

Abstract their age,  
sex, religion, caste,  
creed



**ASSIGN  
BUSTER**

Abstract Education is recognized as opportunities and benefits for individual that determines their career and enhance their skills therefore they could be a part in the progression of the society.

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

This research paper compares the action and provision of Nepal and India for guaranteeing right to education for disabled children which is the fundamental aspect of both countries constitution.

Table of

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 disabled children in Nepal Analysis Conclusion Introduction to right to education for disabled children The rights guaranteed to humans after they are born in known as human rights. These are inalienable, inheritable rights given to humans irrespective of their age, sex, religion, caste, creed etc. Disabled person, children, woman every person are guaranteed with human rights.

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

Children are those who are less than 18 years old in Nepal and in India, less than 16 years old are considered as children. There are many children in the world who are differently able. Disability is an umbrella term for impairments, activity limitations and participation restrictions and may refer to challenges encountered in any or all of these three areas of functioning. Introduction to three topics and relating to each other, right to education for disabled children is a problem for the involved institutions and departments as their difference with common children to attain education where condition of developing countries on providing infrastructure for disabled children on providing environment for getting access to education also with their gain of knowledge after having access to education. They are provided with special education. India and Nepal are two countries where the population of disabled children is 26, 810, 557 and 5, 13, 321 who also have provision to be providing with education which is not only accessible but also effective for them to attain. Objective The objective of this research paper is to have

comparative study of right to education of disabled children in Nepal and India.

**Research Problem** Has India and Nepal made provision and plan for disabled children to give them access to education? **Limitation** This research paper only confines itself to the internal situation of India and Nepal regarding to the right to education relating to disabled children. **Methodology** This research is just based on primary and data. Constitutions, acts are referred as primary data and various books, articles, journals, pdf files are referred as secondary data. **Findings** Policies and plans of education for disabled in India Education for disabled children is a factor to empower them. According to the census report of 2011 of India, among 2.

68 crore disabled children, 1.46 crore are literate therefore for this scenario to change government has taken various initiation. One of those bill to motivate them to have access to education and pursue a career in a field is Right of person with disabilities bill (2014) which states that free for children of disability free education for their primary level as well as upto 21 years of attainment. The National trust act (1999) and the 86th Constitutional amendment 2006 has initiated and focused its action to compulsory education for all as well as free education for all including children up to 14 years which also emphasizes to educate and give proper access of education to disabled children as well. Rehabilitation council of India Act (1992) states that CWSN will train teachers for education disabled people. To ensure and to implement this plans and policies Indian government has also launched district primary education programme for emphasizing the educational equity and sustainability of their provision in every district.

<https://assignbuster.com/abstract-their-age-sex-religion-caste-creed/>

Also article 14 and article 15 of the constitution ensures provision for reservation as well as provision for reservation of socially and educationally backwards society and community which ensures the progress of the empowerment and motivation of disabled children for having access and achieving the knowledge to have built of the intellectual in certain field of interest as well as for their general concept of required field for their status to become literate. 34 Policies and plans of International organization for education of disabled children The United Nation has also got various plan and provisions for children of disability of gain education. On 1981, UN General Assembly's declaration as the international year of disabled persons also had plans to provide education for disabled children. From 1983-1992, UN proclaimed this decade of the disabled. Followed by UNESCAP decade of the disabled persons from 1993 - 2002.

World conference on special needs education in Salamanca in June, 1994 signifies the need to special need of education for disabled people also underlining the factor to provide special need of disabled children.

5 Education status for disabled children in Nepal Under article 31 of constitution of Nepal 2015 there is provision of right to education . Article 31 sub-Article 3 and sub-Article 4 of constitution has provision of right to education for physically and visual impaired person. Some institution like national Federation of the disabled (NFD), Nepal Disabled association (NDA), National Disabled Society (NDS), National association for the welfare of the blind, National association of the blind (NAB), Nepal Netra Jyoti Sangh (NNJS), Nepal national federation of deaf and hard of hearing (NFDH), Nepal ear foundation, Association for the welfare of mentally retarded (AWMR) are the

organization which have been running under the law and have the objective of meeting the welfare of disabled people including the children and provide proper environment for accessing education for all and giving scope for them to have wisdom through the education that they have accessed therefore causing to have equitable grounds for providing resources and opportunities. Therefore, the responsible department have also been aware of the fact of the disabled children being stigmatized with their differentiation and their nature so these departments provide awareness and motivate people to have them to respect and help the disabled. The Education Act 2000, The social welfare act 1992, The child protection act 1992, the child protection act 1992, the local self-government act 1999 are the regulation and provision for providing and ensuring special rules for disabled people in education with developing special programmes for disabled people and also address international convention like United Convention on the human right. These bodies also have their role to address the access of education in the all the local areas of the country and then education which is the fundamental right in the recent Constitution of Nepal 2072 is guaranteed to disabled children.

Special education provisions in Nepal and India Nepal and India have made effort for providing special need education facility and special need school. In India, the government has made some provision for ensuring environment for them to study in mainstream school. But instead of it, 2500 more special school have been initiated by the government, private institution, and NGOs where Vydehi School of Excellence, The Heritage School, Chettinad Srihari Vikasam and Akshar School are some of the examples of special need school

for differently abled students. While studying a high court, Suzan Machado is a mother of a young man with learning disabilities. She fought a case back in 2006 in the Bombay High Court against her son's then school (in Mumbai) for not giving him the concessions that he was eligible for as well as for detaining him when he was in his seventh standard. 8 Special School for Disabled and Rehabilitation Center (SSSRC) is an institution who promote of disabled children and provide rehabilitation and establish centers for special need of children of differently able. 9 INSPIRE Nepal is also an example of non-government in Nepal to provide special program of education to the disabled children and also associate with other institution for disabled children and their welfare.

10 Analysis The reality of guarantee of education to disabled children is enshrined in human rights treaties, various laws, plans and policies. There are several acts, laws regarding disabled children and their education process in both Nepal and India however these bodies have only focused on providing access to the education but still the enrollment of the disabled people in secondary education and after for the pursue of higher studies is minimum as 17% according to the census report of India, 2011 and 40% in Nepal which still hinders their desire and progressive nature of them as individual and as a differently able person. 11 But in case of provision of education for disabled children, Nepal has enlisted specifically the provision for education for disabled people according to article 31 sub article 2, 3, 4 which is not the case of constitution of India but still has made provision for free and compulsory education for all children up to the age of 14 years

within 10 years of promulgation which after 10 years of completion in 2012 still is not the case with literacy among 2.

68 crore disabled children, 1.46 crore are illiterate which is nearly half of the total population and where the children cannot even concern to the court for it because it is not specifically mentioned in the fundamental rights as that of Nepal so provision of education for disabled children is not guaranteed.

1213 Conclusion Discrimination is seen in various ways and indeed in every way of it, the subject of the discrimination is effected socially or spiritual within oneself or within the boundaries and values of society. The stigmatization of disabled people cannot complete with the normal people can only change when the term differently able is associated to them and it can only happen with their enrollment to self-progression, raising their potential to meet the opportunities and be able to have a pace in the competitive nature of the society. Education is undoubtable of being one of the essential infrastructure for them to achieve that expectation.

Hence, right to education guarantees individuals for their essentiality to access education and it is the responsibility of the nation to provide access to education and initiating provisions and plans to empower the education level of disabled children to become differently abled children and to become an abled citizen of a nation. Nepal and India both have right to education to disabled children in fundamental rights and directive principles but still efforts require to be effective enough to see a wider positive change in education of disabled children 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](https://www.google.co.in/url?sa=t&source=web&rct=j&url=http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng). <https://assignbuster.com/abstract-their-age-sex-religion-caste-creed/>



pdf&ved= 2ahUKEwiY95aK89zYAhXEo5QKHXAmaAasQFjAAegQIExAB&usg= AOVVaw3FITniA2KSTnSY2EbOWvIG 2 Indialawjournal. 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.html>8 <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/](http://www.inspirenepal.com/en/volunteering/volunteering_programs/special_education/)11 Mospi. nic. in12 [www.targetstudy.com](http://www.targetstudy.com)13 [www.censusindia.gov.in](http://www.censusindia.gov.in)

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/](http://www.inspirenepal.com/en/volunteering/volunteering_programs/special_education/)

com/en/volunteering/volunteering\_programs/special\_education/11 Mospi. nic.

in12 [www.targetstudy.com](http://www.targetstudy.com)13 [www.censusindia.gov.in](http://www.censusindia.gov.in)