

Making Early Education a Right of Young Children

Documentation of Learning from In Defence of the Child Project

Project Period 2010-2013



Committee for Legal Aid to Poor

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Chapter-I

Background

The CLAP as a right-based legal support and advocacy group made an attempt to generate a demand in the society for a law in India on the subject of ECCE which would confer rights on young children to facilities and opportunities for their holistic development in an equitable manner. In this connection CLAP launched a Juridical Advocacy Initiative in India in the nomenclature of National Campaign for ECCE Right (NCER) in the year 2007 to initiate a debate in the society and consequentially place a demand before government for development of a legal framework on ECCE based on Article 45 of the Constitution of India read with Article 21-A which was incorporated in the Constitution by 86th Constitutional Amendment Act 2002.

ECCE as a subject entered into governance agenda with incorporation of Article 45 of the Constitution of India by 86th Constitutional Amendment Act 2002 consequentially it is enacted into a law with a provision contained in Section 11 of Children Right to Free and Compulsory Education Act, 2009 which came into operation from 1st April 2010. In spite of the constitutional and legal mandate young children remained far away from early childhood care and education services rendered by the state. Universal, equitable and quality early education appeared as a fundamental requirement to realise fundamental right to education. This necessitated a specialised legal framework exclusively on ECCE for which civil society in India effectively led a movement for a legal framework on ECCE.

The CLAP as a law focused human right organization strategically designed this advocacy initiative considering the fact that there has been a wide spread discrimination in the Indian social fabric in relation to access to quality early childhood education for marginalised and disadvantaged children. Owing to the failure of the State to deliver opportunity for access to quality early childhood education,



the process of realisation of fundamental right to education which became a part of the fundamental right chapter of the Constitution of India is could not be succeeded. As a result Children of marginalised community remain away from mainstream education due to lack of preparedness at the very early stage of life. Locating this discrimination in the social environment, CLAP was convinced to address the issue in a right based approach for which it took up the issue in a campaign mode to make a demand for legislative framework which carves out in detail the facilities and opportunities concerning ECCE to make it a right and creates an enabling environment for equitable distribution of public services concerning ECCE by the systems of governance. The advocacy initiative undertaken by CLAP explored the possibility to address the issue of young children through an entitlement approach. It focused on universal and equitable public services for holistic development of young children. As a result of concerted endeavour by the civil society organisations along with NCER led by CLAP it had been observed that consequentially the theme of ECCE entered into legislative framework with incorporation of Section 11 in Right to Education Act which was enacted by the Parliament of India in 2009 and came into force from 1st of April 2010.

The sojourn over 3-years of juridical advocacy initiative between 2007-2009 gave an occasion to NCER led by CLAP to retrospect on its advocacy endeavour. It was discerned from the analysis that even though the legislative policy on a constitutional provision is pronounced through Section 11 of RTE Act nevertheless it is grossly inadequate to give the legislative provision an expression in the field. It made CLAP to re-strategize its activity and focused on making a demand for law or policy concerning ECCE in accordance with the provision of RTE Act read with the constitutional mandates relating to the subject. In this backdrop the CLAP has started the In Defence of the Child

The idea to undertake the advocacy initiative for a law originated as the legislative provision to deliver ECCE was found inadequate. The provision was made in Section-11 of the RTE Act which came into force from 1st April, 2010.



Project - V in 2010 with the support of Bernard van Leer Foundation, The Netherlands for a period of 3-years. As a matter of strategy the CLAP decided to continue its juridical advocacy initiative through its flagship endeavour National Campaign for ECCE Right (NCER) with field lab in Badamba Block of Cuttack district to make the National Campaign undertake evidence based advocacy.

As a matter of strategic action the re-strategized advocacy endeavour on ECCE was focused in the state of Odisha. This strategic decision was taken considering the fact that as per the provision of RTE Act it is the state government which is responsible for implementation of the legal provisions. The significant aspect of the revised advocacy strategy was that it set a target to operate at two levels. Firstly, it will consistently endeavour to engage the state to give adequate expression to Section 11 of the RTE Act. Secondly, the inadequacies and deficiencies in course of giving expression to Section 11 of the RTE Act shall be documented and highlighted through various manner including media to lobby the union government to bring in a public policy which categorically mentions bringing about a law or a law itself to provide ECCE in an uniform manner all across the country which is universal, equitable and quality oriented. At this stage it was also taken into consideration to include in the agenda for advocacy the subject of mother-tongue based quality early education which is easily available and accessible for tribal children as the knowledge pertaining to successful models of early education conveyed the message that in order to make early education a success it is essential to begin with mother-tongue based multi-lingual early education strategy. Accordingly, in the newly designed advocacy strategy to lobby for a comprehensive enforceable policy or legal framework it was incorporated that not only a demand will be made for a public policy or a law on ECCE but also simultaneously demand will also be made for incorporation of provision for mother-tongue based early education. It was well recognised that the right to language of tribal children cannot be seen in isolation rather it is very much an integral part of any public policy or law concerning ECCE.



The re-strategized advocacy initiative which was started in 2010 for a period of 3-years comprised of various advocacy strategies and activities. These were coined keeping in view the goal of the campaign which was directed to address policy and law of the state concerning ECCE. In its manifold manifestations the advocacy initiatives consisted of activities like Networking, Advocacy, Legal Action, Media Advocacy, Micro Advocacy, Capacity Building, Public Hearing, Monitoring through using RTI and Drafting of Law.

With the systematic application of afore-mentioned strategies and activities the advocacy initiative of national campaign (NCER) could successfully accomplish the desired goal of having a public policy or law exclusively on ECCE in India. It is in this regard to be underscored that by the end of the campaign a public policy titled National Early Childhood Care and Education (ECCE) Policy was adopted and was in place which was the goal of the 3-years campaign. Not only a public policy on ECCE was brought in place as desired under the campaign but also very interestingly a provision was incorporated in the policy to bring about a legal framework exclusively on ECCE and also regulatory framework for service providers. It is pertinent to mention that the campaign since its germination focused on persuading the state to bring a special legal framework exclusively on ECCE.

As a part of the judicial advocacy, which CLAP led concerning ECCE applied various advocacy techniques to systematically generate a demand for a law on ECCE. The strategic initiatives finally persuaded the government to explicitly declare the need for a law in the newly adopted National Early Childhood Care and Education Policy in 2013. Since, the advocacy endeavour of CLAP witnessed reform in Policy and Government recognition of the need for a law, the CLAP considered the advocacy initiative as a success.



Thus the campaign traversed a long journey to arrive at a new milestone with an accomplishment of the goal. This successful advocacy initiative leaves behind it a great deal of knowledge concerning the systematic approach of a juridical advocacy initiative on a subject like ECCE. In fact there is hardly any attempt initiated by civil society organisations to use law in its various dimensions in the matter of ECCE. It can be said that the role of law in the arena of ECCE has been historically downplayed. Hence, an attempt is made here to document the learning from the advocacy initiative of NCER led by CLAP for documentation and wider dissemination for replication of idea in various other similar context and subjects. The purpose of this document is to present in a systematic manner the rationale for using various strategies, the approaches that were found effective, the processes followed to give a logical shape to the ideas and finally the learning that has been gathered through the exercise.

In this report an attempt has been made for documentation of learning from the advocacy endeavour. It has broadly two purposes. Firstly, the documentation will provide CLAP to understand the extent of realisation of project goal which the project set before it to be accomplished through the juridical advocacy. Secondly, the documentation will help CLAP to disseminate relevant practices which can be replicated in similar situation as a successful model.



Chapter-II

Situational Review¹

ECE commonly referred as Pre-school Education in India is made available under Integrated Child Development Services (ICDS) scheme as a part of public service of State. ICDS scheme was launched on 2nd October 1975 by the Government of India as a Central Sponsored Scheme (CSS) to provide a comprehensive package of services through community-based institution called Anganwadi with intended objective for holistic development of young children. One of the mandatory services of ICDS is pre-school education aiming to develop school readiness and positive attitude towards school education among 3-6 year aged children. Pre-school education is generally understood as school preparatory stage for which focus is laid on concept formation and language development by organizing activities like pre-conversation, story-telling, vocabulary building. However, many evaluative studies on ICDS have thrown light on infrastructure, governance, and policy inadequacies for which pre-school education service by the Anganwadis is inadequate, inappropriate and poorly structured.

Performance Audit Report on ICDS in Odisha by Comptroller and Auditor General (CAG) of India (Report No.220 of 2012-13, Ministry of Women and Child Development, Union Government) has expound certain factors such as lack of infrastructure, untrained facilitator, limited supply of Teaching- Learning Materials, poor convergence, improper fund utilization etc which are, by and large, attributable for poor quality in pre-school education. An analysis of the CAG report reveals that *“34.5% of anganwadis are operating from dedicated ICDS building, 8.0% at rented building, and 57.5% anganwadis are housed neither in ICDS nor in rented building, Basic facilities such as drinking water are not available in 49% centres, toilets in 70% centres, and sanitary in 77% of centres. 23% of AWWs have not undergone training for conducting activities of pre-school education. PSE kits were not available in 50% of AWCs. 20% AWWs did not have knowledge of prescribed charter of activities for PSE. Funds sanctioned by the central*

¹ The situational review presented here is based on data and information available at the time of beginning of the Campaign. It provided an insight into the context on which the campaign was shaped. Hence the data provided here is not based on present situation.



government for the procurement of PSE kits were almost unspent for the year 2010-11. PSE kits were not available in 80% centres for 2010-11”.

A study conducted by NCER in 2009 titled Right to ECCE: Institutional Facilities and Legal Dimension in India observes that from policy approach to actual implementation, there are plenty of problems in ICDS such as (i) lack of basic infrastructure (i.e. building, space, play & game materials, learning kits), (ii) untrained or inadequately trained pre-school instructor (AWW), (iii) absence of standard pre-school curriculum indicating learning methods for pre-school activities, language to be used for medium of instruction; (iv) absence of monitoring and supervision of pre-school education component of ICDS; (v) absence of community participation. It is revealed from the study that in Odisha *“42% of the AWCs have their own house; 19% of AWCs are operating in the primary school, 18% of AWCs are placed in the community house, and 12% of AWCs are housed in the residence of Anganwadi Workers. 16% of AWCs have tap water facilities, 72% of AWCs have sourced the water either from well or tube-wells. The drinking water quality is good in 54% of AWCs, averagely drinkable in 27% AWCs, and non-drinkable in 19% of AWCs. Toilet facilities are available in 27% of AWCs, particularly in those centers, which are operating in the primary school. Only 9.0% of the AWCs have electric facility. Anganwadi Workers are less qualified and are not adequately trained to teach the pre-school children. 12% of AWWs have education of primary level, 20% have attained education of Class VI- VII, 49% have attained education upto 10th Standard, and 19% of AWWs have education of higher secondary or more. Pre-school education is not a day-to-day activity in most of the AWCs. 28% of AWCs have imparted pre-school education maximum 5 days in a week, where it is 3-4 days in a week in 38% of the AWCs, and 1-2 days in 34% of AWCs. Pre-schooling is a stage for pre-reading and pre-writing, but AWWs are little aware about the type of play activities to be conducted for pre-school education. Even if a model pre-school manual called ARUNIMA has been developed for the use of AWW in organizing pre-school, 65% of AWWs are unaware about such manual. Less than 20% of AWCs have displayed some kind of learning items through wall painting, wall hanging. Monitoring and supervision of pre-school activities is*



very poor. Apart of Food Committee, there is no committee to monitor the activities of the AWCs on regular basis. The Food Committee is constituted only to review the supplementary nutrition programme of AWCs. The District Social Welfare Officer (DSWO) and Child Development Programme Officer (CDPO) do not make regular visit to the AWCs as they are overburdened with other principal works”.

Odisha is the homeland of 62-Schedule Tribe Communities and 13 of them are primitive tribes. The global recognition is that teaching through child’s first language or mother tongue is the most appropriate way of working with children in the early years of concept formation. Children who attend pre-school programmes conducted in their own mother tongue face fewer problems of comprehension as compared to children whose mother tongue is different from medium of instruction. It is invariably observed that Odia (i.e. the regional language of Odisha) is the commonly used language of the Anganwadi workers for pre-school education. Therefore, difference of languages spoken at home and Pre-School Centers is a barrier for tribal children.

ECE is also rendered through private initiatives in the form of kindergarten, nursery or pre-school education in a variety of modes and varying degree of quality. The children of rich families and elite classes can afford to receive high quality early childhood education, whereas children of poor and unprivileged families are attached with ICDS that renders poor quality service. Children from rich families tend to arrive at schools with higher level of school readiness, advanced cognitive skills, and positive approach to learning. Conversely, children entering into schools without pre-primary education have lower level of motivation, cognitive skills and are more often faced with difficulties to cope with the school systems. While the syllabi and curriculum adopted by private schools for pre-primary education have forward linkage with the primary education, ICDS sponsored pre-school education does not have such linkage.



Chapter-III

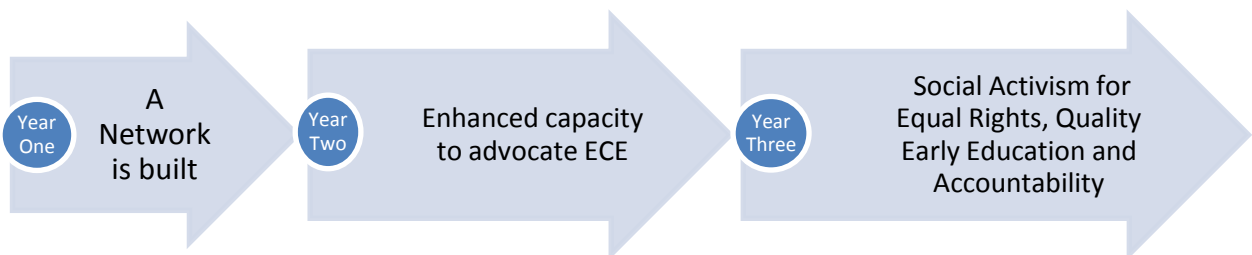
Networking

As a major initiative of National Campaign for ECCE Right an attempt has been made to create a network of NGOs who are actively engaged in their respective constituencies for holistic development of children and working towards realisation of rights of children in its manifold manifestation. The network was built on the broader premise that for a successful early childhood care and education programme it is essential to have wider reach out to the households and communities. As the national campaign mostly advocated for recognition of right to ECCE of young children of marginalised communities, it was felt essential to expand the reach out through the involvement of NGOs who are members of the network. In fact, it becomes inevitable because the campaign has also a mandate to reach out to different tribal communities to mobilise them for creation of a demand for early education for their children. Accordingly, the national campaign began its journey with a focused mandate to pull a wide range of civil society organisations who can act as harbingers to promote facilities and opportunities for early childhood care and education. The network built under the campaign was initially confined to the state of Odisha even though the campaign has a larger geographical coverage in the country. Thus the network was engaged to build a mass movement in Odisha especially in the tribal locations.

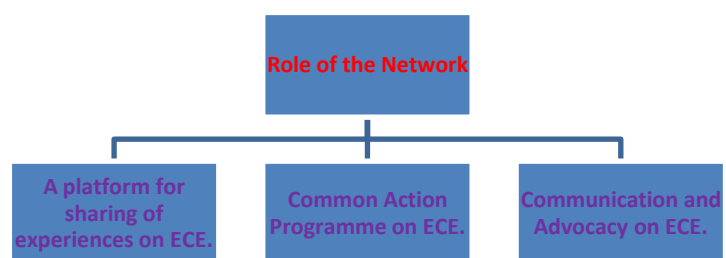
The process of building a network for a successful social activism relating to ECCE had undergone a number of stages. In this regard a well design plan of action was made. As per the plan of action various milestones were identified to be achieved over a period of time. It was planned that in the first year an attempt will be made to build the network. For this purpose communications with different civil society organisations were continuously made. On the basis of the information received from the civil society organisations regarding the nature of work and geographical area of coverage, the organisations were invited to become the member of the



network. In this regard a series of visits were arranged to have firsthand information from the field. As the next step district wise workshops were also organised in which potential NGOs were invited to understand and deliberate on the theme of ECCE particularly the importance of mother-tongue based early education for young children. In this process in the first year of the campaign mobilised NGOs to form a network. After the formation of the network over a period of one year the members were provided with various capacity building opportunities like supply of resource material, training and exposure visit for enhanced capacity of the network to advocate for ECCE. In course of capacity building endeavour the member organisations started working on the issue in various manner. This development persuaded the network to engage the members in social activism concerning ECCE. Almost over a period of one year the process of social activism on ECCE gained momentum and took shape. Overall it was noticed that in order to mobilise, unite and engage a wide range of NGOs on a common action programme approximately 2-3 years are required to be devoted. The following diagram shows the specific milestones that were contemplated in the process of building the network.



Bearing the above stated purposes in mind, an attempt has been made from the beginning of the project to build a network and engage it in a common action to strengthen the process of advocacy. In order to build the network a wide



range of activities were conducted in the first year. The following activities were undertaken for the purpose of building the network and promotion of social activism:

A. District level Workshops.

In the process of network building, workshops were organised with participation of NGOs in 11-districts of Odisha in the year 2011. A total of 389 persons participated in the workshops in different districts mostly the Scheduled districts having concentration of tribal population. Potential organisations having programme on ECE in the network had been assigned with the responsibility to organise District level Workshops to build consensus among NGOs on MT based ECE for tribal children. In order to understand the status of ECE in comparative perspective 3-nos of workshops were organised in non-scheduled areas out of the total 11 numbers of workshops. The following table provides an insight into the process of holding workshops.

Date	No. of Participants	District
25 th June 2011	30	Malkangiri
29 th June 2011	38	Cuttack
30 th June 2011	41	Kendujhar
12 th July 2011	30	Sundergarh
24 th July 2011	42	Mayurbhanj
30 th July 2011	34	Koraput
12 th August 2011	35	Kalahandi
17 th August 2011	45	Balasore
24 th August 2011	35	Puri
26 th August 2011	33	Rayagada
14 th September 2011	26	Kandhamal



The main objective of the workshops was to sensitise NGOs about the constitutional mandate under Article 45 and the provision made under Section 11 of RTE Act, so that, a consensus can be built to initiate demand from field location for reform. In course of the discussion an attempt was also made to orient the member organisations about the NCER- its objective, strategy & activities to enable them to understand the role to be played by each member in the advocacy initiative as a Network. Consequentially the participants were given a space in the workshop to identify gaps and challenges in the present ECCE programs so that advocacy agenda of the campaign could be rolled out.

The Workshops at different districts provided opportunity to the participants to share experiences among them relating to various issues ranging from generic to specific local issues, and from implementation to policy issues of ICDS. Issues highlighted in the workshops were mainly concerned with structural deficiency; operational problems, and policy gaps.

A preliminary attempt was made in the Convention to assess the strength and expertise among the network partners for ECE in the domain of Research, Advocacy, Learning Materials Development, Capacity building training for ECE facilitator; Managing ECE centres; and Community mobilization.

As a result of the Workshops at the district level not only the process of network building was fortified but also it contributed towards engaging media to highlight the issue from different parts of the State. Besides, the members undertook different programmes at their level like conducting studies, orientation training programme for their staff, creating programme portfolio on ECE and seeking support from NCER Secretariat in the form of expert advice to strengthen their work.



B. State level Convention of NGOs.

The whole exercise made by NCER from January 2011 onwards for promotion of ECE network in Odisha was culminated at a state level Convention with formal announcement by the campaign secretariat that the ECE Network is established. The State level Convention was held on 28th September 2012 at Bhubaneswar. The Convention was attended by 150 numbers of participants from 28 districts of Odisha State. The purpose of the Convention was to formulate an action framework for enhanced engagement of NCER network for policy and practice changes in ECE.

The key objective of the Convention was to develop common understanding among the network partners about the objectives, strategies and future direction of the campaign; to develop a plan of action for enhanced engagement of networks; and to decide communication strategies for sharing learning, best practice and innovations among the network partners. Aside inaugural and concluding session, the Convention had technical session which was divided under three thematic caption such as (1) Issues and concern relating to ECCE; (2) Development of action plan; (3) Communication and network management strategy.

In this Convention a presentation was made on situational analysis of ECE in Odisha prepared by CLAP. The Convention provided opportunity to share district specific issues of young children and recommendation to improve the situation. Issues which were deliberated in the Convention in participatory manner includes lack of infrastructure at the Anganwadi level; lack of trained facilitators; lack of minimum basic facilities; multi responsibility of AWWs; Improper monitoring & supervision; lack of convergence; lack of



community participation; absence of accountability etc. In this background of poor status of ECE in Odisha, it was felt and decided to initiate a demand for law.

The Convention came out with some definite outcomes. First, an action plan was developed for capacity building and engagement of network members. It was decided that NCER secretariat (e.g. CLAP) shall make plan to organize perspective building workshops on ECE Policy Advocacy for network members and undertake a study for resource mapping of Odisha ECE network. Secondly, partners were agreed to document the case study, best practices and innovations relating to ECCE and to share these for fortification of knowledge.

C. Resource Mapping.

As CLAP has built-up a Network on Early Childhood Education (ECE) with 150 Non-Government Organizations (NGOs) in the State Odisha under its National Campaign for ECCE Right (NCER), it was planned to make research on resource *mapping of the network* in order to evaluate the strengths and opportunities lie with the network partners to undertake advocacy to strengthen ECE in Odisha. Resource mapping of ECE Network was made with five expected outcomes such as:

- (i) identification of geographical coverage of network partners;
- (ii) identification of ECE issues at local, regional, state level;
- (iii) identification of resources (i.e. human resources, financial resources, technical skills) available with network partners;
- (iv) identification of expertise of the network partners in the domain of Research, Advocacy, Networking, Learning Materials Development, Training, Community Mobilization, Operating ECE Centres;



- (v) identification of scope for convergence of resources for sustainability of the campaign.

In this regard a Workshop was organised covering the members of the Network to make a systematic documentation of resources available and possibility for exchange of such resources among the members.

A semi-structured questionnaire schedule, prepared in consultation with the subject consultant, was used to collect information from the network partners. In addition to the information collection through questionnaire schedule, a consultation was held with sampled network members to make resource mapping study participatory and consultative.

As an immediate outcome a report titled “Resource Mapping of NCER Network” was brought out for wider sharing among the Network members. This Report provided an insight into the state of voluntary action on ECE in Odisha which is one of its kind efforts in India.

D. Capacity Building for Advocacy.

CLAP led NCER has made a successful endeavour to create a state level ECE Network of NGOs in Odisha with a view to provide a platform to amplify collective voice to impact the state institutions to make a policy on ECCE focusing on mother-tongue based early education for tribal children. In this regard it was felt that there is a need to engage the Network for promotion of social activism on ECE. In order to promote social activism, a plan was made to hold perspective building workshop for network partners on policy advocacy for early childhood education. In this background, CLAP under the National Campaign for ECCE Right organized 2- nos. of Perspective Building Workshop on Policy



Advocacy. The objectives of the workshops were to further the understanding of the network partners about the present situation, policy and practice on ECE; develop hands on experience on different methods of advocacy; understand the role of different stakeholders and their level of influence at the policy level; and how to integrate the micro level issues in the process of macro-advocacy.

The workshop was helpful for the participants to further their understanding on advocacy techniques; differentiate policy issues and implementation issues; identify the key stakeholders; enhance knowledge for strategic application of advocacy techniques; and to prepare advocacy plan.

As an immediate outcome of the capacity building exercise on advocacy the participating member organisations consistently endeavoured to mobilise public opinion in various locations in the context of the policy proposal of Government of India on ECCE. The Policy dialogue was taken to the grassroots by the Network and as many as 17-nos of Memorandum were submitted to the Government on Draft ECCE Policy. The Policy advocacy by the members of the Network got wide media coverage across the State.

Learning from the Exercise:

A network of non-governmental organisation can play a very effective role to create public opinion, undertake a concerted debate and consequentially generate a demand across the constituencies. In this regard selection and engagement of NGOs is important. The NGOs who have a mandate to work for children either for the development or for realisation of their right can contribute significantly in an advocacy endeavour as they have a commitment to the cause along with understanding of the issues in an appropriate perspective. Although



it is difficult at the stage of formation of a network to identify potential organisations who have a mandate to work on Child Right due to non-availability of information concerning the work of different organisations operating in different geographical locations and various spheres nevertheless, it can be learnt over a period of time in course of association with them. The attempt to build a network and engage it in the process of advocacy helped CLAP in carrying forward its mission in a systematic manner. The network members got engaged in a variety of advocacy initiatives which together constituted action for realisation of common goal. It is in this regard important to document some of the pioneering work by the Network members which are explained briefly here below:

1. Society for Weaker Community runs a Training Centre for Pre-School Facilitators of ICDS with support from Government of India. It has decided to develop a curriculum for quality early education based on its experience. It also provided information about the nature and scope of training for Anganwadi Workers under ICDS. They have taken up the responsibility to contribute to the effort of different network members to deliver early education especially among tribal children in their mother-tongue.
2. Institute for Social Development published high quality and well researched facilitation materials for children of *Juanga* tribe in their language and context with engagement of eminent experts in the field.
3. Centre for Youth and Social Development is bringing out Education Watch Report and formed Education Watch Group.
4. The organisation ORRISSA has built its capacity for effective mobilization of tribal communities and engaged them in promotion of early education.
5. Viswa Yuva Kendra has made substantial amount of contribution to the field of ECCD in its various dimensions.



6. *Aviyan* having a strong network of youth in Odisha decided to mobilise youth for promotion of early education and also prepare youth for holistic parenting.
7. *Banabasi Seva Samiti* having experience in child care services.
8. *Friends Association for Rural Reconstruction (FARR), Meera Welfare Society, National Youth Service Action and Social Development Research Institute (NYSASDRI), Organization for Rural Reconstruction and Integrated Social Service Activities (ORRISSA), Peoples' Cultural Centre(PECUC), Research Academy for Rural Enrichment (RARE), SUPRATIVA, JAGRANA* etc have added value and diverse experience to the campaign.

Overall it is learnt that CSOs can contribute to strengthening early childhood education strategies in at least four ways: (1) publicly advocating for promotion of early education, (2) helping design strategies to reach out invisible pockets and create model initiatives, (3) working with governments to scale-up quality early education programmes, and (4) monitoring and evaluating efforts to achieve the Goals.



Chapter-IV

Advocacy

The entire campaign for recognition of ECCE as a right with sanction of law used advocacy as the major strategy to accomplish the goal. As a method of advocacy the campaign was systematically engaged in a consistent dialogue with the government at various levels. The policy advocacy under the campaign required interaction with the institutions of governance at the state and the central level because of the primary reason that the central government runs the scheme with the assistance of the state government. This means that most of the policy related issues were required to be taken up at the apex level for reform while for the purpose of the implementation regular interaction with the state government was found necessary. It was understood that for effective implementation of ECCE related programme advocacy at both the level is essential. Bearing this in mind the National Campaign identified Odisha State as its geographic focus so far as advocacy activities were concerned. Overall a number of activities were undertaken by the campaign for a consistent dialogue with government at central and state level which are discussed in the following paragraphs.

a) *Dialogue on Section -11:* At the beginning of the advocacy for a law or public policy, a state level colloquium was organised to initiate a dialogue on the provision of Section 11 of RTE Act involving civil society organisations, govt. representatives and the Ombudsman institutions like State Commission for Protection of Child Right. This colloquium, named as “Dialogue on Section 11” was the first ever public discourse in India on the provision

This distinctive endeavour of CLAP in India with a focused advocacy for a law or public policy on Early Childhood Education and Early Childhood Care drew public and policy attention to the issue for the first time after enactment of the RTE Act.



provided for under Section 11 of RTE Act relating to ECCE policy. As this provision desires the State Governments in India to formulate Policy on ECE and ECC, therefore, the Dialogue insisted on State Government in Odisha to formulate a Policy. Thus a demand was started to make a public policy or a law on ECE. Broadly, it impacted the policy discourse relating to development of a legal framework on ECCE. It also contributed significantly to the growth of knowledge regarding the possibility of making legislative arrangement and recognising young children as right holder to a set of services in the nomenclature of ECCE.

As this endeavour highlighted the need for a law or policy on ECE for the first time since enactment of RTE Act in 2009, it received wide media attention spearheading a demand through media – both electronic and press.

As an immediate follow up to the endeavour, the advocates of Right to ECE for young children submitted a Charter of Demand to the Government of Odisha to formulate a Policy or Law in accordance with the provision of Section-11 of RTE Act. Consequentially, a comprehensive Memorandum on Universal Entitlement to ECE was also drafted in consultation with civil society organisation and submitted to Government of India aligned with the development of Policy Discourse at the national level.

b) *Interface with National Advisory Council on Pre-School under ICDS.* In course of making a demand for law at the State level, opportunities at a different sphere had also been explored. As a result, CLAP was invited by the National Advisory Council to contribute to the process of bringing about reform in the ICDS and strengthen the pre-school component, which was the most neglected part in the scheme, with specific provision for improvement in quality of service.

CLAP being the pioneer organisation spearheading a demand for ECCE Right was invited to participate in the consultation. In fact, the Executive Director of CLAP and the Secretary, Department of Women and Child Development, Government of Odisha were the only



representatives on behalf of civil society organisation and government respectively from the state of Odisha who have attended this Consultation. The CLAP submitted a set of recommendation in this Consultation with a clear demand to bring ECCE under the provision of law by developing a legal framework. As a follow up to the consultation, the National Advisory Council submitted to the Government of India a proposal for reform in ICDS to strengthen pre-school component. A copy of the note on consensus emerged from the consultation was shared with CLAP by the National Advisory Council. Through this process the key policy reform issues were identified and communicated to the policy makers. CLAP had the unique opportunity to contribute to the process of reform. Inter-alia the following specific key policy reform issues were brought to the notice of National Advisory Council by CLAP:

- i. **Building strong community demand towards pre-school education:** Parents and Community education is needed to build community awareness, demand and support for pre-school education. Key messages of ECE (i.e. why and how institutional based early childhood learning is necessary to prepare the child for primary education) should be communicated to the people through print & electronics media, gram sabha, and conventional forms of communication such theatre, songs, etc so that the importance of pre-school education is rightfully understood by the parents and community.
- ii. **Strengthening basic infrastructure facility and support system:** Many evaluative studies of ICDS Programme have shown that the pre-school education has been the least important activity of the anganwadis due lack of basic infrastructure and support facilities in the centre such as space, minimum physical environment, teaching-learning materials, etc. In order to enable the anganwadis to provide a quality pre-school education, centres are to provided with good infrastructure and support facilities



with conducive physical environment to learning along with adequate teaching-learning materials, availability of both indoor and outdoor space

- iii. **Setting quality standards:** The new policy structure should lay down the standards and norms for pre-school education with specification to location of the centre, building, space, working days, working hours, pre-school education instructional hours, child-facilitator ratio, teaching- learning materials, salary of the facilitator.
- iv. **Enhancing capacity of ECE Facilitator:** Facilitators requires knowledge, skills, and orientation to adopt a professional and informed approach towards context, curriculum, and methodologies of pre-school education. Training and Orientation has to be conducted on sustained basis to develop professional capacity and motivation of the facilitators to conduct pre-school learning in an interactive, participative, activity-based manner. ECE facilitators will be trained to maintain link with primary school teachers and will familiarize children with environment and language of instruction in primary schools they would go. There must be scope and opportunity for the ECE facilitators to share their knowledge, experience and best practices at the district, state and national level.
- v. **Developing curriculum framework of PSE and Guideline for learning material preparation:** Developmentally appropriate, age-appropriate detailed curricula for pre-school education has to be developed at the national level with the flexibility for the states to make necessary changes as per their local context, culture, dialect and languages. The curriculum must contain a guideline elaborating the preparation of learning items from the locally available materials and its use by the ECE facilitator.



- vi. **Introducing mother- tongue based learning pedagogy:** Tribal children, more particularly children of primitive tribal communities, have less acquiescence to the dominant regional language and they have natural disposition towards their local dialect. Any communication with the children of these communities by the ECE facilitator beyond their home languages creates difficulties for the tribal children to understand. There should be a clear cut policy statement with provision for mother-tongue based early childhood learning opportunity for the tribal children.
- vii. **Promoting convergence at the operational level:** Convergence of ICDS programme with the primary education systems, health systems and local self government institutions is much needed at the operational level. Convergence may be forged with the primary schools for transition checking, curricular linkage, and education continuity. Convergence shall be made with the health and local self-government institutions for strengthening the institutional base and basic facilities of the ICDS centers by utilizing the portion of the funds of NREGS, NRHM, and Sanitation Programmes.
- viii. **Institutionalizing strong monitoring system:** A strong monitoring system shall be put place for timely collection of relevant information regarding pre-school education service and for creating multi-layer accountability for the better management of the programme. A MIS system needs to be developed with the information about the enrolment, attendance, outcomes of pre-school programme of ICDS in order to promote more research, evidence-based planning and evaluation.
- ix. **Ensuring child transition:** Considering the fact pre-school learning stage is a phase of transition for preparing the child for primary education, a strong system need to be put in place to ensure successful transition of the child from home to pre-school and from pre-school to primary school. Hence, birth of every child has to be registered and



certified so that enrolment of the child for pre-school education at the right age may be ensured. Children completing pre-school education should be provided with pre-school leaving certificate in order to give this stage an added status and to ensure the entry of the child in primary class at the right age.

- x. **Devising strong policy framework:** There is a need to accelerate action for pre-school education in right based approach. Thus, ECE policy framework has to be put in place with a forward linkage approach to right to education. In this context, State should be directed by the Government of India to lay down norms and standards for pre-school education in terms of infrastructure, basic facilities, curriculum, pedagogy, language for instruction, facilitators training, etc with reference to Section-11 of the Right of Children to Free and Compulsory Education Act, 2009.

c) Review of National Policy for Children 1974: As a part of advocacy in different spheres, the CLAP took active role in different platform mostly organised by Government of India. CLAP was invited to participate in a consultation on Review of National Policy for Children 1974 held in Lucknow organised by National Institute of Public Cooperation and Child Development (NIPCCD). The CLAP extensively and exclusively contributed on the significance of ECCE and the Pre-school component. CLAP made a recommendation for access to quality early education for all young children in the age group of 3-6 and mother tongue based ECE for tribal children. Consequently, the government after finalisation of Draft Policy solicited public opinion. In response to it the CLAP again highlighted major issues of concern including incorporation of a provision for mother tongue based quality early education and accountability.

It is to be mentioned that the Government of India has adopted the revised National Policy for Children with a specific mention of ECCE, which CLAP highlighted during the



Consultation. The Policy observes in Sl. 4.6. (i) that “the State shall take all necessary measures to provide universal and equitable access to quality Early Childhood Care and Education (ECCE) for optimal development and active learning capacity of all children below six years of age”.

d) Memorandum on Universal Entitlement for Pre-School. Based on the consultations held at various level involving cross section of the society, evidences collected from action research in the field location of the project and review of laws and policies, the CLAP has consolidated the views and knowledge in the form of a memorandum on universal entitlement for early childhood education in India.

This document served the purpose of an advocacy tool to make a demand for law and policy on ECE.

The Memorandum was submitted to strategic institutions of Government for consideration like the Office of the Prime

Minister, Office of the Chairperson of the National Advisory Council, Vice Chairman of Planning Commission of India and the Ministry of Women and Child Development.

The Memorandum suggested that the trend, internationally, is for states to devise comprehensive strategies for the early years and to confer universal and enforceable rights in the specific area of pre-school education. Expansion of pre-school will be a major and

Themes covered under the Memorandum:

1. ECCE – Evidence Base and the Case for Government Intervention.
2. Position in India – Law, Policy and Practice.
3. Purpose, Issues, Outcomes of NCER.
4. Proposals – A Right to Early Education within a Strategy for ECCE.
5. Infrastructure and Workforce Development.
6. Quality Assurance and Regulation.
7. Entitlement and Delivery.
8. Governance, Accountability and Parental Involvement.
9. Next Steps – Outline Implementation Programme.



long-term challenge in India. It will need commitment, planned investment, and firm programme management. There are a number of initiatives that Government could take now, which would pave the way for the growth of high-quality pre-school education. These include the development of curriculum guidelines, the definition of occupational competences, a workforce development strategy, and the collection of relevant demographic data.

The Memorandum is a comprehensive document with 9-different themes relating to ECE. This Memorandum called on the Government of India to develop a comprehensive strategy for early childhood care and education; and, in that context, to introduce a Bill into Parliament of India to secure universal, free, high quality and accountable pre-school education for children in the three years before they start primary school.

CLAP has already published research into the provision of early childhood services in India, including a survey of law and policy in many other countries. That research includes an overview of international instruments relevant to early childhood rights. This brings out clearly that India, despite some useful initiatives to provide comprehensive child development and family support services to the most disadvantaged and vulnerable members of society, is no lagging behind many other developed and developing nations in its approach to early childhood services and – most importantly – in the coverage and quality of services on the ground.

CLAP as the initiator of the Campaign for a statutory right to ECE contends that the right to life enshrined in the Indian Constitution implies not merely the right to existence but also the right of the individual to education as the means to self-development and self-fulfilment.



e) *Facilitation of Policy Discourse:* As the advocacy progressed over 2-years of operation, it has been observed that the Government of India formulated a Draft Policy on ECCE along with Policy on Curriculum Framework and Quality Standard for ECCE. An important aspect of the Policy was the statement regarding formulation of a legal framework on ECCE. This was considered as an opportunity for advocacy to highlight the issues of quality, accountability and the provision for mother tongue based education for tribal children. Accordingly, CLAP mobilised a wide range of actors to put forth views and recommendations. Thus, CLAP not only made a demand for law but also immensely contributed to the process in course of finalisation of the draft policy by Government by offering views and recommendations from a large number of people and representative bodies. The CLAP has provided platform to 4-different segments of the society – the opinion makers to deliberate upon the draft policy and recommend on it. The recommendation which were submitted to government being facilitated by CLAP covered various actors such as civil society organisations, public opinion, expert opinion and legal opinion.

The consultations for collection of recommendations were made at different level including a wide range of debates at the grassroots level involving the real beneficiaries i.e. the parents, communities and local self government institutions. As many as 17 numbers of recommendations emerged from different tribal locations of Odisha where the people demanded a clearly spelt out provision for mother tongue based quality early childhood education with multi-layer accountability as well as space for participation of parents, community and local self government institutions in the process of early education.

The CLAP led National Campaign for ECCE Right (NCER) also provided a platform in its e-group for a nationwide debate in the society. It was observed that NCER platform emerged as the major platform for spearheading the dialogue during the time of finalisation of Draft ECCE Policy.



f) Lawyers Campaign on ECCE: As a part of advocacy, the CLAP mobilised 20 numbers of young lawyers who are the recipients of Young Lawyers for Justice Fellowship, a programme of UNDP with support of Government of India to undertake a campaign during the Global Campaign Action Week – 22nd April to 28th April 2012 on the theme of ECCE. As a part of the campaign the Young Lawyers organised public meetings in 10-districts of Odisha and submitted Memorandums to the concerned District Collectors with a demand for law on quality early education for young children.

g) Draft Legislation: After a thorough review of the existing legislative measures both at the central and state level, an attempt has been made to draft legislation on early childhood education. In the preliminary draft the views obtained from consultation with lawyers and advocates of ECCD have been reflected. The research of CLAP into the global legal perspectives on ECCE covering legislations of various countries was taken into consideration to visualise a Draft Legislation.

As a matter of strategy, it is decided to submit the draft legislation to appropriate state actors once the National Policy on ECCE is approved. In the meantime the draft legislation is to be further revised to improve upon the inadequacies in the draft with larger consultation.

Learning from the Exercise:

It was learnt from the overall advocacy initiative that identification of appropriate platform for dialogue which can influence public policies is crucial. Access to such platform for dialogue is an advocacy technique which requires to be explored through various methods like consistent communication with stakeholders, act as a representative group and regularly highlighting various issues in the media. Then only access to appropriate platform for dialogue becomes



easy. Here it is required to be understood that merely gaining access to appropriate platform for advocacy is not sufficient and it is not an end in itself. Rather it is a means to achieve the end. In order to accomplish the goal of advocacy, it was learnt that firsthand information about practical aspect of the issue must be well gathered and documented. This is precisely so especially in those cases of advocacy for policy reform where the policy is already in operation as happened in case of ECCE services which are already delivered through ICDS in India. The dialogue for policy reform was successfully undertaken as CLAP had a programme at the grassroots level directly with the communities which were an integral part of the advocacy strategy. It was integrated in the overall programme with a view to make the advocacy endeavour evidence based. As far as early childhood education was concerned the CLAP had gathered substantial evidences which were used at the time of dialogue for policy advocacy. This was more relevant in case of advocacy for inclusion of mother-tongue based early education for tribal children. Since, CLAP had prior knowledge about the practical aspects of early education of tribal children through its micro advocacy initiative; it has significantly contributed to the process of policy reform. As a result of it immediate changes were noticed in the policies with incorporation of provision for mother-tongue based early education for tribal children; which is evident from National ECCE Policy which explicitly made a provision for mother-tongue based early education for tribal children.

It must be accepted that at the policy level, the decisions are taken for its universal application and the constituency is always too large. Therefore, it is possible that the need for various constituencies is not actually taken into consideration in course of policy formulation. Sometimes it becomes desirable to take a decision which has the potentiality for universal application. The need of various segments of the society can be taken into consideration when the success of the programme is reviewed or the reach out is examined. In this regard monitoring of public services plays a significant role. The present engagement under the campaign reveals that monitoring of early education under ICDS by a large network of NGOs



provided enough material to review the position of the services. It helped in persuading policy makers to revisit the policy and consider the case for mother-tongue based early education for tribal children. In case of the campaign for making early education easily available and accessible two major points were identified. Firstly, early education received very low priority in course of its delivery at the grassroots level for various reasons. Secondly, a general kind of early education may not be acceptable for the tribal society due to language constraint. These key service delivery points were clearly documented for advocacy through direct engagement with the communities. The firsthand knowledge collected from the direct engagement put the advocacy initiative in the right perspective for a knowledge based advocacy. At the implementation level while efforts were made to improve upon the delivery of services through measures like training of facilitators, adoption of curriculum, making available materials and contemplating schemes for mother-tongue based early education for tribal children, at the policy level the process was started for bringing about reform which finally culminated with the explicit declaration that ECCE requires sanction of law for its effective delivery and to ensure good governance. Thus a systematic advocacy emerged with successful results.



Chapter-V

Legal Action

It is a well established strategy in an advocacy for reform in public policy or law to have a component for use of judicial institution in the cause. This is possible through appropriate legal action. When judiciary gets along in a cause through a judgement or a judicial pronouncement that assures protection of right or fixes the duty of the state the policy advocacy naturally is strengthened with sanction of one of the pillar of the state. Taking a decision about an appropriate legal action on a relevant issue in the right time is an essential technique in an advocacy strategy. It is all about strategic litigation which not only brings relief to a particular cause but also steers clear the road ahead for an effective advocacy. By and large an effective judicial advocacy is dependent on the level of understanding of the issue and locating the inappropriateness or arbitrariness in the system which causes deprivation from entitlement or violation of right. Generally it occurs through omission of duty or commission of an act which is legally wrong.

Using judicial institution through public interest litigation (PIL) or by way of bringing writ in the High Court and Supreme Court on issues like early childhood care and education is always complex step. There are many human right issues where the advocates for the cause and human right activists take shelter in a court of law for exercising human rights. However, issues such as early childhood care and education do not come under that kind of subject. Legal action for protection of rights in the matter of civil and political rights is comparatively easier to seek relief. However, when it is a right concerning social, economic and cultural human right a whole



lot of practical actions at the grassroots level are required to be undertaken to ascertain the deficiencies in the governance or locate entitlement failures. Although the second generation of human rights find adequate space in the agenda of civil society organisations in various form and strategies there is barely any simple method to decide the issues where legal action can be taken. It is rather a complex process.

CLAP has used judicial institutions to bring about reform in the existing system in the ICDS and ensuring accountability at different level. Legal action in right time can have lot of impact on the system of governance and also attracts media attention which is useful for mobilisation of people in general in issues like early childhood education. It is evident from the legal action by CLAP that has preceded the tragedy that occurred in Odisha leaving behind death of 7-children and many more injured. This happened during the process of evaluation in the month of July 2012. Due to timely legal intervention of CLAP the High Court directed the State to pay a compensation of five hundred thousand rupees to each of the families who lost their children and to bear expenses towards medical assistance in case of injured children. The final judgement came at the fag end of the evaluation. The judgement is cited in this report. Besides, as a result of the above stated public interest litigation the argument advanced by CLAP under its advocacy relating to ECE has been explicitly reflected in the judgment. Thus, the advocacy message received judicial recognition. At the same length the legal action has resulted in a direction to the state to devise safety measures and accountability in the system, which is visible from the judgment.



Overall during the project period the following legal actions were initiated:

- A. A petition was filed with the National Commission for Protection of Child Right demanding improved physical environment and regulation of pre-school in the wake of death of a girl child in Cuttack city.
- B. A public interest litigation was filed in the High Court of Odisha in the context of a tragedy that caused death of 7-children due to wall collapse of Anganwadi Centre. The CLAP demanded improvement of Early Childhood Education with adequate infrastructure and accountability.
- C. A Public Interest Litigation on Crèche services in mines filed in the year 2003 was finally disposed off with a comprehensive judgement by High Court of Odisha to provide Crèche facility in mining areas. The matter was disposed off during the period of the project.
- D. 2-nos of representations were submitted to the District Administration for improvement of ICDS and coverage.
- E. A team of lawyers appeared before the public hearing organised by National Commission for Protection of Child Right held in Bhubaneswar and presented 7-nos of cases relating to children.

As a result of the public interest litigation filed by CLAP in Odisha High Court, the Government was asked to file status on Anganwadi Centres. As a matter of fact for the first time strategic litigation was made with the argument that early childhood education is a neglected component under ICDS and unless safety of children and quality is maintained the entire scheme would collapse. Hearing the petition of CLAP, the High Court issued notice to the Government with a direction to file affidavit. Apart from the above result of the legal action made by CLAP, the entire process received wide media coverage creating impact on public opinion for accountable ECE system.



Initiation of legal action in the matter of apparent deficits in governance was one of the core strategies of the Campaign. However, in order to ensure positive advocacy strategic litigations have been attempted in cases of omission of duty or commission of offences by public authorities.

Learning from the Exercise:

What is learnt from the exercise of CLAP is that law has a definite role and judiciary can be approached for bringing reform in the policies and the system. Once, judiciary comes along the advocacy is going to be effective. In view of this an attempt has been made as a part of the campaign to identify the deficits in the governance in matters of early childhood education and devise legal intervention strategy for legal action as well as strategic application of law.

The engagement of CLAP in the matter of early childhood education substantially contributed to the growth of knowledge concerning legal approach in the area of early childhood care and development to address the issues of young children and also empirically established that law has a potential role in this arena of childhood which has so far been confined in the domain of early childhood practitioners. CLAP has paved the way in a unique manner for strategic application of legal intervention strategy in the matter of early childhood in various spheres starting from making a demand for legislative measures as well as development of legal framework recognising the rights of young children concerning early childhood education to seeking judicial intervention to ensure accountability and reform in the systems of governance. Besides CLAP has also documented processes and impacts to showcase a reasonably well formulated meta-legal model to the world with its experiments in the field of ECCD. It was also learnt that a systematic identification of issues and legal action thereon may result in growth of



jurisprudence concerning early childhood care and education. Although it is too early to make any comment about the contribution of the campaign to development of jurisprudence concerning early childhood care and education in India, still the documentation of issues pertaining to entitlements of young children would definitely help building adequate knowledge to initiate appropriate legal action. At least there are two important judicial pronouncement made as a result of the legal action under the campaign which substantially having a bearing on the growth of young child right jurisprudence. The first such legal knowledge comes from the judgement relating to crèche facility for young children whose mothers are working in mining sector. Secondly, the judgement of Odisha High Court on compensation in cases of negligence by the State which causes death of children is another important matter which established the legitimate rights of victims of negligent behaviour to a large extent. Thus, it can be deduced that strategic litigation in the area of early childhood care and education can help bringing about reform and engaging the state to discharge its duty towards young children.



Chapter-VI

Media Advocacy

Media is an important ally in an advocacy initiative by disseminating information to the public and decision makers. In the process of dissemination very often the decisions either target public or policy makers. Sometimes it may so happen that the subject becomes important for both public and policy makers. The key factor in a media advocacy strategy is to develop more effective ways to present information to the media. Focus on the issue always helps in bringing media in support of the cause.

Bearing the above stated principles in mind the National Campaign on ECCE Right included in its strategy for a media advocacy. In fact, the Campaign decided to build media relation through strategic planning with a view to improve media coverage of public interest law issues. A demand for a law on ECCE has been considered as a public interest law issue which hardly finds space in the media before the National Campaign started using the media to highlight the issues in a very systematic order. Strategic attempts were made to highlight specific themes within the broader theme of ECCE such as Right to Mother-tongue based early education for tribal children which captured media attention to a great deal. Overall the effort of National Campaign to highlight ECCE as a public interest law issue used the following techniques and undertook activities:

1. Engagement of Journalist to undertake the media advocacy initiative to mobilize public opinion in favour of a law recognizing the Right of Children to Early Childhood Education.



2. Organizing sensitization programme for media personnel and learning workshop for a selected group of journalist.
3. Preparation and Publication of quality features, articles and news both in print and electronic media.

A. *Ullash Newsletter:* The CLAP undertook the responsibility to publish the mouth piece of Successful Transition Programme of BVL in Odisha titled ULLASH. The CLAP brought out 6-issues of the newsletter during 2010-11. As a part of this initiative CLAP conducted interviews with eminent persons including the Chairperson of the State Commission for Children who herself belongs to tribal community. Similarly, CLAP mobilised well known experts on language to provide their views which were published in the newsletter. Overall the CLAP made an attempt to strengthen the communication strategy of Successful Transition Programme by mobilising eminent persons to speak publicly in support of mother tongue based early childhood education.

B. *Arunava Radio Programme:* The CLAP designed a Radio Programme for public advocacy on ECE in Odisha. In this regard a 15 minutes duration Radio programme was launched under the titled Arunava (The rising Sun) in the Government owned All India Radio on a pilot basis. The pilot programme had 4-episodes. Later on with a larger consultation with technical experts, the CLAP has prepared 32 episodes of Radio programme of 15-minutes duration each. One of the major success of this programme was a variety of experts from different walks of life like renowned educationist, eminent language experts, well known activists and child psychologists had given their views in the programme through which support to the movement could be successfully drawn. Secondly, the Radio programme becomes a major tool for public advocacy as it is being used for micro broadcast at the community level. Meanwhile CLAP has started negotiation with corporate houses to sponsor the broadcast of 32-episode over All India Radio.



C. Community Radio Initiative: CLAP also designed a plan to establish a Community Radio in its project location in Badamba which can cater to the needs of 197 Anganwadi Centres in the Block. It was planned to broadcast early childhood programme to generate interest among facilitators and children as a model. During the project period CLAP has conducted a feasibility study and designed a plan to use a community radio exclusively for the purpose of ECE. Over next one year CLAP proposes to mobilise resources for establishment of a community radio in Badamba.

Media advocacy was the topmost on the agenda to influence public policy and generating a debate in society from the beginning of the project considering the fact that over the years the subject of ECE is being inadequately addressed and overlooked by legislators and policy makers. The deficit in governance was still persisting when the Constitution of India already mandated for state policy on ECCE in Article 45.

In this regard a roadmap was contemplated for media advocacy in such a manner that each milestone has a direct linkage and impact on the other. It was felt that if issues are highlighted in course of various programmes it would be subsequently helpful in engaging media to prepare features and carry articles being sensitised. Further, it would help convincing the editors to express their views in their editorial and stories with persuasive features and articles.

As a result of consistent media advocacy all through the project period almost 251 news items appeared between 2010 – 2012 (end of July). The news items covered issues like the demand for law, quality of early education, accountability and mother tongue based early childhood education for tribal children. With the beginning of second year, as per the plan articles and features started finding space in various newspapers and magazines. One of the largest circulated newspaper Sambad dedicated its front page in its Sunday Magazine for issue of ECE and covered a two page story including a briefing about the model pre-school in Banspal block of Keonjhar run by CLAP. Similarly, Sopana (The Steps), a development magazine dedicated



one of its issue for the cause of ECE and highlighted the demand of NCER. It also, with the help of CLAP covered initiatives of Bernard van Leer Foundation partners CYSD, PREM and CLAP in Odisha for mother tongue based ECE. In this issue the Editor wrote an Editorial with the observation that the Campaign of NCER is timely and a significant development issue.

Learning from Media Advocacy:

In any advocacy initiative media plays a significant role. It can be used both for public advocacy and policy advocacy. Using media for public advocacy helps to create a demand in the society and consistent dialogue on any subject. It brings into focus the neglected issues which are of concern for the society at large. It also unravels the societal perception of such issues for debate around the theme. Similarly, in an advocacy campaign the contribution of media to influence public policy is extremely high. When media carries huge items and features about the unaddressed issues or neglected subjects there is always created a ripple in the stagnated water. It has been observed in course of campaign for ECCE rights and making of a law on the subject that due to huge support of media the campaign could make headway both in the domain of policy making and on the society as a whole. There had been a wide debate in the society about the need for early education for successful childhood. Various facets of early education were discussed. However, what is important is to find support from the media in any advocacy initiative. The campaign for legal sanction for ECCE right finds that in order to mobilise support of the media a systematic approach is necessary. A mere statement on the issues being highlighted may not find space in the media unless there is unrevealing of fact or an event that precedes a media coverage. The national campaign initially organised various events through which it engaged the media to spearhead the issue either independently at their level or through collecting case studies from the campaign secretariat. If there are specific case studies to show deprivation it is an added advantage to highlight the issues.



Chapter-VII

Micro Advocacy

Field Intervention was conducted exclusively in Banspal Block of Keonjhar district to serve tribal children of Juanga community who have a distinct language. The district Keonjhar is one of the most backward districts in the State of Odisha and its backwards is mostly attributed to the factors of high concentration of poverty; poor livelihood patterns; inadequate institutional development, political apathy, inadequate social capital, increasing vulnerability of tribal, poor participation of people in the decision making process at the local governance intuitions. The rationale for selecting Banspal block of Keonjhar for the project intervention is based on the following factors and consideration.

District is situated in distinct and difficult geographic zone: Keonjhar is located in difficult geo-climatic zone of northern plateaus of Odisha. The district is covered with dense forest and hilly terrain. Around 30% of the total geographical area of 1103.78 sq.kms is covered with dense forest. Keonjhar is the bordering district to the state of Jharkhand as a result that there has been large scale migration from/to the district.

District is covered under Schedule Areas as per Fifth Schedule of the Constitution of India: Demographically, district is highly concentrated with Schedule Tribe Population. As per estimation of Census-2001, around 45% of the population is schedule tribes. Keonjhar is homeland for 16 numbers of tribes including Primitive Tribal community Juanga. It is observed that a reasonable size of Juanga tribe are mostly concentrated in 42 nos. of villages within the geographical boundary of Bansapal Block.

Low ranked in Human Development Index: In certain human development indicators, Keonjhar is one of the poorest districts in the state of Odisha. In terms of HDI, Keonjhar has behind the All-Odisha average. Keonjhar is the poorly performed district in terms of development as it is evident from its ranking of 24th in HDI, 20th in Gender Development Index, 24th Infrastructure



Development Index and 18th Education Development Index. The situation of health status of children is alarming. The IMR of 58. NNMR of 41 and under-5 child mortality rate of 85 is comparatively higher as against the All-Odisha average. Institutional birth rate is 34.3% as compared to All Odisha average of 44.1 (Refer: DLHS-3 20007-08, Ministry of Health & Family Welfare, GOI).

High concentration of poverty: Poverty rates are significantly higher among the tribal population. Many of the indicators of basic civic facility such as electricity connection to 23.6% households, toilet facility to 12.4% households and only 8.9% of families having pucca house speaks the magnitude of poverty among the tribal people.

Cultural invasion: The district Keonjhar is enriched with natural resources of iron, bauxite, and manganese and chromites ores. Many intruders such as industrialist, mining agency and mafia have been migrated to Keonjhar as a result their influence the tribal are losing their identity, culture and language.

The above considerations were based on various principles of fundamental human right which were at stake and being jeopardized. Accordingly, the CLAP consciously selected Banspal Block of Keonjhar district for Tribal Legal Intervention Programme (TRILIP). Banspal is one among the 14 Blocks of Keonjhar district. There are 21-nos of Gram Panchayats and 169 Revenue villages in Banspal Block. The population of Banspal Block, as per Census-2001, was stood at 69,454 which consisted with 78.7% schedule tribe population. As per survey estimation, children below 6 years aged are numbered 13,547. In disaggregated age group, there are 7,437 numbers of children between the age 0-3 years, and 6173 numbers children of 3-6 years aged. The sex ratio is calculated to be 921 among 0-3 years aged children, and 857 among 3-6 years aged children. Approximately 70% of the total under-6 year aged children are consisted of scheduled tribes Tribal residing in this area are predominantly from BHUYAN, JUANGA, & MUNDA communities. Juanga, a primitive tribe are found 8 GPs namely Talachampe, Gonasika, Bargarh, Kodipasa, Kuanar, Bayakumutia, Tana and Suakathi. Juanga has its own



dialect that is distinctively differed from Odia language which is the dominant regional language in the State of Odisha

Action Taken:

In Banspal Block an attempt has been made to create a demonstrative model to promote Access to mother tongue based quality early childhood education for children of Juanga community. The field intervention was attempted with the following purpose:

- a) Collect evidence for advocacy through action research.
- b) Establishment of models especially for tribal children.
- c) Conduct micro advocacy.

It has been observed that in course of fulfilment of above purposes through action research, children were directly benefited through various services like model preschool, training of facilitators, supply of materials and development of curriculum and pedagogy. For a better appreciation of the action research component directed at Access to Quality Early Education in mother tongue for tribal children of Juanga community, a brief description of major activities has been laments below:

The project had a plan to generate people's demand for mother tongue based early education opportunities for tribal children. During this periodic, initiatives had been taken to develop a micro -model of mother-tongue based early childhood education at tribal pocket of Banspal Block of Keonjhar district and to scale-up the model subsequently in other regions of Odisha in network approach. Also increased grassroots demand for mother tongue based early education opportunities supported by documentary evidences of existing ECE provisions and practices under the ICDS Programme shall be shared in different levels (i.e. with the political parties, policy makers, media, , civil society consortium) to make a strong impact at the policy level to recognize mother tongue based early childhood education opportunities as a right of children.

The following activities were undertaken to promote mother-tongue based early childhood education in specific tribal pockets ,i.e Banspal Block of Keonjhar district of Odisha State:



- Survey was conducted to ascertain pre-school education situation for tribal children.
- Workshops were conducted for ICDS workers for documentation of practices in the anganwadis for pre-school education with regard to curriculum followed, TLM used, teaching method (interactive or instructional), language used in monolingual, bi-lingual, and multi-lingual environment.
- A fact-sheet of pre-school education prepared on the basis of the information obtained through facility survey and practice documentation workshop.
- Intensive community awareness made at 5 GP.
- Dialogues and Consultation held with government authorities on the subject of pre-school education and transition monitoring.
- Gram Panchayats hold discussion on mother –tongue based pre-school education at gram sabha, passed resolution with approval for mother tongue based ECE for Juanga tribe and submitted the resolutions to the line department along with copy to the Governor to exercise his power for Scheduled Areas.
- Pre-school learning materials developed in tribal language of Juanga tribes and made available at ICDS centres.
- Pre-school education centre opened to cater mother tongue based early education for Juanga tribal children on micro experiment basis.
- Social Audit was conducted in Anganwadi Centers.
- A public hearing was conducted involving Government, Media and Civil society.
- Citizen Councils were formed at the village level for micro advocacy.

Learning from the Exercise:

It was revealed from the micro advocacy initiative that the early childhood education component under ICDS is completely absent in tribal locations. This has so precisely for the reason that language barrier in delivery early education prevented the scheme to be implemented. Hence, any attempt to promote mother tongue based early education becomes impossible. Therefore, initially the CLAP got engaged in strengthening the early education



component under ICDS in the project location. Various advocacy strategies like social audit, public hearing and monitoring by community were introduced. In course of strengthening the early education component it was also noticed that the facilitators lack capacity to speak in the language which the Juanga children use in their home and community. It appeared as a major challenge. Thus the learning from the exercise is that for a successful mother tongue based early education programme the same language speaking facilitators are necessary. In many tribal community such facilitator may not be available. In response to the challenge CLAP used the technique of child to child education in the communities. It was found that there are few girl students from the community who are attending secondary school in the community. Most of them are the first generation learner not only in their home but also in their community. In some cases such students were dropped out from the education due to non-availability of higher education. They are all children as per the definition. CLAP used these children to undertake the responsibility to conduct early education for the young children of their community. Thus, there is a possibility to conduct early education in mother tongue through a child to child approach. It has a policy implication too. In a public policy concerning mother tongue based early education one can plan out to use local resource persons as facilitator to scale early education.

Besides, the above learning it is also important to note that successful demonstrative model pre-school education centre can attract media to create a story. Such media initiative can influence policy making as happened in case of micro advocacy initiative in Banspal Block by CLAP. It was found that as a result of the actions for launching a demonstrative model pre-school centre many organisations having expertise to provide quality early education intervene. Thus, a micro advocacy can have macro impact. At least it was observed that in India the National ECCE Policy categorically mentions mother-tongue based early education in 2013 which was already attempted 3-years ago in 2010 in Banspal.



Chapter-VIII

Capacity Building

The campaign made an attempt to strengthen pre-school provision in order to improve access to pre-school education and successful transition of children from home conditions to school environment. This was done as a part of action research to gather evidence for advocacy. It also contributed for a micro advocacy for change of attitude and popular participation in the early education movement. This was implemented in Badamba Block of Cuttack district of Odisha with intensive programme to improve the quality of pre-school education services. Interventions made to strengthen pre-school education service are hereunder explained:

A. Community Sensitization: Under the project an attempt had been made to sensitize parents, families, communities, care-givers on the need of early childhood education for children so that demand for quality ECE service is generated. Community level sensitization programmes were organized to sensitise the parents and community for promotion of early childhood education.

The target groups for community level sensitization programme include parents, community based organizations, community level workers, early childhood education facilitators (i.e. Anganwadi Workers), gram

- Youth rallies, Vehicle campaign and Village corner meetings were organized in 136 villages covering 36 Gram Panchyats to sensitize parents, families and communities on ECE.
- Sensitization workshop was organized to orient PSE facilitators (i.e. AWWs) about the context, curriculum, methodologies, and pedagogy of ECE.
- Village level sensitization meetings were held in 58 villages to support, strengthen and monitor the pre-school education.
- 7-members ECE Committees were constituted in 58 villages and these committees are engaged to monitor day-to-day attendance of children, regular opening of the AWCs, attendance of AWWs.

panchayats representatives, youth volunteers, primary school teachers, and others



working with the children such as ASHA, health workers and mothers committee constituted under ICDS. The strategies that have been followed in the community sensitization processes include parent education, vehicle campaign, rally, village corner meeting, poster campaign, walling, and dissemination of IEC materials, radio talk, and volunteer promotion.

B. *Volunteers Engagement:* One of the key interventions of the project was the engagement of village level volunteers who could play catalyst role. The link volunteers have performed various functions such as dissemination of legal information, encourage people's participation in rural governance system and to mobilize community participation to strengthen the pre-school education.

C. *ECE Survey & Research:* One of the components of the project was to undertake action research in order to make an assessment of enrolment, physical accessibility, institutional facilities, facilitator competencies, monitoring mechanism for ECE service. The main purpose behind the research was to identify structural and operational problems & challenges of ICDS centres to deliver the pre-school education service, to make need assessment for ECE facilitator training, to strategies the intervention on priority, and to develop a data base of children with the base line information on health, nutritional, learning level of the child. Thus, a plan was made under this project to conduct intensive survey at the service delivery level (i.e. at the AWCs) and to bring out a base-line report which would provide information about accessibility, quality, accountability standards for ECE services under the present ICDS programme.

A set of social research methodologies was followed to collect information from primary and secondary level. Primary information was collected through institutional survey by using set of structured questionnaires. Intensive field survey was commissioned at 196 ICDS Centres to obtain information relating to enrollment status of children for pre-



school education, availability of institutional facilities, competencies of the facilitators, learning performance of children. Separate set of questionnaire schedules were prepared in consultation with research experts to capture vital information about the service delivery institutions (i.e AWC) and beneficiaries (i.e. Children).

- Database of 12144 children below 6 years of age was developed containing information on health, nutritional, birth registration, early education learning status of children.
- Pre-School Education Report Card was brought out which critically examines to accessibility, facility, quality, management related indicators of pre-school education programme of ICDS.
- A baseline assessment of learning performance of children in regard to general aptitude, physical development, language development, preparatory skills of the child on sample basis.
- A fact-sheet was developed containing information on enrolment status, basic facility at the centre, profile of the facilitator, and nutritional, learning, and transition status of children of 196 ICDS centers.

D. ICDS Workers Training: Considering the role of AWWs for effective implementation of pre-school programme of ICDS, it was planned under this project to upgrade the pre-school education teaching skills of AWWs through capacity building training. Training of the ICDS Workers was a key component in the micro intervention. Capacity building of AWWs about the context, content, curriculum, pedagogy, teaching methodologies of ECE and preparation of learning materials by using locally available materials, and evaluation of the learning performance of children had been considered vital to improve the quality of pre-school education. Hence training for capacity building of ICDS facilitators had been taken up.



For the purpose of capacity building, a Training Schedule covering course content, methodologies, time slot was developed in consultation with panel of experts consisted of Child Psychologist, Educationist, and ECE Trainers. Contents of the training were decided on the basis of the findings of pre-training need assessment survey. Pre-training assessment was made to assess the training needs. Well structured Training Schedule was developed in consultation with the experts. Three numbers of 4-days residential training for 125 Anganwadi Workers have so far been held to inculcate skills of early childhood learning practice and stimulation, which would bring effectiveness in ECE.

E. Strengthening Pre-School Education Centre: In order to strengthen pre-school component under ICDS, the following steps have been taken in Badamba:

- 125-AWCs are provided with the TLM such as Chart, Flash card, Picture books, Drawing books, Balls, Puzzle toys, Colour, number, alphabet card.
- 125 AWWs (PSE Facilitator) have undergone training.
- Mobile Vehicle carrying with ECE learning materials regularly covered 58 AWCs.
- 5-PSE centers are opened to cater pre-school education to 70 children.

F. Transition Monitoring : Considering the fact that the transition of children to school education is not properly, accurately and timely measured, the linkage between pre-schooling and primary education is missed out to great extent. Hence plan is made to monitor the transition of children from home to pre-school and from pre-primary education to primary class through birth registration and pre- school leaving certificate. 1385 numbers of birth applications have been submitted at the birth registrar office. 334 birth certificates have been received. In the academic session of 2011-12, enrolment of 876 children in primary education was ensured through the project intervention.



ECE Resource Centre: Although the subject of early childhood right assumed significance among academicians, researchers, NGOs and for policy makers, there is hardly any resource centre available for study and research. Thus a proposal was made in this project to establish ECE Resource Centre which would have facilities for training, research, and community education.

The resource centre was developed with collection of materials relating to playful techniques of pre-school education, resource materials, audio-visual materials, documentation on effective approaches and successful transition, especially right based techniques and advocacy strategy as well as study, research and policy documents. There is a plan to develop the Centre to impart regular tailor-made training programme separately for pre-school teachers, primary school teachers, panchyats representatives, parents and community leaders. ECE Resource Centre is constructed with a built-up area of 2200 square feet over 2 acres 10 decimals land.

G. Study for installation of Community Radio: Considering the fact that Radio could be effective medium in rural area to educate and inform people about their rights and legal entitlements, the project proposed to establish a Community Radio Centre to disseminate legal information on the subject of human rights, women rights, child rights, and rural governance. The subject ECE in various thematic manifestations such as teaching techniques of pre-school education, age-appropriate development practice, role of parents, community, & care givers for early childhood development and pre-school education shall be broadcast through community radio centre to reach in a cost effective approach to around 200 ICDS centres and 27000 households of Barambah Block. In the first instance, plan is made to engage technical and expert team to conduct a feasibility study for installation of radio centre. The team shall give report about the procedure for obtaining license and other regulatory clearance, cost



estimation, personnel requirement, etc. Based on the technical team report, step will be initiated to establish community radio station.

The processes being followed for installation and operation of the community radio centre include: (i) feasibility study, (ii) cost estimation, (iii) regulatory clearance from appropriate authority, (iv) permission from Ministry of Information and Broadcasting, GoI, (v) collaboration with corporate bodies. A technical team was engaged to conduct feasibility study for the installation of radio centre. The team comprising of programme producer, and technical persons of All-India Radio, Cuttack made field visit to the proposed site, interaction with the community.

The technical team engaged to conduct feasibility study on establishment of community radio centre has provided a 67- pages report containing General concepts of community radio centre; Procedures to obtain permission, license, regulatory clearances; Required equipments; Studio operation guidelines; Establishment & Operational cost; Types of programme to be broadcast; technical parameters.

As a result of micro intervention universal coverage of children had been attempted and successfully realised. It was reported that all eligible children are covered under pre-school programme in the intervention location. Besides, a massive micro advocacy for public participation could be ensured through involvement of pre-school facilitators and local self government institution which is a unique achievement. Similarly, the local stakeholders become the advocates for quality ECE which was apparently made clear after a delegation of Anganwadi Worker from Badamba met the Secretary of the Department of Women and Child, Government of Odisha in the wake of the tragedy which caused death of 7-nos of children in another location. These advocates demanded quality early education and safety of children in pre-school. These local endeavours also the source of story for media.



Learning from the Exercise:

First of all it needs to be acknowledged that the capacity building initiative as a part of the advocacy under the campaign provided enough evidences and inputs to design the advocacy documents. Besides, it was learnt that through a set of activities like community mobilisation, involvement of parents in the pre-school management, birth registration of children, capacity building of service provider and material support the quality can be enhanced. Birth registration certificate was found to be the most efficient way of monitoring transition. A comprehensive strategy with convergence of services can help the programme to flourish. Capacity building is an essential ingredient to improve quality of education.

