

To,

Date: 22<sup>nd</sup> June 2015

Respected Director of Elementary Education,  
Office of the Directorate of Elementary Education,  
Chennai

Subject – **Opinion on The Draft Code of Regulations for Play Schools, 2015**, submitted as per your direction and as per the order of the Most Honourable High Court of Madras

Respected Sir,

With due respect to the great work which your department has taken up, which is going to be a remarkable milestone in the proud history of not only Tamil Nadu but also India.

Future generations will feel highly indebted, for the great work which your highly esteemed organization has taken up.

But, I shall warn you that huge responsibility lies on your shoulders, and even a small error can destroy entire India.

This development of 'The Draft Code of Regulations for Play Schools, 2015', takes each Indian, back to the time when, India was framing its Constitution.

While framing the Constitution of India, the constituent assembly borrowed a lot from other constitutions, as also from the Acts of the British Parliament passed for India.

The Honourable Dr. B. R. Ambedkar has said this while introducing the draft constitution in Assembly, "One likes to ask whether there can be anything new in a Constitution framed at this hour in the history of the world. More than a hundred years have rolled over when the first written Constitution was drafted. It has been followed by many countries reducing their Constitutions to writing. What the scope of a Constitution should be has long been settled. Similarly what are the fundamentals of a Constitution are recognized all over the world. Given these facts, all Constitutions in their main provisions must look similar. The only new things, if there can be any, in a Constitution framed so late in the day are the variations made to remove the faults and to accommodate it to the needs of the country..."

Before proceeding with this line of thought, Firstly, I would like to draw your attention to the errors and also suggest a path of improvement. However, while doing this I shall only stick to the 'draft code' which has been submitted by your esteemed organization.

Secondly, I will continue with the line of thought as discussed above and will show you various options which are available with your esteemed organization.

I must also affirm that I have great respect to the drafting committee and its members and I do not have any intention to disrespect, but equally, I must also voice my opinion freely.

<b>Provision as mentioned in the draft code</b>	<b>Opinion on Provisions of the draft code</b>
<p>2.(g) - “School” means a Play School and includes Kids School or any other Pre Kinder Garden School by whatever name it is called, which is established for imparting Informal Education to the children in the age group of one and a half years to three and a half years (as on 31st July of the year).</p>	<ul style="list-style-type: none"> <li>• It is widely accepted that there are several names being used and nomenclature being used in this so-called ‘play school’ domain always gives rise to huge confusion.</li> <li>• This ‘draft code’ instead of clearing that confusion, accepts the existence of confusion and simply increases it.</li> <li>• Nomenclature has to be decided with much clear specifications, so as to avoid confusion.</li> <li>• Thus, 2.(g) is completely vague and law cannot be vague.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• This definition gives rise to much suspicion, as what is included in this so-called ‘play school’ nomenclature and what is ‘NOT’ included and why?</li> <li>• Thus, 2.(g) is completely vague and law cannot be vague.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• 2.(g) talks about the ‘age’ which shall be as on 31st July of the year . Point is why such date is being given as age confirmation date.</li> <li>• Here, we are talking about ‘age’ to take benefit of such services. What benefit will accrue to the child who is excluded from enjoying such services because of this restriction of date (as on 31st July of the year) with respect to age?</li> <li>• In what manner, this formula of age with respect to date was arrived at?</li> <li>• Does the drafting committee have any scientific evidence with respect to this?</li> <li>• Can this drafting committee show any justification of dropping many children from</li> </ul>

	<p>enjoying such services?</p> <ul style="list-style-type: none"> <li>• Is it not so that everybody is equal in the eyes of law?</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• 2.(g) goes on to use the term ‘informal education’; but, nowhere this term ‘informal education’ or ‘formal education’ is being explained in such a manner that it shall not give rise to any confusion.</li> <li>• Is it so that, in any manner ‘informal education’ and ‘formal education’ are different? If yes, then in what manner?</li> <li>• Is it so that, in any manner ‘informal education’ and ‘formal education’ are superior or inferior to each other.</li> <li>• Above all, why the drafting committee sees the need to use such highly debatable term like ‘informal education’?</li> <li>• It must also be emphasized that UNESCO opinionates that <b>its settings which is generally called formal or informal or non-formal</b>, and not education. Here in our case ‘education’ is simply “Early Childhood Care and Education.”</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• It cannot be overlooked that there is a spelling error in this term ‘<b>Pre Kinder Garden School</b>’.</li> <li>• This is not a normal typing error, and this error shows the lacking of drafting committee into going the specificity of defining so-called ‘play school’ domain.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• Why the age group of one and a half years to three and a half years is only included to be covered in this ‘draft code’.</li> <li>• Why the age group of One Year to Six Years is not opted?</li> <li>• Is there any reason that the age group of three and a half years to six years is not included here, while mainstream school starts at the age of Six Years.</li> <li>• Does this drafting committee plan to come up a separate law for age group of three and a half years to six years, if yes then why?</li> <li>• When it is clearly accepted that Early Childhood Care &amp; Education shall comprise of age group of zero to six years, there does not seem any</li> </ul>

	<p>rationality in leaving to address the age group of three and a half years to six years.</p> <ul style="list-style-type: none"> <li>• UNESCO affirms that zero to eight years child shall be covered in Early Childhood Care &amp; Education.</li> </ul>
- do -	<ul style="list-style-type: none"> <li>• With respect to age, the concept of ‘developmental milestones being achieved by the child’ has been completely dropped, which is huge blunder.</li> <li>• Here, in this case, the child with developmental delays will be forced to move to mainstream schools, and we all know that this would be completely unhealthy and in fact a huge injustice to the child.</li> </ul>
- do -	<ul style="list-style-type: none"> <li>• The ‘Age’ requirement is being used in a too much ‘concrete’ way, instead of advisory guidelines.</li> <li>• This will give rise to the demand of necessary papers from the parents.</li> <li>• It is already accepted under ‘Right to Education’ laws, that states shall never create any law to obstruct the access to education.</li> <li>• By using the ‘Age’ requirement as something too much ‘concrete’, the drafting committee is simply creating a ‘obstruction’ to the ‘access’ of ‘play schools’.</li> </ul>
- do -	<ul style="list-style-type: none"> <li>• Important questions which remains completely unanswered is that whether this ‘draft code’ attempts to cover full-day day care centers, aanganwadi, play den areas in shopping malls, family based creches, family based day care centers, company based creches, company based day care centers, mobile creches, educational buses, if not then why not?</li> </ul>
- do -	<ul style="list-style-type: none"> <li>• There is a conspicuous absence of mentioning Government ECCE Schools. Why it is permanently assumed that ‘Tamil Nadu Government’ shall never come up with Government ECCE Schools?</li> <li>• Has Tamil Nadu Assembly passed some kind of order/law in this regard, that they will never start Government ECCE Schools?</li> </ul>

<p>- do -</p>	<ul style="list-style-type: none"> <li>• There is also a conspicuous absence of mentioning 'Madarsas' vis-à-vis 'Play Schools'.</li> <li>• Will the 'Directorate' not make an attempt to promote 'ECCE' in 'Madarsas'.</li> <li>• It is also very heightening to note that prominent organsiation like 'Deoband' has already started rolling out 'ECCE' programmes.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• Willful dropping of Government Play Schools, Aanganwadi, Mainstream schools having play schools, day care centers, mobile creches, creches, etc from this 'play schools' regulation is in fact a violative of 'equitable' education.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• Internationally it is accepted that all such kind of centers would be addressed as 'Child Care Centers' and when we enter into their definition it also shows the lack of ambiguity and brings complete uniformity into the system of Early Childhood Care &amp; Education.</li> </ul>
<p>7. (d) A Committee consisting of Assistant Elementary Educational Officer (Nursery) of the district and Assistant Elementary Educational Officer of the concerned block shall inspect the school within one month from the date of receipt of the application for approval and recommend to the Competent Authority for grant of approval or rejection. The Competent Authority shall thereafter pass orders either granting approval or rejecting the same within one month from the date of receipt of the recommendation of the committee</p>	<ul style="list-style-type: none"> <li>• Not only 7. (d) but with respect to entire provisions dealing with approval and rejection of application, the drafting committee fails to specify the 'reasons' of such approval and rejection.</li> <li>• Does the drafting committee feels to works on its whims?</li> <li>• Is India, not so empowered that its constitutional bodies should work on clearly laid down rules and laws, and not be dependent on some person chairing those posts?</li> <li>• Why it shall not be understood that drafting committee has some 'agenda' behind keeping such important things like this, as so much ambiguous and giving rise to suspicion?</li> <li>• This provision lacks specific guidelines and will give rise to huge procedural and administrative issues.</li> </ul>
<p>7. (e) The approval granted shall be valid for three years after which the respective School shall apply for renewal. The application for renewal shall be made to the Competent Authority three months prior to the</p>	<ul style="list-style-type: none"> <li>• Here also, the drafting committee has not clarified as to what shall be those points upon which such approval or rejection would be made.</li> <li>• This provision lacks specific guidelines and will give rise to huge procedural and administrative</li> </ul>

<p>date of expiry of the approval. The application for renewal shall furnish the required particulars as prescribed in the proforma given in the Annexure – III to this Code.</p>	<p>issues.</p>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• It is nowhere mentioned that the inspection committee will make at least one compulsory annual visit to such ‘play schools’.</li> <li>• Does the drafting committee see any logic behind not having at least one compulsory annual visit to such ‘play schools’?</li> </ul>
<p>7. (f) A Committee consisting of Assistant Elementary Educational Officer (Nursery) of the district and Assistant Elementary Educational Officer of the concerned block shall inspect the school within one month from the date of receipt of the application for renewal and recommend to the Competent Authority for grant of renewal or rejection. The Competent Authority shall thereafter pass orders either granting renewal or rejecting the same within one month from the date of receipt of the recommendation of the committee.</p>	<ul style="list-style-type: none"> <li>• This provision also lacks specificity.</li> <li>• Nowhere, it is mentioned that how recordings of such inspection and findings, would be made.</li> <li>• Upon inspection, what shall be the format/guidelines which shall be looked into by such ‘inspection committee’?</li> <li>• How this ‘inspection committee’ will inform about the date of inspection?</li> <li>• Will the website of so-called ‘play school’, Department and directorate, shall carry the recording and minute proceeding with respect to such visits?</li> <li>• Will the ‘inspection committee’ guide such ‘play school’ about their shortcomings, and what changes shall be made so that their campus is approved, if not then why?</li> <li>• Thus, we see that this provision gives rise to several confusions and is completely ambiguous.</li> </ul>
<p>8. Withdraw of approval.-                  For violation of any of the provisions of this Code or for any abuse or misuse by the management of the school, the Competent Authority who has given the approval, shall withdraw the approval or renewal as the case may be, after giving a reasonable opportunity of making representation</p>	<ul style="list-style-type: none"> <li>• With the objective of providing quality services, all such withdrawal of the approval or the renewal, shall have properly quoted guidelines and procedures.</li> <li>• Why the drafting committee is saving it from bringing clearly laid down principles and guidelines?</li> </ul>
<p>Provision 7 and Provision 8</p>	<ul style="list-style-type: none"> <li>• There is a huge ambiguity with respect to the process of ‘approval’ and ‘rejection’ and thus in Provision 7 and Provision 8.</li> </ul>

	<ul style="list-style-type: none"> <li>• A complete reading of Provision 7 and 8, reflects an idea that ‘Directorate’ wants the ‘Tamil Nadu Government’ and its constitutional bodies, municipalities, to save from the role of making such ‘play schools’ available and in a manner challenges that <b>‘take approval if you dare’</b>.</li> <li>• ‘Directorate’ has completely forgotten its role of making such ‘play schools’ available and accessible with high quality.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• With great respect to the drafting committee and its members and without having any intention to disrespect, I feel very sad to note that, the manner in which the process of ‘approval’ and ‘rejection’, is being taken gives reflection that, ‘Directorate’ and ‘Tamil Nadu Government’ wants the chairing people to be holding supreme power (without holding any responsibility) instead of pillars and due process of law to hold the supreme authority.</li> </ul>
<p>10. (e) The school shall provide an accomodation of classroom 10 sq.ft. per child.</p>	<ul style="list-style-type: none"> <li>• While mentioning the minimum space requirement is good, but the language being used here will give an idea to ‘play schools’ that 10 sq.ft. per child is enough, and they will not make an endeavor to increase it further, whereas we all know that more space (at least till 30 sq. ft. per child) would always be better for the child.</li> <li>• Usage of the word ‘minimum requirement’ would have been better for clarification and quality purpose.</li> </ul>
<p>10. (f) The classrooms should always be in the ground floor</p>	<ul style="list-style-type: none"> <li>• Since, the drafting committee has erred on several provisions; they have also erred on it.</li> <li>• Let us see the quote from Great Thomas Jefferson (relevant part is only picked up, also quoted by The Honourable Dr. B. R. Ambedkar) – “We may consider each generation as a distinct nation, with a right, by the will of its majority, to bind themselves, but none to bind the succeeding generation, more than the inhabitants of another country.”</li> <li>• ‘The Ground Floor’ rule is nothing but just a remnant of past and drafting committee has</li> </ul>

	<p>simply copied it.</p> <ul style="list-style-type: none"> <li>• Presently, there are colonies being established which is many miles away from the main city. In such colonies, the apartments which are built are huge. Each RWAs has apartments which is spread in hundreds of acres. And each such apartment are multistoried (average 10 floor). If the Child staying on 10<sup>th</sup> Floor gets down to reach the main gate of apartment, it generally will take him at least 15 minutes (even in the lap of parents). Many such apartments are having provision of play schools, but since such land is purchased on huge rates, the management of such play schools charges huge fee (approx. 15% of Monthly salary of one parent residing in such apartment). Many apartments might also have such place but schools being dysfunctional or defunct.</li> <li>• Point is why we need to ‘punish’ the child for such a society which we have built?</li> <li>• There is nothing in Early Childhood Care and Education, which stops us from having child care centers having in such apartments.</li> <li>• Can we allow these children to ‘suffer’ because of such ‘invalid’ provision?</li> <li>• We shall move beyond the ‘ground floor’ mentality and look into other elements, so as to receive answers to ‘<b>how and why</b>’ we shall have ‘Child Care Centers / Play Schools’ in such apartments.</li> <li>• We all know that each thing like stairs, balcony area, gates, ventilation, parking, security &amp; safety and park/playground etc. could always be addressed, and provision shall be made accordingly.</li> </ul>
<p>10. (k) Required number of clean urinals and toilets with water supply should be provided</p>	<ul style="list-style-type: none"> <li>• This provision is again ambiguous. Why the drafting committee is saving itself from the trouble of mentioning the minimum requirements.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• It shall also be included that urinals and toilets should be of child size.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• It is also required to be mentioned that Child</li> </ul>

	<p>and adult shall access separate urinals and toilets.</p>
<p>10. (l) The school shall provide sufficient and safety outdoor play ground. The play ground should be maintained properly by the school.</p>	<ul style="list-style-type: none"> <li>• Drafting committee has forgotten here that they are including the age group of one and a half years to three and a half years, and for this age group soft surface play area is considered appropriate.</li> <li>• Outdoor play area is required, but visit to such area is always weather dependent.</li> <li>• One cannot escape from highlighting the fact that various diseases, most notably diarrhea and intestinal worm infections, typhoid, cholera, hepatitis, polio, and trachoma spreads mainly through the outdoor play ground area (i.e. soil, grass and plants).</li> <li>• Additionally, instead of using the word ‘access’ the concept of ‘possess’ is being used.</li> <li>• While even if play schools are just having ‘access’ to such playgrounds and not ‘owning’ it, there is no evident harm.</li> <li>• We all know that there are several RWAs (Resident Welfare Associations) Apartments and municipality developed areas which have accessible and well maintained playgrounds. What harm does the drafting committee see, in the situation that play schools do not ‘possess’ such playgrounds but have proper ‘access’ to playgrounds.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• A ground reality of India is too much different.</li> <li>• So, having some additional provisions or sub-rules is better, which shall also include as to under what circumstances, application of Provision 10. (l) shall be dropped.</li> </ul>
<p>11. (b) Potable drinking water should be provided to all the children. Drinking water supply should not be near the toilets.</p>	<ul style="list-style-type: none"> <li>• Here also the provision is ambiguous.</li> <li>• With respect to our society we all know that there is a huge difference among hygiene level of several families.</li> <li>• This provision could have been drafted in such a manner that it brings out that parents shall bear the responsibility of providing water bottle with the child, but school shall ensure that at all time, child shall have proper access</li> </ul>

	<p>to the drinking water.</p> <ul style="list-style-type: none"> <li>• In this manner, schools would be liable for making the drinking water available and parents shall be responsible for sending the water along with the child.</li> </ul>
11. (e) Changing of diaper facility should be provided to the children	<ul style="list-style-type: none"> <li>• This provision is also ambiguous, in the sense that it fails to include the child’s right to privacy.</li> <li>• It would have been better to properly include that privacy shall be maintained by the child minders with respect to each child with respect to the gender and also culture.</li> <li>• Not mentioning the gender and culture privacy is a huge blunder.</li> <li>• This blunder might give rise to irreparable damages and criminal offences like sexual exploitation.</li> </ul>
12. (a) Each school should have sufficient space for free and easy movement, playground, assembly, etc.	<ul style="list-style-type: none"> <li>• This provision is also ambiguous. Such unmindful ambiguity regarding ‘approval’ and ‘rejection’ will not only create a huge administrative delays and obstructions, but will also give rise to whimsical application of this code as per own fancies.</li> </ul>
12. (b) The open space inside and around the school building should allow adequate light and ventilation inside the building	<ul style="list-style-type: none"> <li>• While adequate light and ventilation is much required, but, this provision is ambiguous.</li> <li>• A clear specification regarding luminosity (in candles or other measure) and the process to do this would have been better.</li> </ul>
(d) The site of the school building should not open directly to the main roads with heavy vehicular traffic	<ul style="list-style-type: none"> <li>• While safety is much required, but, this provision is ambiguous. The term ‘main roads’ is quite ambiguous.</li> <li>• What shall constitute ‘main road’ and ‘heavy vehicular traffic’ shall be clearly explained.</li> <li>• A range of distance from the ‘main road’ to the school gate shall also be mentioned.</li> </ul>
(e) The site should not be close to water holding bodies, forests, etc.	<ul style="list-style-type: none"> <li>• While safety is much required, but, this provision is ambiguous.</li> <li>• A range of distance from the water holding bodies, forests, to the school gate shall be clearly mentioned.</li> <li>• Instead of using the term etc. a complete list or an explanation of such ‘dangerous’ things</li> </ul>

	<p>would be more appropriate.</p> <ul style="list-style-type: none"> <li>• Instead of using the term etc. it could be mentioned that the directorate will release the updated list on time to time.</li> </ul>
(f) The site should not be in the neighbourhood of garbage dumps, dusty polluted areas and noisy roads or factories	<ul style="list-style-type: none"> <li>• While safety is much required, but, this provision is also ambiguous.</li> <li>• A range of distance from the garbage dumps, dusty polluted areas and noisy roads or factories, to the school gate shall be clearly mentioned.</li> </ul>
(g) Adequate number of Fire Extinguishers is to be provided.	<ul style="list-style-type: none"> <li>• While safety is much required, but, this provision is also ambiguous.</li> <li>• Precise list of fire extinguishers (and their placing, check, renewal, report) and other safety precautions, related to fire, could be easily mentioned.</li> <li>• Which would have been precise and ambiguity could be removed.</li> </ul>
(h) Electrical wiring should be of approved standards and materials.	<ul style="list-style-type: none"> <li>• While safety is much required, but this provision is also ambiguous.</li> <li>• Main two causes of house fires in India are 'Kitchen' and 'Short circuit'.</li> <li>• So, taking serious note of electrical wiring and circuit boards, proper and specific guidelines should be made.</li> </ul>
(i) The school shall have proper Evacuation of Plan of action to rescue the children during any emergency in the school premises	<ul style="list-style-type: none"> <li>• Since, safety holds paramount importance, elaborate explanation and preciseness should be done with respect to this provision.</li> <li>• Some points to include could be like, location to paste such evacuation plan, training staffs over such evacuation plans.</li> <li>• School shall also practice such evacuation procedure at an appropriate interval (such interval must be decided and fixed)</li> </ul>
13. (b) The School shall ensure that the Pupil Teacher Ratio is maintained as 15:1	<ul style="list-style-type: none"> <li>• It would be proper to specifically mention that such ratio is minimum requirements and school shall use their academic judgments and creative freedom to increase the availability of teacher in this Pupil Teacher ratio.</li> </ul>
14. (a) Required number of non-teaching staff to the school shall be appointed by the respective	<ul style="list-style-type: none"> <li>• If the drafting committee is not clear about the ratio or requirement of such non-teaching staff, then it should have been suggested as some</li> </ul>

<p>Managements.</p>	<p>guidelines and not being brought as provision of law.</p> <ul style="list-style-type: none"> <li>• Since, it is being brought as law; it is very ambiguous to become a provision of law.</li> </ul>
<p>15. (a) The appointment of Teaching and Non-teaching staff should be made only after thorough verification and should be certified by the local police authority to ensure that individuals with criminal background are not appointed.</p>	<ul style="list-style-type: none"> <li>• While the drafting committee has affixed responsibility on the staff and management, it has not affixed any responsibility over such verifying authorities.</li> <li>• Verifying authorities shall also be affixed with responsibility so that the staff and management could get it done lawfully and in proper time.</li> </ul>
<p>15. (b) The Teaching and non-teaching shall be certified by the local Primary Health Centre / Government Hospital to ensure that they do not have any communicable diseases.</p>	<ul style="list-style-type: none"> <li>• While the drafting committee has affixed responsibility on the staff and management, it has not affixed any responsibility over such verifying authorities.</li> <li>• Verifying authorities shall also be affixed with responsibility so that the staff and management could get it done lawfully and in proper time.</li> </ul>
<p>CHAPTER – VIII and CHAPTER IX</p>	<ul style="list-style-type: none"> <li>• While Chapter – VIII and Chapter IX deals with the appointment and termination of Teaching and Non-Teaching Staff, more important issues like Staff’s salary, perks and benefits, holidays, vacations, working hours has been entirely avoided.</li> <li>• A beautiful eco system of play schools will not develop until the staff feels that it is suitably rewarded and has been properly taken care of. So Staff’s salary, perks and benefits, holidays, vacations, working hours has to be clarified.</li> </ul>
<p>17. (a) The minimum age of children for admission in the school shall be completion of one and half years as on 31st July of the year</p>	<ul style="list-style-type: none"> <li>• CESCR in its General Comment on Right to Education, states that, the State has four duties, namely, the duties to make schools ‘available’, ‘accessible’, ‘acceptable’ and ‘adaptable’.</li> <li>• Now, here the drafting committee has come up with a strange formula to ‘restrict’ the ‘access’ to ‘play school’.</li> <li>• As per Early Childhood Care and Education principles, there cannot be anything which shall restrict the ECCE with respect to age in such a manner.</li> </ul>

	<ul style="list-style-type: none"> <li>• Internationally, and specifically in much developed nations, admission in ‘Child Care centers’ happen throughout the year.</li> <li>• Unlike other mainstream schools, such ‘Child Care centers’ remains open throughout the year.</li> <li>• I don’t think that drafting committee would have looked for any logic behind such arbitrarily fixing of admission age. It is clearly evident that ‘whims and fancies’ of drafting committee are in complete play.</li> <li>• I feel very sad to see that age is being created as a ground of discrimination among child.</li> <li>• The most suitable thing would have been that the age of admission is one and half years. Whenever the child completes one and half year, school shall take admission of the child.</li> </ul>
<p>(c) The school shall admit 15 children in a class. Admission in excess of 15 children in a class is prohibited</p>	<ul style="list-style-type: none"> <li>• This provision is again in violation of Early Childhood Education and Care. Instead of using the term ‘class size’, the term ‘group size’ should be used. And this ‘group size’ shall be controlled.</li> <li>• It is very well agreed that there has to certain limit on the maximum number of child which could be admitted in a class.</li> <li>• In ECCE, there is a format of conducting class, where the entire class room is a big area (approx. 1000 Sq. ft. area). This entire class room has several play areas (generally 5 to 7). Each area caters to a different category (like Discovery Corner, Blocks area, Scientific area, Books and story corner, Music &amp; movement corner).</li> <li>• The Pupil teacher ratio is properly maintained (generally 12:1). Child as per their own volition may choose any area and be there as much as they want (generally 30 minutes).</li> <li>• This entire beautiful system is controlled by using the right word. Instead of using the term ‘class size’, the term ‘group size’ is used.</li> <li>• Group size is limited at 20 children (mind that in case of big hall being used as class room has different and separate groups).</li> </ul>

	<ul style="list-style-type: none"> <li>• This big class room concept is huge success with the child as it gives freedom to the child to choose area as per their own interest. Such big hall may also have one separate napping area.</li> </ul>
(d) The school shall admit children residing within a radius of one Kms	<ul style="list-style-type: none"> <li>• With great respect to the drafting committee and its members and without having any intention to disrespect, I must say that not only that this provision is too much ambiguous; it also raises suspicion on the intent of the drafting committee.</li> </ul>
- do -	<ul style="list-style-type: none"> <li>• This provision is also in complete violation of exercising 'parental choice' in choosing services.</li> <li>• Because, if schools are not allowed to take admission from outside of their designated area, the parents will have too much restricted choice.</li> </ul>
- do -	<ul style="list-style-type: none"> <li>• While developing this provision, the drafting committee has misunderstood the phrase 'neighbourhood schools'.</li> <li>• Internationally, the concept of 'neighbourhood schools' means two things – First, States shall be under obligation to make schools available in the same locality, so that 'safety issues' during travelling shall not arise. Second, parents shall be relaxed from obligation of 'compulsory schooling' if there is no schools in nearby location.</li> <li>• But, this phrase 'neighbourhood schools' is being used in much regressive manner.</li> <li>• It shall be understood that, it is one thing having schools should be under obligation to give preference to children staying in nearby area over the children coming from far off. And, it is entirely another thing that schools shall only give admission to schools residing within a designated radius (however large or small that may be).</li> </ul>
- do -	<ul style="list-style-type: none"> <li>• This provision is like penalizing child, because their parents stay in a 'particular' area.</li> <li>• Any rational mind will fail to understand the reason of this penalising treatment to the child.</li> </ul>

<p>- do -</p>	<ul style="list-style-type: none"> <li>• It is well accepted fact in the Indian context; language is a biggest barrier in school education.</li> <li>• India is also having a huge migration and diversity in language, under such a condition curtailing choices of parents is utter disregard of child rights (human rights).</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• This provision should be like this – Due to safety issues, radius within which school should be available is of paramount importance to the state government, so upon receiving application for starting new school, the ‘Directorate’ will try to suggest a location where there is an remarkable demand supply gap.</li> </ul>
<p>(e) Model Application form for admission is in annexure - IV</p>	<ul style="list-style-type: none"> <li>• While providing with Model Application form for admission is a good thing, but as per normal course of drafting, firstly provisions, rules and policies with respect to admission procedure should have been clearly drawn and after that such Model Application form for admission, would have made sense.</li> </ul>
<p>18. (a) The school shall work for not more than three hours per day</p>	<ul style="list-style-type: none"> <li>• This provision goes on to show that the drafting committee is working just on surmises and conjectures, and this duration of school work is simply against the established policies of UNCRC and other developed nations.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• <u>UNCRC, to which India is a signatory, in its Article 18 (Parental responsibilities; state assistance), states: Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents for providing appropriate guidance to their children – the Convention does not take responsibility for children away from their parents and give more authority to governments. It places a responsibility on governments to provide support services to parents, especially if both parents work outside the home.</u></li> <li>• Thus, it is very clear that such facility should work for such duration so as to extend help to</li> </ul>

	working parents.
- do -	<ul style="list-style-type: none"> <li>• Most of the states of United States of America started having proper ‘Early Childhood Care and Education System Act’ around 1960s (in the format of Head Start and the Child Care Development Fund).</li> <li>• Finland (top in PISA) had its first law relating to Early Childhood Care and Education System in 1936 (but they had some other related laws since 1920s).</li> <li>• Both of these nations, works on the concept of full day Child Care System.</li> <li>• It is also worthwhile to note that both of these nations have carried out several studies to measure the benefits of full-day child care system.</li> <li>• In their each study, they have concluded that full-day child care system has huge benefit.</li> <li>• America proudly calls it Early Education Industry.</li> <li>• Slightly smaller nations of Latin America and Caribbean countries are also pursuing full-day child care system.</li> <li>• Countries such as Belgium, France, and Italy had 95 to 99 percent of children attending full day child care center, way back in 1999-2000(the normal school day lasted for seven or eight hours).</li> <li>• It shall also be noted that all such nations are having ‘education’ based child care centers.</li> <li>• Presently, OECD and United Nations are promoting the term ‘educare’, with respect to Early Childhood Education and Care.</li> <li>• Thus, it can be concluded that ‘Tamil Nadu’ shall also have ‘full-day’ program and not just 3 hrs schedules.</li> </ul>
(b) The school shall open not earlier than 9.30 a.m. and shall close not later than 12.30 p.m.	<ul style="list-style-type: none"> <li>• Since Provision 18. (a) is not at all valid, this provision 18. (b) being just an extension of 18. (a) is also not valid.</li> </ul>
(c) The school shall have a break of 15 minutes for every one hour.	<ul style="list-style-type: none"> <li>• UNCRC, to which India is a signatory, in its Article 31 (Leisure, play and culture), states: Children have the right to relax and play, and to join in a wide range of cultural, artistic and</li> </ul>

	<p>other recreational activities.</p> <ul style="list-style-type: none"> <li>• So, the right to rest is child’s right, and such rest time cannot be segmented into strict hourly routine. Regarding rest and play, child’s views shall also be taken into account. It is well accepted by UNCRC that ‘such participation is the beginning of the process of the development of individual responsibility’.</li> <li>• Such duration of rest shall be on volition of the child.</li> <li>• Rigid schedule of ‘rest timing’ is in violation of Early Childhood Care and Education principles.</li> <li>• Thus, this provision is in violation of Early Childhood Care and Education principles.</li> <li>• We also have various examples of international practice, for which much developed nations have maintained huge data and done several research to arrive that all such play, rest and instruction activity shall be completely at the volition of the child.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• How much ‘rest’ is required with each hour is also a very different thing when it comes to ECCE domain. In the initial hour, may be a child would need a break/rest of 10 minutes. Whereas, in second hour, may be a child would need a break/rest of 15 minutes. After third hour, may be a child would need a long nap. But the point is that it is upon the volition of the child.</li> </ul>
<p>(d) The school shall provide feeding, food and snacks as per the consent of the parent. The cost of the feeding, food and snacks shall be met either by the school or by the parent, as the case may be.</p>	<ul style="list-style-type: none"> <li>• While a provision on feeding, food and snacks is much required, but, this provision is also ambiguous.</li> <li>• This provision shall make clear the responsibility of parents and school very clear in the most precise manner.</li> <li>• This provision also needs complete explanation as India is much diverse on the basis of Religious practices and hygiene levels.</li> <li>• This provision shall also make clear whether there would be any nutrition policy, which the school shall be following and parents would be persuaded to follow.</li> </ul>

<p>19. (b) The school shall have special health and development needs of children including allergies.</p>	<ul style="list-style-type: none"> <li>• It seems some words are missing to form this sentence to make it complete and meaningful.</li> <li>• I think the drafting committee would have wanted it to be like this – The school shall have (keep) <b>records of</b> special health and development needs of children including allergies.</li> </ul>
<p>19. (e) Periodical Health Check-up, Health Education lectures / Demonstrations shall be arranged.</p>	<ul style="list-style-type: none"> <li>• While health check-up is much required, but, this provision is also ambiguous.</li> <li>• Having detailed explanation regarding such health check-ups, such periods and costs involved and payments shall be elaborately explained, so that the ambiguity is removed.</li> </ul>
<p>CHAPTER – XIII - BAN ON CORPORAL PUNISHMENT                  20. There should be total ban for any corporal punishment. If any corporal punishment is imposed on a child, penal action shall be initiated against the management.</p>	<ul style="list-style-type: none"> <li>• It is good that provision regarding ban on corporal punishment is included. It seems that the directorate is talking that the school management is (vicariously) responsible, but individual responsibility shall also be fixed.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• While it is good that provision regarding ban on corporal punishment is included. But, besides corporal punishment, it shall also be included that the child shall not be subjected to any form of hitting, abusive language, demeaning language, ridicule, or harsh, humiliating or frightening treatment, or any other kind of child abuse, neglect, or exploitation by any adult.</li> <li>• Presently there is no Penal law in India for such crimes like abusive language, demeaning language, ridicule, or harsh, humiliating or frightening treatment. (although there is Sec. 95, IPC but it is very light, whereas because of such things, harm to the child is lifelong and permanent)</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• This provision shall be complete only when, report of such crimes and action taken and entire lawful process should also be mentioned.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• To make this provision complete, it shall also be included that anybody who has reasonable cause to believe that anything like this is</li> </ul>

	<p>happening shall report as per the process.</p> <ul style="list-style-type: none"> <li>• And, the drafting committee shall elaborately explain the entire complaint process.</li> </ul>
<p>- do -</p>	<ul style="list-style-type: none"> <li>• The School as well as the ‘Directorate’ shall be required to maintain records of such crimes and action taken report, so that the same staff shall not be able to repeat it again.</li> </ul>
<p>CHAPTER – XV                  22. Curriculum and Syllabus.-</p>	<ul style="list-style-type: none"> <li>• This provision is dangerously promulgating the confusion between Curriculum and Syllabus.</li> <li>• Although nothing worthwhile is mentioned in this provision, I just did not understand that by writing just four small paragraphs on ‘Curriculum and/or Syllabus’, what exactly the drafting committee wanted to convey?</li> <li>• It is well accepted that India is dangerously below the International level in all studies pertaining to education (In PISA, India had performed pathetically, second from bottom). By paying invalid lip-service to the clause of ‘Curriculum and/or Syllabus’, drafting committee will just end up promoting wrongdoings among such play schools.</li> <li>• ‘Curriculum and/or Syllabus’ shall come as in Guidelines format.</li> <li>• If, the ‘Directorate’ will not have a dedicated ‘Research and Development’ team consisting of great educationists, dedicated for this purpose of ‘Curriculum and/or Syllabus’, it would be completely useless to take up an additional responsibility of providing even the guidelines relating to ‘Curriculum and/or Syllabus’.</li> <li>• A straightforward question would be that how the drafting committee developed such four small paragraphs on ‘Curriculum and/or Syllabus’? And, whether they had the right team to say that such four small paragraphs on ‘Curriculum and/or Syllabus’ are conclusive and sufficient?</li> </ul>

Now, when this entire draft code is given a complete read, following points comes in my mind, which I think shall be addressed properly –

1. Draft code has not mentioned the '**Objects and Reasons**' of having such law, which is a necessary element of each code.
2. Had the drafting committee, mentioned its '**Objects and Reasons**' of having such law, the ambiguity surrounding the draft code would not have arisen.
3. By mentioning '**Objects and Reasons**' in the draft code, the drafting committee would have easily answered the specific problems this regulation tries to address.
4. Drafting Committee has completely omitted 'Directorate' role and state's role with respect to providing of such services.
5. Reference to CESCR General Comment No. 3, supra note 51 at para 10, the CESCR has observed as follows: "...that the Committee is of the view that a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights is incumbent upon every State party." The concept of 'minimum essential level of each right' corresponds to the idea of 'minimum entitlements'.
6. Therefore, this code should unambiguously lay down minimum entitlements of rights-holders.
7. While developing any such law affecting the child, UN and UNCRC has emphasized that the guiding principles should be – "**The best interests of the child**". Which is completely avoided in this draft code?
8. While drawing its '**Objects and Reasons**' the drafting committee would have undergone through the problems of this system and thus would have addressed to unify **the fragmented system** and also would have undertaken its responsibility to help families select quality preschools (as explained by UNCRC).
9. As per UNHRC, any legislation which affects the child shall be conceptualized on the 'Rights based' model. The human rights claims of rights-holders (to education) and the corresponding obligations of duty-bearers should be outlined (Reference - The Human Rights Based Approach

to Development Cooperation: Towards a Common Understanding Among the UN Agencies, United Nations, May 2003)

10. Draft code has not mentioned the '**Preamble**', which is also a necessary element of each code.

11. One of the biggest questions is that, whether drafting committee undertook the study of existing 'Child Care and Education Laws' of other nations? If yes, then what they had inferred from laws of those nations? If no, then why they did not carried such study?

12. Article 45, of The Constitution of India states "The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years." From this it can be inferred that the early childhood care and education is taken as one joint thing till the age of six. Then why the drafting committee has not considered this, and is only addressing the age group of one and Half Years to Three and Half Years?

13. Is it so that the drafting committee does not believes in having uniformity in early childhood care and education?

14. The Department of Education has directed the States not to enact such legislation which goes against the International Treaties/Conventions to which India is a signatory, specifically the UNCRC. But the drafting committee has completely avoided the Article 18 and Article 31 of UNCRC.

15. Several developed nations like United States of America, Finland, Iceland, and other Latin American nations, Caribbean Nations, Belgium, France, and Italy are having laws relating to 'Early Childhood Education and Care', for last more than FIFTY Years. These years, they have conducted several research, surveys, and longitudinal studies. Thus, now they have to 'Early Childhood Education and Care' laws, which must be quite settled, so it is very easy for drafting committee to undertake the study of those laws. Some of the common points of laws of several nations are as follows:

- Offers full-time care (care and education) for children aged from 1 to 6 years.
- Centers are open throughout the year.
- Daily hours are adjusted to meet the needs of working parents.
- Such centers are called – Child Care Centers and their scope is so enlarged that they include day care centers; drop-in centers; night-time centers; recreation-type centers sponsored and operated by a county or municipal government recreation and/or park department or agency; day nurseries; nursery and play schools; cooperative child centers; centers for children with special needs; centers serving sick children; infant-toddler programs; school-age child care programs

- Family child care centers also offer full-time care for children aged 1 to 6 years.

16. Had the drafting committee gone through the Article of UNCRC, their General comments, and laws of other developed nations like United States of America, Finland, Iceland, and other Latin American nations, Caribbean Nations, Belgium, France, and Italy, such confusion regarding inclusion or exclusion of Age group, working hours of such centers would not have arisen.

17. Most of the developed nations had started investing (since 1990 to 2000) to transform traditional preschools in Early Education Centres that offer comprehensive full day programmes. And, this draft code still talks about 3 hrs. working time.

18. Internationally, the human right to education includes the right to education at all stages that are fundamental and basic, including the right to Early Childhood Care and Education. But, this draft code ends up alienating entire Right to Early Childhood Care and Education. And thus, curtailing the child's right to life.

19. This draft code has also given rise to the big Constitutional issue – “whether any law implementing the fundamental right to education should off-set the exclusion of Early Childhood Care and Education. And, in the event that the law does not provide for a right to Early Childhood Care and Education, the State should draw up concrete schemes to ensure that Early Childhood Care and Education is provided.”

20. Before Proceeding with the development of this Draft Code, the honourable courts must decide this constitutional issue.

21. Draft code fails to bring the comprehensive policy and programme of action to make Early Childhood Care and Education a perfect eco system.

22. This draft code instead of addressing the malaise of play schools system is doing nothing but has end up collaborating it.

23. Through making a legislation of a set of malpractices (which is presently being followed by play schools), it is not 'regulation of play schools' but eradication of Early Childhood Care and Education system.

24. This draft code, will give rise to complete inaction with respect to Early Childhood Care and Education system on the ground that the legal rules has already been complied with.

25. Entire draft code does not affirm to any principle of human rights law or principles of Early Childhood Care and Education

26. Entire draft codes are completely loose and vague and have failed miserably on the test of being in “the best interests of the child”.

27. UN Special Rapporteur on Right to Education had developed a framework, and subsequently it was adopted by the CESCR in its General Comment on Right to Education. According to the said framework, the State has four duties, namely, the duties to make schools ‘available’, ‘accessible’, ‘acceptable’ and ‘adaptable’.

28. This draft code by mentioning the 3 hrs schedule (CHAPTER – XI) and 1 km radius rule (CHAPTER – X) has given rise a big constitutional issue, whether it is not state’s duties to make schools ‘available and accessible’ as per socio-economic conditions of parents.

29. This draft code by mentioning the 3 hrs schedule (CHAPTER – XI) and 1 km radius rule (CHAPTER – X) has also a raised a very fundamental question which the Honourable Courts must decide and drafting committee must understand, “since we are a wrong society, the child shall continue to suffer?”

30. Following points also needs to be addressed (which is completely left untouched by the draft code) :

It would have been better if some “Manual of Requirements” for such “play schools” is made.

The code has prefixed notion that ‘Tamil Nadu Government’ is never going to enter into Early Childhood Care and Education, why this has been taken in this manner?

Draft code has left completely unaddressed the obligations and duties of Tamil Nadu Government to provide for things relating to Early Childhood Care and Education

Under what laws, the salaries and wages of schools staff shall be guided. The manner in which the working hours are mentioned, from that it seems that drafting committee is treating play schools staff as “**permanently employed hourly paid staff**”. Will the drafting committee come up with some special salaries and wages laws to cover this huge gap?

This draft code is entirely silent on improving the working conditions of play school teaching staff and providing training and upgradation to them.

Draft code has not put any obligation over Fire and Rescue Service department of Tamil Nadu. Without affixing responsibility, how Fire and Rescue Service department is going to support play schools.

Through this draft code, is the drafting committee trying to make some tough 'entry barriers' into play schools.

Drafting committee must consider the approval for maximum number of child for that particular location, and make policies regarding this.

Drafting committee has not addressed the role of play schools if the child with communicable diseases comes on the campus of play schools.

In India, the major cause of house fires are these two – one, short circuit in wires of Air Conditioners and Fridge and Two, Kitchen fire due to gas leak or over heating oil etc.

Drafting committee must also consider making provision that the play schools shall not have gas cylinder in the kitchen and active cooking should not be done, and play schools might use microwave to boil water or milk.

Drafting committee must also consider making provision that inner classrooms shall not have any door (this will give freedom to the child to play around and also save from banging) and it should also be seen that bathroom cannot be bolted from inside.

Drafting committee must also consider making provision regarding latches in the doors and cub buds.

Drafting committee must also consider making provision to integrate Government Vaccination /Health programmes along with play schools.

Drafting committee must also consider making provision so as to clearly address the conditions of play schools after the business being sold or being discontinued or being transferred to other party.

Drafting committee must also consider making provision so as to clearly address the status of play schools having taken franchise of another play school's name.

Drafting committee must also consider making provision that they will pilot the entire module and submit report to all stakeholders (including High Courts) and also collect feedback, so that the 'Act' could be presented for amendments required on an immediate basis.

Drafting committee must also consider making provision so as to clearly address that how the 'Directorate' going to help (and coach) families select quality schools.

Drafting committee must approach the entire drafting with an idea to unify the existing fragmented system (and not perpetuate it).

Drafting committee must also consider making provision so as to clearly address the 'fee' regulations of such play schools.

Drafting committee must also consider making provision so as to clearly address the fee refund / fee transfer process, in case the parents is not happy with existing school or in case just wants to change.

Drafting committee must also consider making provision to have 'open door policy for parents'; that parents may walk in anytime to 'peek' through and 'keep watch' on their child.

Drafting committee must also consider making provision so as to affix the responsibilities of several other departments, which shall be participating into the process of approval / renewal.

Drafting committee must also consider making provision so as to clearly affirm that they are regulating play schools but they are not approving such play schools of 'quality' and parents shall make their choices judiciously (Caveat Emptor).

### **31. Role of private sector -**

Most of the developed nations, mainly United States of America and Finland have 'Unconditional Rights to Child Care Centers (Early Childhood Care and Education). In both of these nations, mainly the 'Education' is either completely government controlled or public funded. But, then ever both of these nations want (and have) an active participation of private sector into Early Childhood Care and Education.

Finland Government, which has started upgrading their Early Childhood Care and Education, way back in 1936, and presently has only 3% market catered by private players, proudly affirms that the "**private day care was an innovative initiator and developer of the day-care system decades before the public administration gradually assumed responsibility**" (Finland uses the common terminology as day care / child care to denote play schools/nursery etc. and follows an philosophy of 'educare' ).

When, Finland had started re-organising this sector through The Child Welfare Act (issued in 1936) it had provided that **a local authority should, where necessary, either establish or maintain institutions supporting and complementing upbringing at home and undertake other measures for this purpose, or support those institutions established or activities provided by private organisations or people that were deemed to fulfil the said purpose.**

In its document, General Comments 7 about its Articles, UNCRC quotes –

The private sector as service provider -

With reference to its recommendations adopted during its 2002 day of general discussion on ‘The private sector as service provider and its role in implementing child rights’ (crc/C/121, paras. 630-653),<sup>31</sup> the Committee recommends that **States parties support the activities of the non-governmental sector as a channel for programme implementation. It further calls on all non-State service providers (‘for profit’ as well as ‘non-profit’ providers) to respect the principles and provisions of the Convention and, in this regard, reminds States parties of their primary obligation to ensure its implementation.**

**Early childhood professionals – in both the State and non-State sectors – should be provided with thorough preparation, ongoing training and adequate remuneration. In this context, States parties are responsible for service provision for early childhood development. The role of civil society should be complementary to – not a substitute for – the role of the State. Where non-State services play a major role, the Committee reminds States parties that they have an obligation to monitor and regulate the quality of provision to ensure that children’s rights are protected and their best interests served.**

In General Comments 7 about the Article 3 of UNCRC, quotes –

Best interests of the child (article 3) :

In light of article 3 of the Convention, States parties must guarantee that in all activities and programmes concerning children, **whether undertaken in public or private early childhood institutions, the best interests of the child shall be a primary consideration.** States parties must ensure that the institutions, services and facilities responsible for early childhood development conform to the quality standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

In General Comments 7 about the Article 4 of UNCRC, it quotes –

Article 4 (Protection of rights): Governments have a responsibility to take all available measures to make sure children’s rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these

services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children's rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out the when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

**Thus, the drafting committee must understand the most active and too much important role of Private sector into Early Childhood Care and Education sector and must act accordingly.**

#### PRAYER

With great respect to the drafting committee and its members and without having any intention to disrespect, I must say these –

This draft code has reaffirmed my belief that that the realization of child's rights does not requires huge resources but the "will of the duty minders".

While it would have been just a job of intelligent copy pasting (as most international countries are already having such legislation for more than FIFTY Years), the drafting committee failed miserably and seems to have copy pasted details from the brochures of some private companies who are into the business of providing franchise of their Play School names.

Complete reading gives an idea that drafting committee intends to create a complete havoc and break riot (I am using the word mindfully) in the field of Early Childhood Care and Education.

I will pray to the drafting committee and the Most Honourable High Court of Madras that they should scrap this entire draft code.

Further, under the supervision of Honourable High Court of Madras a Committee must be formed headed by Honourable Judge of High Court (who must have worked into the field of crating child related legislation or would have delivered remarked judgments in the context of child rights). Such team shall comprise of men of vison and men of judiciousness, undue

emphasis on Psychologists and Educationists should not be avoided, as, we already have working laws since 1920s and presently they are too much revised and backed by huge research surveys, and longitudinal studies. Emulating those laws, with respects to settings of India would be enough. This draft code is entirely missing on 'Education' and entire mistakes are – “**mistake of law, mistake of human rights and child rights**”.

**With Sincerest Regards to the Drafting Committee and its Members,**

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