

# RTE Act: A Safeguard to Mental Health of Children

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## Abstract

*No one is unknown to the fact that education makes a man civilized and fit to reach at the zenith of humanity. The famous educationist Rousseau righteously said that plants are developed by cultivation and men by education. In this sequence if we talk about Right to Education, the plan of government knocks the door of total development of children between 6 to 14 which also bears a witness further to achieve the goal of hundred percent enrolment. The plan of hundred percent enrolment may take a long time but makes us sure about a bright future of would be citizens who are in their bud stage today. If we deeply investigate this healthy and constructive right in a proper way then the facts come to us that this fundamental right plans to cover the total development of the children. One of the main aspects in this goal to total development involves the mental development of children which can be achieved via this right because of getting a soft and flexible environment in school set up. The present paper would attend to focus on mental health of would be citizens of India mediating with all pros and cons of Right to Education.*

## Key Words

*Right to Education, Mental Health, Total Development, Hundred Percent Enrolment, Psychological Evaluation*

## I. Introduction

The ancient Indian philosophy reveals the secret of education as, "the man without education is burden on earth". In present time all are known to the fact that both the Health and Education comes under the category of fundamental rights. In scientific style one can say that status of health and education is directly proportional to one and another. As per the policy imperative of RTE Act, The Early Childhood Education (ECE) directive under Article 45 of the Indian Constitution should be Included as a Fundamental Right to Education. There is a need to discuss on health first to see the role of RTE Act on specific subject i.e. mental health of children. According to Ralph Waldo Emerson, "the first wealth is health". Undoubtedly the words of Emerson would have a universal acceptance. World Health Organization defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity." This defines the Right to Health as "The enjoyment of the highest attainable standard of health." The right to health is available to all individual across the globe which has been enumerated in International agreements like Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights and the Convention on the right of persons with disabilities. Article 25 of Universal Declaration of Human Rights -1948 covers the statement as "everyone has the Right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social service."

## II. Mental Health of Children and Right to Education Act

Since ancient period the educational environment has been supporting the individuals to live a happy and healthy life. The universal aim of education reveals total development which automatic covers the social and mental well-being of the children. Although by seeing the significant role of education in the life of common man it becomes a fundamental human right automatic for everyone yet in constitutional mirror it took a long time to be recognized. If we talk about India, there is provision of right to free and compulsory education for every child between 6 to 14 years of age. This is stated as per the 86th Constitution Amendment Act added Article 21A.

The title of this very paper invites a question that How the Right to Education Act strengthens the path of mental health of children? The answer would be very simple and easy to understand that a good educational set up always tries to go through the universal aim of education i.e. total development. The essence of this very act can be seen by the following discussion.

## III. Hundred Percent Enrolment

The 86th Amendment Act (2002) via Article 21A (Part III) seeks to make free and compulsory education a Fundamental Right for all children in the age group 6-14 years. Next to this a day appears as victory of triumph when the RTE Act comes in genuine existence i.e. April 1,2010. If the plan of enrolment for all the children of ages between 6 to 14 gets at a genuine implementation, the mental health issues would become to count on fingers. A recent WHO report had said that India sees the largest numbers of suicides globally and, in the 15-29 years age group, it has the highest suicide rate. "The Centre will allocate funds to all hospitals in the country to enable them to open departments for treating patients in need of psychological and psychiatric health care and help those that want to upgrade their mental health care facilities," Former Health Minister Vardhan said. You can see that just after completing 14 years a child enters in the above said period i.e. 15-29. This symbolizes that if we prepare a good educational set up by the help of the aroma of RTE Act, the children would get a complete care by the teachers in the schools for their total development. Educationist says that schools represent an important context in which to prevent, Identify, and intervene to reduce children's mental health Problems (Atkins, Hoagwood, Kutash, & Seidman, 2010; Stephan, Weist, Kataoka, Adelsheim, & Mills, 2007). The achievement of 'hundred percent enrolment' may strengthen it further which can be seen by the following sub-titles.

## A. The End of Traditional Lacunas

By the real execution of RTE Act the education system will be surely free from the traditional lacunas. The phrase "spare the rod and spoil the child" was dominant in the school system but it has been totally denied by this very act. Next to this as in the ancient days the teachers at schools were often practicing the impressionistic or repressionistic approach of discipline but this

very act motivates the teachers to go through the emancipationist approach of discipline. Such types of traditional lacunas were the key factors to invite the mental stress among the children. By the end of traditional lacunas the children may become free from mental burden. Thus this very act plays a key role to promote the mental health among the children.

### **B. A Careful and Motherly Environment of Schools**

By the essence of Right to Education Act the school environment succeeds to be a garden of happiness and joy. Undoubtedly the quotation "where there is beauty there is joy" becomes true. The joyful environment of school arranges a way of right nourishment of children in their bud-stage. Hence they enjoy a stress free further life.

### **C. Psychological Evaluation**

Research reports clarify that half of all lifetime cases of mental health illness begins by age 14. In general the disorders like anxiety disorder, attention deficit hyperactivity disorder, autism spectrum disorders, bipolar disorder, depression and schizophrenia etc. can be seen as affecting the mental health of children. It is the school environment and educational set up which properly cares of the children between the ages of 6 to 14 which can be prevented by the right counseling at right time. In the counseling of student, teachers play a major role by virtue of which they can be cured at its initial stage. We could talk about the Cognitive Behavioral Therapy which is a type of psychotherapy that can be used with children. It has been widely used as an effective treatment of Proper Counseling by School Teachers.

### **D. Philosophy of Learning without Burden**

Though the suggestion of learning without burden is first reported by Yashpal in 1993 but after the implementation of RTE Act it comes at its genuine fate.

### **IV. The Rights of Children: At a Glance**

The Indian Constitution has a wide range of provisions regarding the right to health and as well as education. The evidences regarding good health of children can be seen by the Constitutional directives contained in Articles 38, 39(f), 42, 47 and 48 A in Part IV of the Constitution of India. There is a need to go through the important conventions and declarations regarding health and educational rights of children so that their exploitation could be stopped. In this sequence the main convention which cannot be ignored is genuinely The Convention on the Rights of the Child. Let us go to see this convention in the light of health of children.

### **V. Convention on the Rights of the Child**

This convention appeals for the total development of children which also bears of universal aim of education. There is a provision for the children that they should be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity along with the protection against exploitation in their childhood. Health is mentioned on several instances in the convention on the rights of child (1989). The Article 3 of the convention calls upon parties to ensure that institutions and facilities for the care of children adhere to health standards and Article 17 confirms the child's right to access information that is pertinent to his/her physical and mental health and well-being. Article 23 makes specific reference to the rights of disabled children, in which it includes health services, rehabilitation, and

preventive care. Article 24 outlines child health in detail, and states, "Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States shall strive to ensure that no child is deprived of his or her right of access to such health care services." The following measures have been enumerated by the convention towards the implementation of this very provision:

- To diminish infant and child mortality;
- To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
- To combat disease and malnutrition, including within the framework of primary health care, through inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
- To ensure appropriate pre-natal and post-natal health care for mothers;
- To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;
- To develop preventive health care, guidance for parents and family planning education and services;

### **VI. Remedial Measures**

It's an irony of the nation that even after passing near about three decades of Mental Health Act -1987 (unfortunately which could not come into force properly) and more than half decade of the Right of Children to Free and Compulsory Education Act-2009 and many other policies favoring children like National Nutrition Policy 1993, The National Health Policy, 2002 and National Plan of Action for Children, 2005 and National ECCE policy 2013, a large number of children are on roads with a burden of hunger still. By seeing their social, mental and educational status, the researchers would like to suggest some of the ways by which we could get at a positive consequence.

There are some suggestions are noted below which can be a remedial measure to bring them in mainstream.

- i. Stigma attached to the children should be removed by making aware the community through various outreach programs i.e., street plays, skits, rallies, awareness programs.
- ii. Legal awareness camp should be organized for the Rights of Children.
- iii. Seminars, conferences and other orientation courses should be organized to discuss the causes of their deprivation and critical conditions still.
- iv. Information campaigns regarding RTE Act and health policies should be started to make common people, teachers and parents aware about the developments of children in every spheres of life. It will somewhat help them to overcome the problems being faced by them.

### **VII. Conclusion**

From the above discussion it can be said that the Right to Education Act may reach at revolutionary consequence regarding health issues especially with reference to mental health of children, if its implementation gets a genuine zenith. There is need to make

people aware regarding this right in a proper way because its aroma may strengthen the tomorrow's citizens' of India via sound health and true education.

## References

- [1] A.H. Cloth, S.W. Evans, S.P.Becker, C.E.Paternite, "Social maladjustment and special education: State regulations and continued controversy", *Journal of Emotional and Behavioral Disorders*, 2013
- [2] Atkins, M. S, Pelham, W. E, Licht, M, "A comparison of objective classroom measures and teacher ratings of attention deficit disorder", *Journal of Abnormal Child Psychology*, 13(1), pp 55-167, 1985
- [3] C. Naseema, 'Human Rights Education: Conceptual and Pedagogical Aspects', New Delhi: Kanishka Publishers, 2007
- [4] *Convention on the Rights of the Child*, 1989.
- [5] Evans. Steven W. Stephen. Sharon H, S. George.S, "Advancing Research in Shool Mental Health: Intrduction of a special Issue on key Issues",*Shool Mental Health*.Published online on 14 May,2014
- [6] I. Khandekar, B.H. Tripude, P.N. Murkey, P.N, "Right to Health Care", *Journal of Indian Academic Medicine*, Vol. 34, No 3, 2012
- [7] *India's first mental health policy launched*. Online published in TNN | Oct 11, 2014, 12.53AM IST
- [8] J.G. Dryfoos, "Full-Service Schools: A Revolution in Health and Social Services for Children, Youth, and Families", San Francisco: Jossey-Bass Publishers, 1994
- [9] J.M. Kauffman, T.J. Landrum, "Characteristics of Emotional and Behavioral Disorders of Children and Youth" in 9<sup>th</sup> ed., Upper Saddle River, NJ: Merrill Prentice-Hall.2009
- [10] S. Jaswal, J. Kaur, B.S. Cavan, S. Gupta, S. Kaur, "Prevalence and Clinical Correlation of Hypothyroidism in a School for Children with Mental Retardation", *Journal of Indian Association of Child Adolescence and Mental Health*, Vol. 7, No 1, pp4-12, 2011
- [11] *The Right of Children to Free and Compulsory Education Act, 2009* dated 27<sup>th</sup> August 2009. Retrieved from the MHRD Website: [http://mhrd.gov.in/rte\\_rules](http://mhrd.gov.in/rte_rules)
- [12] Uma, "Right to Education (RTE): A Critical Appraisal. IOSR *Journal of Humanities and Social Science*", 6 (4), 55-60, 2013