

# [Abstract their age, sex, religion, caste, creed](https://assignbuster.com/abstract-their-age-sex-religion-caste-creed/)

AbstractEducation is recognized as opportunities and benefits for individual thatdetermines their career and enhance their skills therefore they could be a partin the progression of the society.

There is provision of right to educationunder article 12 of UHDR and it states that everyone should be access toeducation. Special education is a process of educating student with a needs ina way that it helps with their individual differences and need. It help thepromotion of people who already backward in the society because of theirdifferences from other common people. But has the government been able to haveplan and provision for the education of these people. Children are the futureof tomorrow and have the ability to make change in the society but they needaccess to education for this purpose and then equitable participation ofchildren can be seen in the future generation as professional in theirrespective field.

This research paper compares the action and provision ofNepal and India for guaranteeing right to education for disabled children whichis the fundamental aspect of both countries constitution.                    Tableof Content Introduction to right to education for disabled children Objective Research problem Limitation Finding  Policies and plans of education for disabled in India Policies and plans of International organization for education of disabled children Education status for disable children in Nepal Analysis Conclusion                 Introduction to right to education fordisabled childrenThe rights guaranteed to humans after they are born in known as humanrights. These are inalienable, inheritable rights given to humans irrespectiveof their age, sex, religion, caste, creed etc. Disable person, children, womanevery person are guaranteed with human rights.

Among the various rights givento human by UDHR (Universal Declaration of Human Rights), right to education isone account to article 26 under the sub article 1 of same article Right toeducation ensure the provision for guaranteeing basic education as per the lawof the country (secondary or primary level) for progressive role of theindividuals for his/her knowledge as well as qualification for professionalism. 1Child rights are the set of legally binding norms and standards for thecare and protection of children. This right to education has providedfoundations and inspiration for the movement towards differently able children.

Children are those who are less than 18 years old in Nepal and in India, lessthan 16 years old are considered as children. There are many children in theworld who are differently able. Disability is an umbrella term for impairments, activity limitations and participation restrictions and may refer to challengesencountered in any or all of these three areas of functioning. Introduction tothree topics and relating to each other, right to education for disabledchildren is problem for the involved institutions and departments as their differencewith common children to attain education where condition of developingcountries on providing infrastructure for disabled children on providingenvironment for getting access to education also with their gain of knowledgeafter having access to education. They are provided with special education. India and Nepal are two countries where the population of disabled children is26, 810, 557 and 5, 13, 321 who also have provision to be providing with educationwhich is not only accessible but also effective for them to attain. ObjectiveThe objective of this research paper is to have comparative study of rightto education of disabled children in Nepal and India.

ResearchProblem Has Indiaand Nepal made provision and plan for disabled children to give them access toeducation? LimitationThisresearch paper only confines itself to the internal situation of India andNepal regarding to the right to education relating to disabled children.      MethodologyThisresearch is just based on primary and data. Constitutions, acts are referred asprimary data and various books, articles, journals, pdf files are referred assecondary data. FindingsPolicies and plans of education for disabled in India  Education fordisable children is a factor to empower them. According to the census report of2011 of India, among 2.

68 crore disabled children, 1. 46 crore are literatetherefore for this scenario to change government has taken various initiation. One of those bill to motivate them to have access to education and pursue acareer in a field is Right of person with disabilities bill (2014) which statesthat free for children of disability free education for their primary level aswell as upto 21 years of attainment. The National trust act (1999) and the 86thConstitutional amendment 2006 has initiated and focused its action tocompulsory education for all as well as free education for all includingchildren up to 14 years which also emphasizes to educate and give proper accessof education to disabled children as well. Rehabilitation council of India Act(1992) states that CWSN  will trainteachers for education disabled people. 2To ensure and to implement this plans and policies Indian government has alsolauched district primary education programme for emphasizing the educationalequity and sustainability of their provision in every district.

Also article 14and article 15 of the constitution ensures provision for reservation as well asprovision for reservation of socially and educationally backwards society andcommunity which ensures the progress of the empowerment and motivation ofdisabled children for having access and achieving the knowledge to have builtof the intellectual in certain field of interest as well as for their generalconcept of required field for their status to become literate. 34 Policies andplans of International organization for education of disabled children  The UnitedNation has also got various plan and provisions for children of disability ofgain education. On 1981, UN General Assembly’s declaration as the internationalyear of disabled persons also had plans to provide education for disabledchildren. From 1983-1992, UN proclaimed this decade of the disabled. Followedby UNESCAP decade of the disabled persons from 1993 – 2002.

World conference onspecial needs education in Salamanca in June, 1994 signifies the need tospecial need of education for disabled people also underlining the factor toprovide special need of disabled children. 5 Educationstatus for disable children in Nepal Underarticle 31 of constitution of Nepal 2015 there is provision of right toeducation . Article 31 sub-Article 3 and sub-Article 4 of constitution hasprovision of right to education for physically and visual impaired person. Someinstitution like national Federation of the disabled (NFD), Nepal Disabledassociation (NDA), National Disabled Society (NDS), National association forthe welfare of the blind, National association of the blind(NAB), Nepal NetraJyoti Sangh (NNJS), Nepal national federation of deaf and hard ofhearing(NFDH), Nepal ear foundation, Association for the welfare of mentallyretarded(AWMR) are the organization which have been running under the law andhave the objective of meeting the of welfare of disabled people including thechildrens and provide proper environment for accessing education for all andgiving scope for them to have wisdom through the education that they haveaccessed therefore causing to have equitable grounds for providing resourcesand opportunities. Therefore, the responsible department have also been awareof the fact of the disabled children being stigmatized with theirdifferentiation and their nature so these departments provide awareness andmotivate people to have them to respect and help the disabled. The EducationAct 2000, The social welfare act 1992, The child protection act 1992 , the childprotection act 1992, the local self-government act 1999 are the regulation andprovision for providing and ensuring special rules for disabled people ineducation with developing special programmes for disabled people and alsoaddress international convention like United Convention on the human right. 6This bodies also have their role to address the access of education in the allthe local areas of the country and then education which is the fundamentalright in the recent Constitution of Nepal 2072 is guaranteed to disabledchildren.

7Special education provisions in Nepal and India Nepal andIndia have made effort for providing special need education facility andspecial need school. In India, the government has made some provision for ensuringenvironment for them to study in mainstream school. But instead of it, 2500more special school have been initiated by the government, private institution, and NGOs where Vydehi School of Excellence, The Heritage School, ChettinadSrihari Vikasam and Akshar School are some of the examples of special needschool for differently abled students. While studying a high court, Suzan Machado is a mother of a young man with learningdisabilities. She fought a case back in 2006 in the Bombay High Court againsther son’s then school (in Mumbai) for not giving him the concessions that hewas eligible for as well as for detaining him when he was in his seventhstandard. 8Specialschool for Disabled and Rehabilitation Center (SSSRC) is institution whopromote promote of disabled children and provide rehabilitation and establishcenters for special need of children of differently able. 9  INSPIREnepal is also an example ofnon-government in Nepal to provide special program of education to the disabledchildren and also associate with other institution for disabled children andtheir welfare.

10                        AnalysisThereality of guarantee of education to disable children is enshrined in humanrights treaties, various laws, plans and policies. There are several acts, lawsregarding disable children and their education process in both Nepal and Indiahowever this bodies have only focused on providing access to the education butstill the enrollment of the disabled people in secondary education and afterfor the pursue of higher studies is minimum as 17% according to the censusreport of India, 2011 and 40% in Nepal which still hunts their desire andprogressive nature of them as individual and as a differently able person. 11But in case of provision of education for disabled children, Nepal has enlistedspecifically the provision for education for disabled people according toarticle 31 sub article 2, 3, 4 which is not the case of constitution ofIndia  but still has made provision forfree and compulsory education for all children up to the age of 14 years within10 years of promulgation which after 10 years of completion in 2012 still isnot the case with literacy among 2.

68 crore disabled children, 1. 46 crore areliterate which is nearly half of the total population and where the childrencannot even concern to the court for it because it is not specificallymentioned in the fundamental rights as that of Nepal so provision of educationfor disabled children is not guaranteed. 1213               ConclusionDiscrimination is seen in various way and indeed in every way of it, thesubject the discrimination is effected socially or spiritual within oneself orwithin the boundaries and values of society. The stigmatization of disabledpeople cannot complete with the normal people can only change when the termdifferently able is associated to them and it can only happen with theirenrollment to self-progression, raising their their potential to meet theopportunities and be able to have a pace in the competative nature of thesociety. Education is undoubtable of being one of the essential infrastructurefor them to achieve that expectation.

Hence, right to education guaranteesindividuals for their essentiality to access education and it is theresponsibility of nation to provide access to education and initiatingprovisions and plans to empower the education level of disabled children tobecome differently abled children and to become a abled citizen of a nation. Nepal and India both have right to education to disabled children infundamental rights and directive principles but still efforts requires to beeffective enough to see a wider positive change in education of disabledchildren who are the future and personality of their representation. 1 https://www. google. co. in/url? sa= t&source= web&rct= j&url= http://www. ohchr. org/EN/UDHR/Documents/UDHR\_Translations/eng. pdf&ved= 2ahUKEwiY95aK89zYAhXEo5QKHXAmAasQFjAAegQIExAB&usg= AOvVaw3FITniA2KSTnSY2EbOWvIG 2 Indialawjornal. org3 Lawmin. nic. in4 Un. org5 census-numbers-on-education-for-disabled-children/6 Mend. org. nz7 http://www. dinf. ne. jp/doc/english/asia/resource/apdrj/z13jo0300/z13jo0306. html8 http://www. google. co. in/amp/www. rimtimblog. com/education/schools/special-needs-schools/schools-for-children-with-special-needs-in-india/amp/9 www. ssdrc. org. np10 www. inspirenepal. com/en/volunteering/volunteering\_programs/special\_education/11 Mospi. nic. in12 www. targetstudy. com13 www. censusindia. gov. in