admitted in a school shall be held back in any class or **expelled from school** till the completion of elementary education.

## 9. NAUPANG (KUM 14 HNUAILAM) SIKUL KAI LO {NOT ATTENDING SCHOOL (BELOW 14 YEARS)}

### RTE Act, 2009

#### CHAPER II – RIGHT TO FREE AND COMPULSORY EDUCATION

3. (1) Every child of the age of six to fourteen years shall have a right to free and compulsory education in a neighbourhood school till completion of elementary education.

4. Where a child above six years of age has not been admitted in any school or though admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age;

## 10. SCHOOL MANAGEMENT COMMITTEE AWM LO/MUMAL LO (NO/NON-FUNCTIONAL SCHOOL MANAGEMENT COMMITTEE)

RTE Act, 2009

### CHAPER IV – RESPONSIBILITIES OF SCHOOLS AND TEACHERS

21. (1) A school, other than a school specified in sub-clause (iv) of clause (n) of section 2, shall constitute a School Management Committee consisting of the elected representatives of the local authority, parents or guardians of children admitted in such school and teachers;

### “MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”

Section III – Psycho Social Aspects

6. School Environment (Page No. 53-54)

I. The School environment should be such each child should be feeling that help would be available to him/her if he/she approached them. The School Management Committee (SMC) members may facilitate this process by regularly visiting the schools and interacting with students. Children may find it easier to report incidents at the initial stage itself if the school environment is conducive.

Methodologies, like:

- i. **Help Desk** in schools may be set up.
- ii. **Names & Contact Numbers of School Management Committee (SMC)** or **Parents Teachers Association (PTA)** may be displayed in prominent places in the schools.
- iii. Any other mechanism may also be adopted depending on the local circumstances.

## 11. SIKUL CURRICULUM A TEL SI LO PAWISA INCHAWITIR (CAPITATION FEE NOT MENTIONED IN THE SCHOOL CURRICULUM)

RTE Act, 2009

### CHAPER IV – RESPONSIBILITIES OF SCHOOLS AND TEACHERS



- (1) No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure.

**12. SIKUL LUH DILNA HNAWLSAK  
(DENIAL OF SCHOOL ADMISSION)**

RTE Act, 2009

CHAPER IV – RESPONSIBILITIES OF SCHOOLS AND TEACHERS

15. A child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed;

Provided that no child shall be denied admission if such admission is sought subsequent to the extended period;

Provided further that any child admitted after the extended period shall complete his studies in such manner as may be prescribed by the appropriate Government.

**13. ZIRTIRTU KAL t̄HA LO/ZIRTIR t̄HA LO/ZIRTIRTU INDAIH LO  
(UNSATISFACTORY TEACHING/INADEQUATE TEACHERS)**

RTE Act, 2009

CHAPER IV – RESPONSIBILITIES OF SCHOOLS AND TEACHERS

27. No teacher shall be deployed for any non-educational purposes other than the decennial population census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament, as the case may be.

24. (1) A teacher appointed under sub-section (1) of section 23 shall perform the following duties, namely: -

- (a) maintain regularity and punctuality in attending school;
- (b) conduct and complete curriculum within the specified time;

**14. LEHKHABU LEH THIL DAHt̄HATNA AWM LO/AWM t̄HA LO  
(NO SAFE PROVISION TO KEEP BOOKS/BELONGINGS)**

**15. CHAW CHHUN THIANGHLIM LO/SEM t̄HA LO/SEM TLEM/PE  
DUH LO, ETC.  
(UNHYGIENIC/IRREGULAR/INSUFFICIENT/ DENIED, ETC.,  
MIDDAY MEAL)**

“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”

Section II – Health and Hygiene

6. Mid-day-Meal: Food Safety and Hygiene (Page No. 28 onwards)

**16. MIPA LEH HMEICHHE INTIARNA AWM HRANG LO  
(NO SEPARATE TOILETS FOR BOYS & GIRLS)**

“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”

Section II – Health and Hygiene

4. Hygiene and Sanitation (Page No. 25)

a. Toilets

Separate toilets for boys and girls, with one unit generally having one toilet (WC) plus 3 urinals should be provisioned in every school. The ratio to be maintained is preferably one unit for every 40 students.

**17. SIKUL-AH HARSATNA LEH LUNGAWI LOHNA THLENNNA TUR  
AWM LO  
(NO COMPLAINT/GRIEVANCES REDRESSAL MECHANISM IN  
SCHOOL)**

“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”

Section III – Psycho Social Aspects

6. School Environment (Page No. 53-54)

I. The School environment should be such each child should be feeling that help would be available to her if she approached them. The SMC members may facilitate this process by regularly visiting the schools and interacting with students. Children may find it easier to report incidents at the initial stage itself if the school environment is conducive. Other methodologies, like help desk in schools supported by Mahila Samakhya in Kerala, toll free numbers of Odisha, formation of child cabinets/kishorimanch/balsabha, open house with parents, etc. may also be adopted depending on the local circumstances.

“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”

Section III – Psycho Social Aspects

4. Salient features of POCSO Act, 2012

C. Additional Safeguards (Page No. 51)

I. Complaints/Grievance redressal system

“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”

Section IV – Roles & Responsibilities of Teachers

6. Psycho-Social Well-being (Page No. 59)

VI. As per the Guidelines for prevention of Bullying and Ragging in Schools MHRD.

a. (vi) names and contact numbers of members of the committee should be clearly displayed everywhere in the school premises, etc.

d. For younger children, age appropriate communication strategies should be developed and teachers should engage in dialogue with them to identify any problem. The role of class teacher, counsellor, school nurse/doctor may be enriched and children should be motivated and made aware with whom they can discuss such matters with confidentiality.

## 18. TUITHIANGHLIM IN TUR AWM LO (NO SAFE DRINKING WATER)

“MANUAL ON SAFETY AND SECURITY OF CHILDREN IN SCHOOLS”

Section II – Health and Hygiene

4. Hygiene and Sanitation (Page No. 27)

d. Drinking Water

The MDM guideline also highlights the importance of provision of safe drinking water to children in schools.

- I. Daily provision of sustainable safe drinking water and adequate water for hand-washing, in a child-friendly way. In addition, water for school cleaning and also food preparation and cooking. Safe handling and storage and maintenance of drinking water should be practiced throughout the school.
- II. The school authorities should ensure that drinking water is potable and if the water is being drawn from an underground source, necessary filtration/purification to be organised with support from district level for portability of water.
- III. Drinking water should be at a safe distance of at least 10 meters from the bleach/soak pits attached to school toilet or nearby toilets or from the community sewage water drain.