

ON RECORD

Children's rights must be protected

by Vibha Sharma

INCREASING incidents of corporal punishment recently prompted the newly set up National Commission for Protection of Child Rights (NCPCR) to send a directive to state governments to take effective steps to check incidents of corporal punishment in schools.

In her communique to chief secretaries of states and UTs, NCPCR Chairperson Shantha Sinha maintained that all forms of corporal punishment were a fundamental breach of human rights and asked the states to intimate the action taken within two months. In an interview with The Sunday Tribune, Sinha, a political science Professor from the University of Hyderabad, explains the rationale behind the directive.



Shantha Sinha

Excerpts:

Q: What should state governments do to protect child rights?

A: The NCPCR wants the state governments to create a conducive atmosphere to safeguard children from punishment. We want the education department of all states to ensure that children are informed through campaigns and publicity drives that they have a right to speak out against corporal punishment and bring it to the notice of the authorities. They should have the confidence to protest and not accept punishment as commonplace in the school. Schools have been given two months time.

Q: What steps have you proposed that schools take?

A: All schools, besides hostels, shelter homes and other public institutions meant for children must have a forum where children can express their views. These institutions can take the help of NGOs for facilitating such an exercise. There should be a complaint box where children can drop their complaints, even if anonymous, in each school. There should be a monthly meeting of PTAs or any other body to review the complaints and take action.

The PTAs are to be encouraged to act immediately on any complaint made by children without postponement of the issue and waiting for a more grave injury to be caused. Parents as well as children are to be empowered to speak against corporal punishment without any fear that it would have an adverse effect on the children's participation in schools.



Q: What prompted the need for such guidelines?

A: That children have rights and they need to be respected as individuals is as yet not part of public discourse. It is precisely because of this that there have been instances of violence in schools, both government and private. A young boy died in a school in Rajasthan and there were news reports about children being subjected to electric shocks to discipline them elsewhere.

There have been reports on prevalence of corporal punishment in schools and public institutions in our country, which are quite shocking. A Pan International India report recently voiced concern that children were dropping out of schools and the cause was their inability to cope with corporal punishment. Some NGOs have conducted studies in Andhra Pradesh that show that corporal punishment in government and private schools was going unchecked.

Q: What about discipline?

A: There is a difference between punishment and positive discipline. Certainly, you have to correct a child if necessary but there are ways and means to do so. As far as physical violence is concerned, it is totally unacceptable. One cannot be allowed to play with a child's life, dignity and rights. There is no way a child's rights can be taken for granted.

Q: The problem also is of too many children and too few teachers.

A: Too many children and too few teachers or classrooms is no reason to inflict corporal punishment. By taking it out on a weaker party – children – neither teachers' rights nor children's rights are protected.

Q: Don't you think that such measures can prompt children to make complaints even at the smallest provocation?

A: No, I don't think so. The purpose of this guideline is to sensitise teachers and build a tradition of respecting children. I am sure teachers will agree that under such an atmosphere children will not be prompted to make complaints. There are exemplary schools and teachers that have been able to build a school culture where children's rights are protected. Such teachers have been innovative and creative instead of resorting to punishment. I believe that this is possible. We only need to emulate them.

Q: Does NCPCR have any legal or other powers to take action against violators?

A: The Commission has all the powers of a civil court trying a suit under the Code of Civil Procedure.