

# Right To Rest And Leisure Of Students: Scanning The Role Of Government

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## ARTICLE INFO

## ABSTRACT

The importance of mental health of children has gained considerable recognition in present days. The right to rest and leisure of students at educational institutions is one such right which has remained in the limelight recently. Education not only means improving the cognitive abilities of the child, but also flourishing the affective and psychomotor domain, which can be boosted only when the child is given needed time to rest and rejuvenate the energy to facilitate their cognitive capacity. The Universal Declaration of Human Rights (UDHR) in article 24 states- 'Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.' The right to rest and leisure is not only a sheer fundamental right of the working people, but also of students who spend more than half of their day at educational institutions. A student can only proof their worth to the best of their ability when they are given the opportunity to think in solitude.

**Keywords-** Leisure, Rest, Government, Students, Affective Domain, Mental Health, Rights.

## Introduction:

*"By education I mean an all-round drawing of the best in child and man in body, mind and spirit"- Mahatma Gandhi.*

Children are the curator of the future of India upholding sovereignty, fraternity, unity and culture intact of our nation. To build a better future, it is obligatory that children's needs are taken proper care of. It is the natural demand of the body and mind to give it some rest, after a heavy day at work, heavy workout or muscle training, or utilisation at a long durational competitive examination, or else the body watch of a person shall either malfunction or run slow (Ajibua, 2016).

Article 31 of the United Nations Convention on the Rights of the Child, states that- "That every child has the right to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts. This article signifies the importance of Right to Rest, Leisure and Play of children as a crucial right necessary for the all-round and optimal development of the child (*ARTICLE 31: REST, LEISURE AND PLAY in: Children's Rights*, n.d.).

The Right to Rest and Leisure is the social, economic and cultural right to adequate time away from work and other societal responsibilities. When we understand this right from the sentiment of children, we can relate this particular right to their right to living (Mukherjee, 2024). It has been given recognition and due importance in the UDHR, the United Nations Convention on the Rights of the Child etc. The right to rest and leisure is a matter of human dignity. It recognizes that individuals are not mere workers but have intrinsic value beyond their productivity. It emphasizes the value of personal well-being, work-life balance, and the right of individuals to lead fulfilling lives beyond their academic responsibilities (*Rest and Leisure*, n.d.).

The need for rest and leisure has been recognized in India through various debates and discussions by various bodies and people activists. There does not exist any official or legal policy document to address specifically the right to rest and leisure, however it goes hand in hand with the right to work. Many supreme court judgements have given due limelight to the significance of right to rest and leisure. One such classic example

is the landmark judgement of- Tamil Nadu Higher Secondary Teacher's Association Vs State of Tamil Nadu (2007), where the petitioner urged the court to lay due importance on the Right to Rest and Leisure of Children and opportunity for the development of the spirit to reform, inquire and develop scientific temper to improve excellence (*Tamil Nadu Higher Se... v. The State Of Tamil N..., Madras High Court, Judgment, Law, Casemine.Com*, n.d.).

The right to rest and leisure has always been looked from the lens of paid workers or officials, but not from the outlook of a school going or college going student. Right to rest and leisure is not the sole prerogative for grown up working adults, but even has more significance from the eyes of a student who is overburdened in this competitive world.

While teaching our children to always have a competitive and sportsmanship spirit to excel in every activity conducted at the educational premises, we often forget to ask them whether their mind and body needs some rest. With the advent of social media, where Gen Z and Gen Alpha are acknowledged about daily happenings around them, we recurrently see viral videos of small kids complaining their parents that 'they are tired from the overburden of homework and assignments and they want some rest'. Where on the one hand, our educational system and leaders give assurance that 'the rights of children' shall be their top most priority, they often forget that amongst all the rights, the right to rest has the most significant impact on the physical and mental health of the child.

Right to rest goes together with Right to Leisure. Leisure have many definitions, but the best definition applying to the educational field would be breaks, play periods, recreational activities, excursions or anything that would ease off the academic stress and allow the brain to rejuvenate itself. Standenaven and De Knop (1999) argued that leisure as play is an ingredient of human development.

To get clear picture of what play entails Torkildsen (2005) came up with the features of play as;

1. A form of behaviour, which is generally regarded as not being instrumental in purpose.
2. Often carried out in the spirit of pleasure and creative expression.
3. Often aimless, disorganised and casual, or highly structured or complex.
4. Commonly thought of as activity engaged in by children, but adult also play (Ajibua, 2016).

Digging deep into the outlook of the Indian Government towards Right to Rest and Leisure, very few initiatives can be observed. However, the vigilant media houses and activists have been trying hard to drive the focus of the government towards right to rest and leisure of students, especially engaged in the learning process. This research shall bring into light the voices of the students with regards to Right to Rest and Leisure and shall enable the policy makers to understand the significance of this right in the daily lives of students in India. Also, this paper shall bring into light the practical need for rest and leisure pertaining to specific problems of various genders.

### **Objectives of the study:**

The major objectives of the study are-

- To determine the importance of right to rest and leisure in all round development of students.
- To highlight the policies that are in place to support right to rest and leisure of students.
- To put forth the viewpoints of students with regards to the present educational structure.
- To bring into light effective solutions to signify right to rest and leisure in front of the Governmental authorities.

### **Methodology:**

The researcher has used both qualitative and quantitative method to collect data. Qualitative in the sense that the study focusses on determining the actual scenario of Right to Rest and Leisure implemented at various Educational Institutions, through the medium of data collected from various research papers, books and reports of various government and non-governmental organizations.

The research is quantitative in the nature that the researcher conducted a short survey through the medium of questionnaire with 85 students studying at various educational institutions within India. The data was collected from students from class 6 onwards to Masters Level, in order to adequately represent their viewpoints with regards to rest and leisure.

The data was collected through the medium of online questionnaire using google forms and hence it is inclusive in nature comprising people from almost all the states of India (representing North, South, East and West). The method of sampling adopted by the researcher was purposive sampling, as a part of non-probability sampling method, with the aim of collecting data only from the students from Class 6 to Master's level. The main cause of choosing these class of students is due to the fact that, they can understand the crux of the questions and hence can ensure authenticity to the answers.

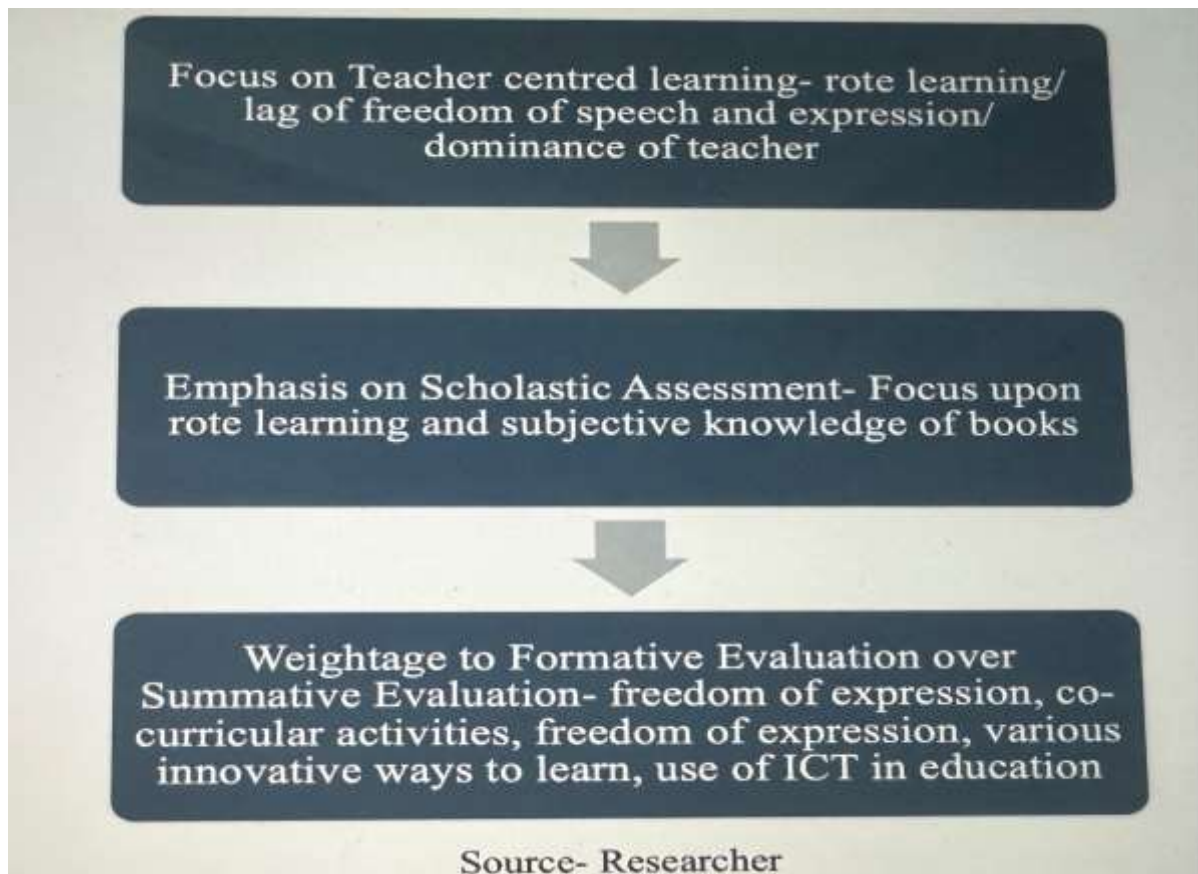
### The Educational System in place:

The Indian Educational System has evolved greatly to suit the needs of the 21<sup>st</sup> century. Education has always been given its due weightage in the Indian society from time immemorial. Earlier education was imparted within the four walls of Gurukul and Ashrams, where the students had to reside with the Gurus and learn under their guidance.

In the Post-Vedic era, which we are not, education has been made way more flexible suiting to the needs of the child and teacher. Education in India has evolved from a bi-polar to a multi-polar system, taking into account the demands of the students and teaching community at large.

It has brought about many changes in its structure, instructional methods and delivery system over time. The Indian Education System has evolved from a teacher/subject centred domain to a learner centred approach.

The evolution of Indian Education System in terms of its objectives-



The Indian Education System has its share of issues and challenges which need to be resolved to provide better and improved education to children, who are the future of the country. Over the years, a lot has changed in the Indian education system but still, there are many loopholes and problems which need to be resolved.

Indian education model has come a long way with multiple reforms and changes. Despite numerous modifications, we are still far from being a world-class education system. Even after 76 years of independence, the government strives hard to make quality education accessible for one and all. As a developing country, we still need to go a long way to meet the demands of 21st-century global learning (*Pros and Cons of the Indian Education System - OpenMeans*, n.d.).

India holds a crucial place in the education system throughout the world. India has around 1.5 million schools in which 260 million students are enrolled. To suit the needs of the student and make them accustomed to the 21<sup>st</sup> century skills, NEP 2020 was introduced, replacing the old educational policy that was in place for years. Earlier, the 10+2 structure was a rigid system with an exam-centric and syllabus-oriented approach. This has been replaced with 5+3+3+4 pattern giving due importance to creative expression to students along with academic excellence (*Understanding the Aims and Objectives of NEP 2020*, 2024).

Up until the introduction of the New National Education Policy in 2020, there were many pitfalls in the Indian education system. Memorisation was prioritised more over the understanding of concepts. In addition to this, the presence of multiple boards was a big issue. Each board had different learning methods for different skills, and then every student had to take the same standardised board exam.

Furthermore, in the past years, more emphasis was laid on learning or mastering traditional subjects and less on developing vocational skills. In the new education policy, all the pitfalls and limitations of the Indian education system are taken care of. Moreover, the policy intends to bridge the gap between vocational and formal education (Beniwal, 2018).

### **Impression of the Educational System on the Performance of Students:**

The Indian Education system has undergone plentiful updates in reforming its rigid structure and approach towards qualitative and quantitative assessment of students. However, despite taking superlative steps, it has fell short on improving the overall performance of the students.

Some of the major loopholes of the Indian Educational System is-

1. **Shortage of quality at Educational Institutions**—Government schools are full of unresolved issues and gaps for a long time. To name a few, the lack of efficient teachers, modern methods of instructional delivery, and learning conditions have largely contributed to the deterioration of government schools and institutions. As a result, more and more parents choose private schools to educate their children. Compared to 2023, the number of class 10 students in Government schools decreased to 1,73,630 in 2024 out of 2427 government schools.

2. **Outdated Instructional Methods**—Problems in the Indian education system also include outdated instructional delivery methods. Indian schools often lack behind because of faulty techniques and strategies of instructional delivery. As teachers make use of age-old methods and rote learning techniques they fail to engage students purposefully. Eventually, several students fail to develop the 21<sup>st</sup> century skills pertinent to the workforce and nation-building. Old teachers prefer to stick to chalk and talk method rather than opting for ICT-based learning.

3. **Less focus on holistic development** —The Indian education model is also questioned for its asymmetrical curriculum and approach. The focus has always been laid upon getting the highest mark or securing the first rank amongst many. Each child is unique and hence all cannot be expected to excel academically. Due to these defects, our students lack basic competencies and out of the box thinking.. Many times family and social pressures also force students to opt for streams that they do not even prefer. Eventually the curriculum, instructional delivery, and influences force students to use cramming techniques just to score better in exams.

4. **Ignoring the mental health of students**—Another aspect that curtails the Indian education system's advantages is the stress level for students. In a constant rat race to score and perform better, students often become stressed out and unhappy. Academic anxiety and social pressures on Indian students hamper their educational progress. It also adds to serious losses like suicides and mental disorders. The syllabus that has been in place depicts how much overburdened are the minds and hearts of young children before even stepping in the real world. On one hand India has crossed the mark of most populous country in the world, and on the other hand children are taught to be over-competitive since the age of 3. The internet is flooded with news of students committing suicide every now and then due to academic pressure. In 2023, across age groups around 2095 students ended their lives cause of failing in examinations.

5. **Marks oriented examination system**—The Indian Education system has remained examination centred for a long time now. While the world is moving towards acquainting young minds to develop 21<sup>st</sup> century skills of ;earning artificial intelligence, communication skills etc, India still thrives to produce best minds on the basis of mugged up facts. Mostly, students do not get enough opportunities to unveil their creative side. Parroting techniques and unnecessary competition make them focused to crack examinations and they are not left with many choices of relevant skill inculcation.

6. **Lack of Flexibility and Freedom of students**- Indian education system for long has mesmerized the need for academic excellence through marks. However, with the entering of NEP, 2020 in scene, many things have changed. NEP, 2020 has no doubt obliged to keep students at the centre of growth and emphasize on student centric and global centric learning. But, it has also added more pressure to the already overloaded shoulders of students. Now students need to compete with their fellow classmates from a very tender age, not only in academics, but also in internships, extra-curricular activities etc. The point here is that, no education policy has ever taken the needs and wants of 'what the student community' wants into account and has received backlash from the people in the long run (*Leisure of the Aged and Social Development: An Indian Model: World Leisure Journal: Vol 44, No 3, n.d.*).

### **Gravity of the Right to Rest and Leisure:**

Right to Rest and Leisure have been given its due place in the United Nations Convention of the Rights of the Child under Article 31. However, in India, this right has failed to get its deserved place in our Constitution.

The need for Right to Rest and Leisure centres around the following-

1. It is important for meeting the natural need of the mind and body.
2. It helps in driving back the motivation and concentration levels of the child.
3. It is necessary to meet the demands of the fundamental right to life- which encompasses the right to sleep, the right to rest and the right to live a stress -free life.
4. It helps in reducing the stress levels and keeping the mental health of students sane.
5. It acts as an escape from the hectic educational structure and constant academic competition.
6. It prevents future mental health issues such as stress and anxiety.



7. It enables children to give rest to their mind and body and deal with the academic stress on a daily basis.
8. It ensures that they can focus on various other co-curricular activities apart from scholastic activities.

• **Significance of Right to Rest and Leisure for various Genders-**

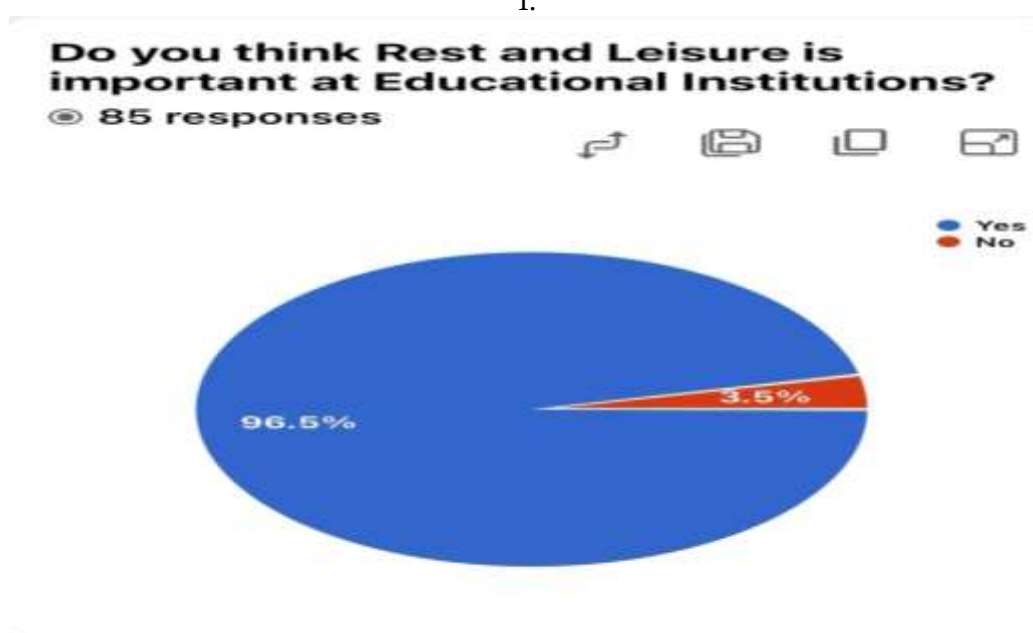
SL NO	GENDER	NEED
1	Male	To meet the natural need of the body and deal with stress and anxiety.
2	Female	To take rest during periods as the body is weak and the girl child goes through mood swings and unbearable cramps.
3	Third Gender	To deal with the natural need of the body to manage stress and anxiety. They need this right more, cause of the constant pressure of identity crisis.

○ **Data Collection:**

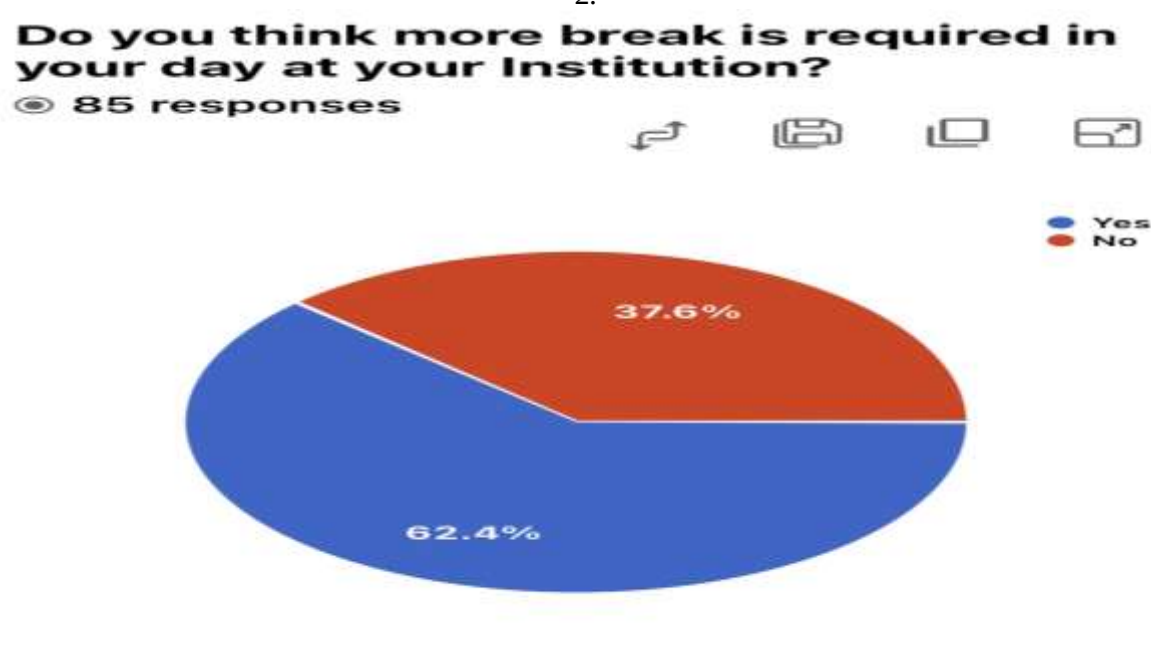
The following data was collected from 85 students all over India, through the medium of Google forms-

• **Findings-**

1.



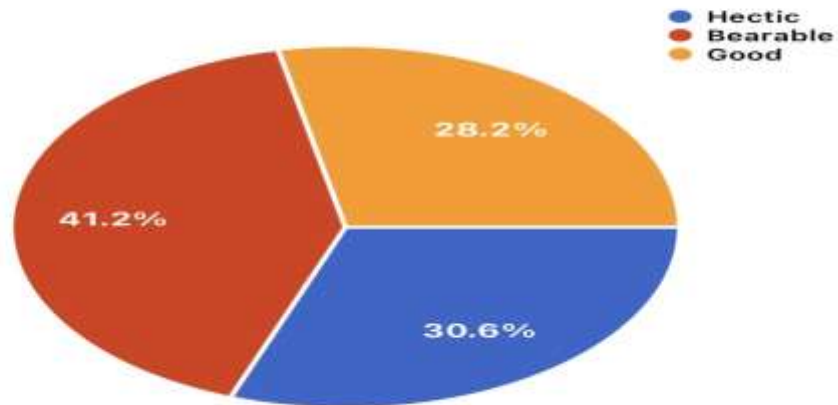
2.



3.

### How would you rate your class time table?

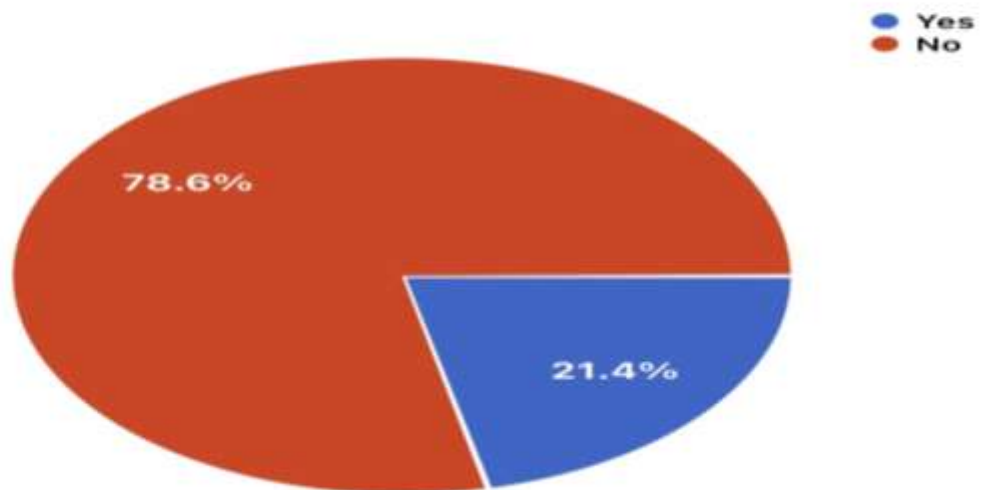
85 responses



4.

### Are there any periods allotted for exercise/ sports/ stress relief activities?

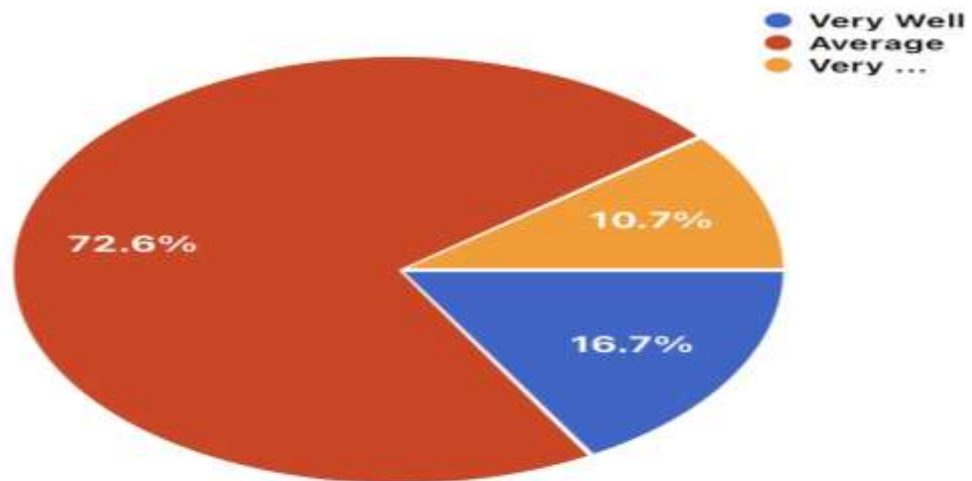
84 responses



5.

### How are you able to cope up with the syllabus at your Institution?

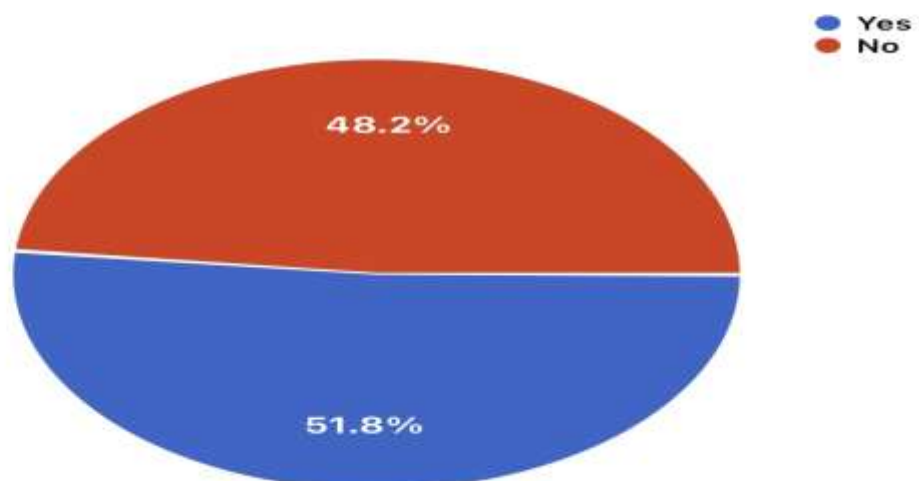
84 responses



6.

### Does your Institution conduct activities or programs to help you deal with stress?

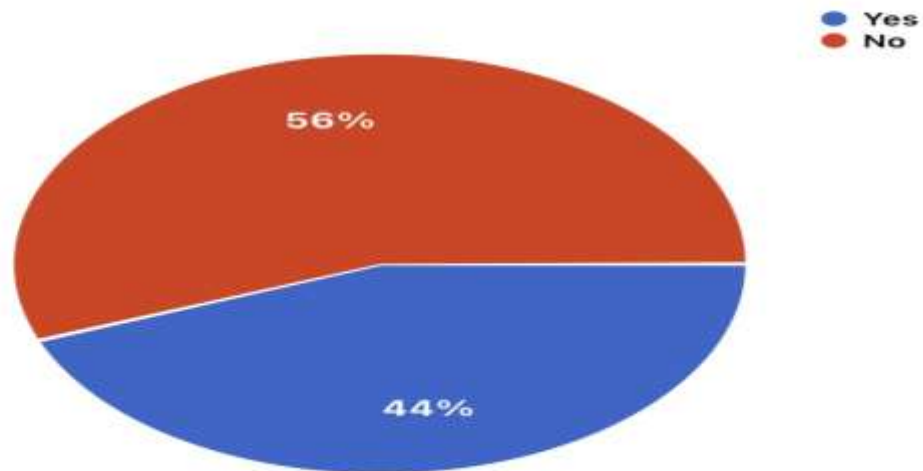
85 responses



7.

**Do you think the syllabus followed at your University is overloaded compared to your age?**

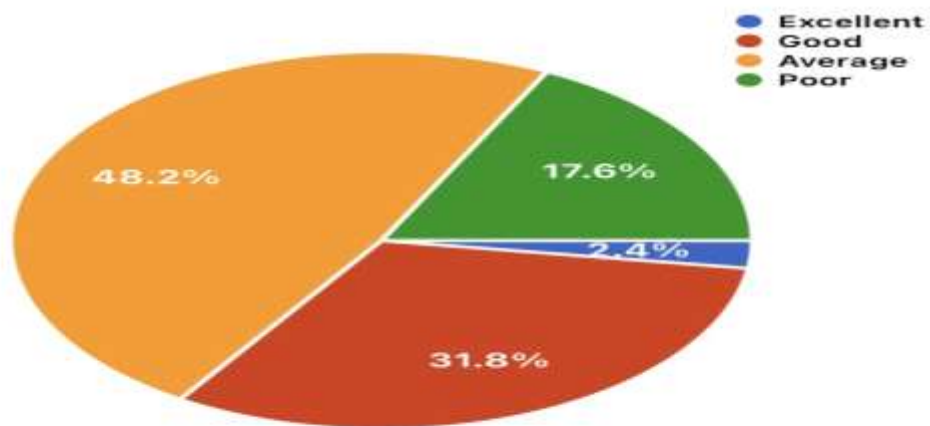
84 responses



8.

**How would you rate the stress management system at your Institution?**

85 responses



#### • Analysis-

1. From the above data, we can find out that 96.5% students among 85 agree that they need more rest periods at their educational institutions signifying the importance of right to rest and leisure in their lives.

2. From the above data, we can analyze that around 62.4% students agree that they need more breaks at their educational institutions. This suggests how the timetable at various educational institutions are faulty and that the right to rest and leisure is violated.



3. Most of the Students stated that their class time table is bearable in nature suggesting that they have adjustable time table, yet more changes would be appreciated by them. This could be due to prolonged classes with less breaks, or classes extending 45 minutes.

4. Most of the students stated that there are no periods allotted for yoga, exercise or play, hence depicting the denial of the Right to Rest and Leisure of the students. This can be a major reason of dropout, backlogs and suicides in our country due to over pressure on the shoulders of students.

5. Majority of the students stated that they are adjusting to the syllabus followed at their school and they have a mid-way approach towards it. This suggests that the syllabus that is in place is not that satisfactory suiting the needs or they feel overburdened by the workload or academic stress.

6. While half of the students stated that their educational institutions do conduct activities to deal with stress, while their other have had an opposite view. This portrays that some educational institutions have started to take minute steps towards improving the stress management strategy of children and giving emphasis to the right to rest and leisure of students. While other half, still lags to realize the magnitude of recognizing this right.

7. Majority of the students stated that the syllabus that they follow at their educational institutions are overloaded compared to their age. This suggests that the students are deprived of their right to enjoy other activities of their life, due to excess stress and academic burden that they have to undergo each day at their institution considering their age.

8. Majority of the students stated that the stress management system at their educational institution is average and they are not that satisfied with its application. This suggests that educational institutions should undertake more internal reforms in its timetable, syllabus, planning of activities such as yoga, exercise and other recreational activities from School to University level.

### Conclusion and Suggestions:

Indian Education has come a long way moving away from the rigid system of teacher-centred learning and has given way to children-centred learning. Covid-19 placed the entire students community at the verge of online learning for almost two long years. Virtual schooling is a one-stop solution for the numerous educational challenges in India. With the student-centric designs of an online school, a student can break-free from the voids of traditional schooling easily. High-quality instructional delivery reduced academic stress levels and 21st-century skill-building are some obvious advantages of online education. Despite all the major initiatives to break the distance between theory and practise, the authorities have overlooked the academic strain and anxiety that have increased with the introduction of NEP2020, mostly cause it has gave almost no importance to the Right to Rest and Leisure of the students.

The above survey signifies that students feel pressurized in this long suffering study environment created by our esteemed authorities, without giving proper breaks and leisure sessions for easing the stress levels of students today.

To overcome this, the following suggestions can be considered-

- **Increasing Breaks-** Educational Institutions should create their time table in such a way that they allot atleast 15 minutes short breaks after every three classes, along with a break for lunch time. Also the classes should not exceed 45 minutes.

- **Conducting Yoga Classes-** Yoga is a great source of relieving stress of students, it awakens the mind and makes it fresh. This can help students to concentrate better and improve their health. A yoga period atleast once a week should be kept in the timetable not only for school going children but also for students of colleges and universities where they hardly get time to think about their health pertaining to the academic pressure.

- **Allocating some part of the day to exercise-** Exercise helps in reducing the stress levels and refreshing the mind and body of people. In the hectic schedule of the educational structure, a period allocated to exercise can be fruitful in improving the concentration levels of students on one hand and justifying the right to rest and leisure of students on the other hand.

- **Weekly mentor mentee sessions-** The educational system in place, having successfully introduced the concept of Mentor and Mentee at educational institutions, but when it comes to practical implementation, very handful sessions take place within the closed doors of educational institutions.

- **Utilizing breaks appropriately-** Teachers should make sure that the break periods are solely kept for giving breaks to students and not for taking extra classes. This expands the frustration level of students at par. Right to rest and leisure should be glorified at educational institutions.

- **Assigning more rest periods in a day-** The educational institutions should assure that students get more breaks apart from the 45 to 60 minutes allotted to them for lunch. More breaks shall enable the students to concentrate more and produce more desirable results for the educational institutions.

• **Consideration of Period leave-** Girl students should be allowed take period leaves per month considering the physical and emotional toll they go through during those days. Bihar and Kerala are the only states in India that have introduced menstrual leave policies for women.

• **Government Policy Implementation-** The government should bring up policies solely targeting and respecting right to rest and leisure of students. Policies are the sole prerogative through the medium of which educational institutions would be obliged to give due recognition to these rights of students.

Thus, Right to Rest and Leisure has a long battle to overcome in the Indian Educational System. Its time that the ruling authorities understand how important it is for a student to give rest to his mind, body and soul to function adequately.

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