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# INDIAN EDUCATION SYSTEM AND INCLUSIVITY: GAGING THROUGH THE POLICIES TOWARDS THE DIVYANG COMMUNITY

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## ABSTRACT

*Education is the stepping stone in attaining enlightenment, inculcating a sense of self-respect and dignity, equipping oneself with rationale, logic, and science, developing a personality, and further instrumentalizing oneself to a sustainable life and livelihood. One cannot deny the significance of education in a child's life in actively contributing to a country's development. However, such development has ceased to only a certain socially accepted, historically applauded particular class of people under the veil of "Normalcy." Moreover, the ones who do not meet the criteria of certain normalcy have been compelled to adapt or perish. Divyang, the Community that probably does not have any exhaustive definition to be attributed to, has been the victim of such societal atrocities, translating to social ostracize, and has ceased with basic rights like accessible education. This paper attempts to critically examine the Indian Education System from the lens of inclusivity with reference to the Divyang Community. Furthermore, the paper shall analyse the New Education Policy 2020 as a catalyst for establishing an inclusive education system for the Divyang Community.*

**Keywords:** *New Education Policy, Divyang, India*

## I. INTRODUCTION

Education, an essential component for a liberated society, entails expenses for numerous individuals. Despite the promise of education for all children, a concerning 5% of the child population in Asia and the Pacific, including children with disabilities, have been subjected to inconsistent policies and practices over the years.<sup>1</sup> Every child, regardless of their abilities or disabilities, is entitled to receive inclusive and high-quality education that accommodates them

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<sup>1</sup> Eila Heikkila, 'Ten steps to give Children with disabilities a quality Education' <<https://blogs.adb.org/blog/10-steps-give-children-disabilities-quality-education> > accessed on 29 December 2023

within the standard school curriculum. This education should enable their active participation in the country's development and allow them to lead a dignified life, with equal opportunities for employment.

The school system acknowledges the varying cognitive development of children as it embraces inclusive education. Moreover, the way in which each kid adjusts to the methods and techniques of teaching and learning varies depending on their aptitude for understanding, cognitive growth, and the physical and mental aspects involved in the learning process. An inclusive education system offers equitable possibilities, tailored to the individual adaptability of students. Hence, it may be inferred that there is no universal model that adequately addresses the diverse educational requirements of all children in mainstream schooling. There is a crucial requirement for a fundamental change in the techniques of approach, encompassing instruction methods, pedagogy, teaching aids, and individual-group activities. By implementing inclusive education, students will get personalised care and assistance tailored to their various needs and resources, fostering effective teaching and learning. This article outlines the progression of educational rights for individuals with disabilities, known as Divyang, under International Law. These rights have had a significant impact on the formation of National Education Policies in India. The recognition of fundamental rights, such as education, has been supported by several international treaties, which emphasise the need of an inclusive national education system. Moreover, the study seeks to analyse the Indian Education System in a critical manner, focusing on inclusion in relation to the Divyang Community. Finally, the report acknowledges the New Education Policy, 2020 as a crucial assessment in shaping inclusive education in the future.

## **II. EDUCATION SYSTEM FOR THE DIVYANG COMMUNITY: FROM THE NARROW LENS OF INTERNATIONAL LAW**

Upon achieving inclusive education, it is worth examining international legal principles that guarantee education for children with disabilities:

## **2.1. The Universal Declaration of Human Rights<sup>2</sup>:**

Article 26 of the Magna Carta of Human Rights acknowledges the universal entitlement to education, affirming that "Every individual possesses the inherent right to receive an education." The term "Everyone" unambiguously implies that this right should be extended to children with disabilities.

## **2.2. UNESCO Convention against Discrimination in Education<sup>3</sup>**

This worldwide instrument represents a significant milestone in UNESCO's highly acclaimed global mission of 'Education for All' in 1990. The 1960 Convention serves as the principal written instrument that officially established the main components of the right to education. The word 'inclusive education' is not explicitly mentioned, but the document does outline the provision of equitable educational opportunities for all. Upon closer examination, Article 1(a) of the Convention specifies the actions that qualify as acts of discrimination, as defined by this Convention. Denying any individual or collective the opportunity to get education at a particular level is discrimination. This clause lacks detailed explanations of discriminatory conduct and does not provide a specific definition of the term 'discrimination' within its limited scope. However, due to the incomplete list of 'acts of discrimination,' it requires a subjective approach to interpreting the Article. Given that the Convention aligns with UNESCO's ideals of providing comprehensive and equitable educational opportunities for everyone, it might potentially encompass children from disadvantaged, marginalised, or vulnerable backgrounds, as well as children with disabilities. Thus, it may be stated that any action that denies children with impairments equal educational opportunity is discrimination. The Convention serves as the definitive measure for determining what qualifies as 'inclusive education,' since it is widely acknowledged as the foundation of the Education 2030 Agenda.

An important aspect relevant to this issue is that Article 4 requires the states to establish a systematic plan as a national policy. A policy must be developed to advance inclusive education by ensuring equal opportunities through the implementation of the following measures: (i) Free and Compulsory Education at the primary level, and (ii) Ensuring that the quality of education provided is on par with other institutions at the same level, without any compromise. (iii) Offering unbiased training to teachers or instructors.

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<sup>2</sup> *The Universal Declaration of Human Rights*

<sup>3</sup> *UNESCO Convention against Discrimination in Education*

### **2.3. International Covenant on Economic, Social and Cultural Rights<sup>4</sup>**

The International Covenant on Economic, Social, and Cultural Rights is a global agreement that addresses a wide range of human rights, including several rights related to economic, social, and cultural aspects. Within the context of Education, Article 13 of this document specifically addresses the 'entitlement of all individuals to receive education.' Equal access to education for all individuals is crucial in fostering the complete development of one's personality, promoting a sense of dignity, upholding human respect, encouraging societal participation, cultivating intolerance, and fostering a sense of fraternity. This, in turn, contributes to the transformation of society into one that is both free and egalitarian. To achieve these objectives, Article 13 (2) suggests several possible measures that states could implement. These measures include providing free and mandatory primary education, offering vocational and technical education at the secondary level, ensuring accessible opportunities for higher education, and providing sufficient financial support to reduce inequalities. This Convention does not explicitly refer to children with disabilities. However, the concept of 'education for everyone' encompasses all individuals, regardless of whatever obstacles they may face, via a comprehensive comparison of the offering.

### **2.4. The United Nations Conventions on the Rights of the Child<sup>5</sup>.**

An important global treaty that addresses the rights of children from various backgrounds. As a modern global agreement, it has endeavoured to address the diverse requirements of children. Article 23 of this Convention specifically addresses the rights of children with disabilities. It calls for nations to acknowledge the rights of mentally and physically challenged children to have a well-rounded existence that ensures their dignity, self-sufficiency, and meaningful engagement in society. The states are required to provide extraordinary care to these children, depending on the available resources. According to Article 23(3), education is considered an essential aspect that should be provided to impaired children, along with health care services, rehabilitation services, and fundamental human life necessities. To promote a supportive and all-encompassing attitude, it is advisable to provide this help at no cost, taking into account the varied backgrounds of the children. Education acts as a catalyst to promote the comprehensive growth and social inclusion of children.

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<sup>4</sup> *International Covenant on Economic, Social and Cultural Rights*

<sup>5</sup> *The United Nations Conventions on the Rights of the Child*

## **2.5. United Nations Convention on the Rights of Persons with Disabilities<sup>6</sup>**

This Convention serves as a permanent testament to the recognition of the fundamental worth and equitable entitlements of individuals, as declared in the United Nations Charter, and it signifies a profound acknowledgment of the varied requirements of individuals with disabilities. Individuals, particularly those with disabilities, have been subjected to severe discrimination and social exclusion. In addition to the diverse rights and freedoms outlined in this Convention, education is specifically addressed in Article 24. The Conventions require nations to ensure inclusive education at all educational levels, with the aim of promoting the whole development of human potential, fostering a feeling of dignity and self-worth, reinforcing respect for human rights, and embracing basic freedoms and human variety. To ensure the fulfilment of these superior rights, authorities should adopt measures to integrate children with disabilities into the regular education system and refrain from denying them access to free and mandatory primary education or education at any level due to their disability. To ensure inclusion, it is necessary to provide reasonable accommodation, prerequisite support, and aid that promote successful education and optimise cognitive and social development.

### **III. INDIAN EDUCATION SYSTEM: ABANDONMENT OR ACCOMMODATIVE TO DIVYANG COMMUNITY**

The Indian Constitution's Preamble, ratified on November 26, 1949, clearly establishes that every individual is entitled to equal opportunities and social standing. Article 41 of the Directive Principles of the Indian Constitution guarantees the "right to employment, education, and public assistance in particular situations, such as disability."<sup>7</sup> Furthermore, Article 45 ensures that every child is entitled to compulsory and cost-free education until they reach the age of 14.<sup>8</sup> The Parliament has ratified the Constitution (86th Amendment) Act 2002, which enshrines education as an inherent entitlement for all children aged 6 to 14. This amendment stipulates that the government is required to provide free and compulsory education to children between the ages of 6 and 14. The preamble of the amendment specifically declares that the term "all" includes children with impairments as well. Nevertheless, it is inevitable that

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<sup>6</sup> *United Nations Convention on the Rights of Persons with Disabilities*

<sup>7</sup> *Article 41, Constitution of India, 1949.*

<sup>8</sup> *Article 45, Constitution of India, 1949.*

significant unsolved matters about the rules and regulations that enable such activities have not been dealt with.

Despite the Supreme Court of India affirming that the Right to Life includes the Right to Education in the significant decision of *Unnikrishnan v. Union of India*<sup>9</sup>, this right has been restricted to a particular segment of society that is considered 'normal' for a considerable period of time. As previously said, international agreements promote the establishment of an inclusive educational system that fosters the comprehensive development of individuals and contributes to the progress of the nation. However, this growth or development has the potential to transcend a single region of the country. It requires the active involvement of all individuals from disadvantaged, marginalised, and handicapped segments of society. The Right to Education Act of 2009 is a commendable law that requires free and mandatory education for children between the ages of six and fourteen. These inclusive, cost-effective, and legally enforceable educational opportunities ensure that children from all socio-economic backgrounds, disabilities, and educational dispositions have a just and equitable chance to gain fundamental information and get elementary level education. Nevertheless, does the education system possess sufficient inclusivity?

India, with its deep cultural heritage, has been kind in embracing many challenges. However, the concept of being specially abled has mostly been seen from the perspective of charity, which emphasises the need for assistance rather than advocating for equitable and impartial policy. Individuals afflicted with such disabilities were forced to endure social exclusion and reside in secluded environments, experiencing profound loneliness and receiving pity from others. Despite the fact that children with disabilities have a legitimate claim to basic rights and support, such as schooling, they have been deprived of these entitlements. Thus yet, no significant measures have been implemented to promote social inclusion. Education, which is crucial for eradicating social inequality and cultural domination, has not been primarily available to these youngsters.

India, seen as a developing nation, has witnessed the implementation of two unique educational systems in the last decade. One alternative is to offer specialised education in schools dedicated to children with disabilities, while the other option is to give education in mainstream schools for typically developing children who are socially considered as 'normal'. The emphasis on education for children with disabilities arose throughout the later part of the twentieth century,

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<sup>9</sup> *Unni Krishnan, J.P. and Ors. Etc. v. State of Andhra Pradesh and Ors. 1993 AIR 2178.*



accompanied by encouraging strategies and efforts aimed at their growth and progress. An obstacle in society is the task of ensuring that education is inclusive, since it contradicts the discriminating policies and practices of the mainstream educational system.

Despite the existence of several international agreements emphasising the need of Inclusive Education, India has not yet established a strong basis in its educational system. Moreover, it is crucial for the phrase to be widely comprehended and accurately employed as a synonym for integration. Inclusive education entails the provision of education to students in a regular classroom setting, irrespective of their disabilities or other categorizations. The education system is accountable for implementing necessary modifications to cater to the needs of all pupils. Integrated education is the expectation that students with disabilities would conform to the regular school system while also obtaining supplementary assistance and resources. Numerous prior initiatives have been implemented to provide inclusive education throughout the nation. Nevertheless, despite the collective endeavours, this field necessitates more effective implementation owing to many variables. The National Education Policy 2020 (NEP 2020) seeks to improve the fairness and inclusiveness of the education system via a range of measures. The recommendations will be deliberated upon in the subsequent section.

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995<sup>10</sup> mandates the provision of free education, without any fees, to all children in an appropriate environment until they reach the age of 18. It also emphasises their right to receive measures such as:

1. Offer transport services specifically tailored for children with impairments, or provide monetary incentives to parents or guardians to assist in ensuring their children with disabilities can attend school.
2. Removal of building obstacles in educational establishments, such as schools, colleges, or vocational training facilities.
3. It offers educational resources, such as books, clothing, and other things, to kids with impairments who are currently attending school.
4. The programme offers scholarships specifically designed for students with impairments.

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<sup>10</sup> *The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, Chapter V, SS. 26-30.*

5. They are creating appropriate forums to address parental concerns around the placement of their children with disabilities.
6. To accommodate blind students and students with restricted eyesight, the test procedure should be modified to simply remove mathematical issues.
7. Syllabus restructuring to optimise the educational encounter for children with disabilities.
8. The course of study is being redesigned to accommodate students with hearing impairment by offering them the option to select only one language as part of their academic programme.

The Sarva Shiksha Abhiyan (SSA)<sup>11</sup> was started with the aim of achieving universal basic education. This organisation adheres to an inclusive ideology that embraces all persons without any exceptions and integrates many systems and projects. The main objective of the SSA is to attain the Universalisation of Elementary Education (UEE). Three essential components of UEE are guaranteeing the accessibility, acceptance, and consistent participation of all students aged 6 to 14. The SSA has enacted a zero-rejection policy, ensuring that all Children with Special Needs, irrespective of their kind, classification, or degree of impairment, get appropriate and high-calibre education. The education for children with special needs has several elements, such as early diagnosis and identification, functional and formal assessment, educational placement, and the provision of assistance and devices. The services offered encompass a range of activities such as providing assistance, training teachers, offering resources, implementing individual educational plans, training parents, mobilising the community, planning and managing initiatives, improving special schools, eliminating architectural barriers, conducting research, and monitoring and evaluating the progress of girls with disabilities.

The SSA provides a maximum amount of Rs.1200/- per kid per year for the integration of children with disabilities, subject to specific requirements. The interventions implemented under the SSA for inclusive education comprise multiple components, such as identifying students with special needs, conducting functional and formal assessments, determining suitable educational placements, creating Individualised Educational Plans, providing aids and appliances, training teachers, offering resource support, removing architectural barriers, and conducting monitoring and evaluation activities. Furthermore, there is a distinct focus on

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<sup>11</sup> Sarva Sikshan Abhiyan, *A program for Universal Elementary Education, Manual for Planning and Appraisal* <[https://dsel.education.gov.in/sites/default/files/2019-05/Manual\\_Planning\\_and\\_Appraisal.pdf](https://dsel.education.gov.in/sites/default/files/2019-05/Manual_Planning_and_Appraisal.pdf)>

catering to the educational requirements of females with disabilities. The main objective of residential bridge courses for Children with Special Needs is to effectively equip them for schools, offering a superior level of inclusive education for these persons. Home-based educational services are provided to children who have severe and profound impairments in order to equip them with essential life skills, either to prepare them for formal schooling or to improve their capacity to manage everyday activities.

The Right of Children to Free and Compulsory Education Act, 2009<sup>12</sup> (hereinafter RTE Act) was enacted to ensure the fundamental right specified in Article 21A<sup>13</sup>, which guarantees free and mandatory education for children. In 2012, the Act was amended to encompass children with impairments within the group of impoverished children, as specified in section 2(d).<sup>14</sup> According to Section 12(1)(c) of the Act, private schools are required to reserve 25% of their spots for disadvantaged populations.<sup>15</sup>

The government enacted the Rights of Persons with Disabilities Act, 2016 to enforce the requirements of the Convention on the Rights of Persons with Disabilities, 2006. The Act creates a comprehensive legal structure for the execution of inclusive education in India. As per Section 16<sup>16</sup>, the appropriate Government and local authorities are responsible for ensuring that all educational institutions financed or acknowledged by them offer inclusive education to children with disabilities. Furthermore, section 17 delineates the measures to promote and enhance the accessibility of inclusive education.<sup>17</sup> These include particularly: -

1. In order to identify children with impairments, ascertain their unique needs, and assess the adequacy of the help they get, it is necessary to conduct a comprehensive evaluation of school-age children every five years.
2. To facilitate education, it is imperative to offer teachers with training and career prospects. This encompasses educators who have disabilities and possess expertise in sign language and Braille, as well as instructors who have undergone instruction in educating students with intellectual disabilities.

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<sup>12</sup> *The Right of Children to Free and Compulsory Education Act, 2009*

<sup>13</sup> *Article 21 A, Constitution of India, 1949.*

<sup>14</sup> *Sec 2(d) and (cc) and Sec 3(3) of The Right of Children to Free and Compulsory Education Act, 2009*

<sup>15</sup> *Sec 12(1)(c) of The Right of Children to Free and Compulsory Education Act, 2009*

<sup>16</sup> *Sec 16 of Rights of Persons with Disabilities Act, 2016*

<sup>17</sup> *Sec 17 of Rights of Persons with Disabilities Act, 2016*

3. The goal is to offer instruction to educators and other personnel with the aim of promoting inclusive education at all levels of school education.
4. To enhance communication for those with speech, communication, or language challenges, it is crucial to promote the use of appropriate augmentative and alternative modalities, such as Braille and sign language. These communication methods act as complements to one's own voice and allow individuals to fulfil their everyday communication requirements. Through this approach, persons with disabilities are equipped with the ability to actively engage in and contribute to their society and community.
5. The aim is to offer books, other educational materials, and appropriate assistive technology to children with substantial disabilities free of charge until they become eighteen years old.
6. To offer scholarships to students with substantial disability who fulfil the required criterion.
7. In order to meet the needs of students with disabilities, it is essential to incorporate suitable modifications in the curriculum and examination system. These modifications may involve extending the time allotted for completing test papers, offering the support of a scribe or amanuensis, and exempting students from second and third language studies.

#### IV. JUDICIAL PRONOUNCEMENTS

The Supreme Court is commonly seen as the guardian of the Constitution and the multitude of rights established within it. The judiciary has played a crucial role in recognising and safeguarding the right to education. In the case of *Mohini Jain v. Union of India*<sup>18</sup>, the Supreme Court established that the right to education is a fundamental right safeguarded by the Constitution. Furthermore, it has been shown that the entitlement to life is indivisible from the entitlement to education. In the subsequent year, in the widely recognised case of *Unni Krishnan v. State of Andhra Pradesh*, the Supreme Court reiterated the constitutional entitlement to education as articulated in Article 21. In response to this decision, the 86th Constitutional Amendment Act of 2002 was passed, which included Article 21A and 51A(1)(k) into the constitution.

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<sup>18</sup> *Mohini Jain v. Union of India*, 1992 AIR 1858, 1992 SCR (3) 658

In the *Social Jurist v. Government of NCT of Delhi*<sup>19</sup> case, the Delhi High Court ruled that under the RTE Act, children with disabilities have the right to attend any school, irrespective of its financial assistance from the Government. The Court acknowledged that the absence of these amenities creates a harmful cycle, in which children with disabilities choose not to register in school because of the lack of these amenities, thereby making their right to education meaningless.

In the *Pramod Arora v. Governor of Delhi*<sup>20</sup> decision, the Court recognised that children with disabilities face heightened marginalisation compared to other children belonging to disadvantaged groups. Consequently, the government has a heightened obligation to implement positive measures, in line with the principle of equality stated in Article 14 and the legal framework, to guarantee the meaningful integration of these individuals into the school system.

In the case of *Kamal Gupta v. State of Uttarakhand*<sup>21</sup>, the Uttarakhand High Court implemented a reporting mechanism that allows children with disabilities to be admitted to schools that have the appropriate resources to support them, whether they are aided or unsupported. However, it is clear that the RPWD Act requires all educational institutions to comply with the standards of reasonable accommodation. At the same time, Courts continue to reference the provisions of the prior Act to determine the scope of educational options for children with disabilities, even after the new Act has been passed.

The Delhi High Court scrutinised the scope of the obligations specified in the RPWD in the case of *Syed Mehedi v. Government of Delhi*<sup>22</sup>. The Court recognised that the provisions outlined in Sections 16 and 17 of the RPWD carry legal obligations. By reading the RTE Act and the RPWD Act in conjunction, the Court concluded that the provisions stated in Section 16 of the RPWD Act should be included into the regulations and benchmarks of the RTE Act. Ensuring that all schools completely adhere to the legal purpose of the RPWD Act is imperative.

## **V. NATIONAL EDUCATION POLICY(IES) – GAGING THROUGH INCLUSIVITY**

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<sup>19</sup> *Social Jurist v. Government of NCT of Delhi*, 2012 SCC Online Del 4651

<sup>20</sup> *Pramod Arora v. Governor of Delhi*, (2014) 5 HCC (Del) 215

<sup>21</sup> *Kamal Gupta v. State of Uttarakhand*, 2018 SCC OnLine UTT 677

<sup>22</sup> *Syed Mehedi v. Government of Delhi*, 2019 SCC OnLine Del 9015

The establishment of a distinct system for teaching underprivileged children, known as special education, commenced in the 1880s in India, apart from the mainstream school system.<sup>23</sup> The first school for those with hearing impairments was created in Bombay in 1883<sup>24</sup>, while the pioneering school for individuals with vision impairments was formed in Amritsar in 1887.<sup>25</sup> In 1947, the number of schools providing education for those with visual impairments expanded to 32, while the number of schools exclusively serving individuals who are hearing impaired or have difficulty hearing rose to 30.<sup>26</sup> In addition, there were three schools specifically devoted to providing education for those with developmental disabilities. The proliferation of such institutions saw substantial and rapid expansion. By the year 2000, the quantity of specialised educational institutions had risen to more than 3000.<sup>27</sup> In the 1960s, the Indian government implemented a programme aimed at providing specialised training for teachers to educate children who had visual impairments. Gradually, similar programmes were developed to educate children with various impairments. However, the proficiency of the educated instructors remained questionable as a result of the lack of standardised curriculum for various courses, unclear prerequisites for entry to these courses, and a substantial scarcity of teacher educators and educational resources in the field. Therefore, in the 1980s, the Ministry of Welfare, Government of India acknowledged the crucial need for an organisation to supervise and regulate the activities in human resource development for handicap rehabilitation.

The National Policy on Education, 1986<sup>28</sup> (NPE, 1986), and the Programme of Action (1992)<sup>29</sup> highlight the significance of including students with special needs into regular groups. The stated objective of the NPE of 1986 is to promote the integration of individuals with physical and mental disabilities into the wider community as equal participants. It aims to facilitate their normal development and provide them with the necessary resilience and self-assurance to navigate through life. Following the implementation of the Rehabilitation Council of India legislation in 1992<sup>30</sup>, it became mandatory for all special educators to be registered with the

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<sup>23</sup> Dr Goutam Patra, 'Inclusive Education in India and Its Present Perspectives' (11 November 2017) <[<sup>24</sup> \*Ibid.\*](https://gtmpatra.blogspot.com/2017/11/inclusive-education-in-india-and-its.html#:~:text=Historical%20Perspective%3A%20In%20India%20special,blind%20at%20Amritsar%20in%201887.>https://gtmpatra.blogspot.com/2017/11/inclusive-education-in-india-and-its.html#:~:text=Historical%20Perspective%3A%20In%20India%20special,blind%20at%20Amritsar%20in%201887.> accessed on 29 December 2023</a></p>
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<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*

<sup>27</sup> *Ibid.*

<sup>28</sup> *National Policy on Education, 1986*

<sup>29</sup> *Programme of Action (1992)*

<sup>30</sup> *THE REHABILITATION COUNCIL OF INDIA ACT, 1992*

council. The Act further mandates that each child with a handicap is entitled to receive education from a proficient teacher. It imposed penalties on educators who taught children with extraordinary needs without the required qualifications.

The NEP 2020 has been implemented after a hiatus of 34 years, in accordance with the recommendation put out by the Kasturirangan Committee in 2019. This plan is comprehensive, including all levels of schooling. The policy was segmented into four distinct components. School education refers to the provision of fair and comprehensive education that is accessible to all students.

The NEP 2020 is in accordance with the provisions of the RPWD Act 2016. Inclusive education, as per the definition provided by the RPWD Act 2016, pertains to an educational system in which students with disabilities and those without disabilities learn together. The teaching and learning methods are appropriately adjusted to cater to the diverse learning requirements of various types of students with disabilities.

The NEP 2020 encompasses various groups that face socio-economic disadvantages, including SEDGs, females, transgender individuals, SCs, STs, OBCs, minorities, individuals from specific geographical identities such as villages and small towns, children with disabilities, migrants, low-income households, victims of trafficking, and the urban poor. This ensures a comprehensive framework for promoting inclusive education in India. When critically evaluating the Contemporary NEP, it is evident that some of the proposals are important for promoting inclusive education.

The NEP, 2020 proposes guidelines for the development of institutions to provide support for children with special needs, referred to as CWSN. Proposals have been put up to establish Special Education Zones (SEZs) in regions of the country where there are substantial populations of individuals with all socio-economically disadvantaged groups (SEDGs). Given the significant challenges faced by individuals with disabilities and those belonging to marginalised genders, it is recommended that the Indian government establish a "Gender Inclusion Fund" to improve the country's capacity to offer equitable and high-calibre education to females and transgender individuals. More specifically, some suggestions are provided for those with disabilities, which are as follows:

1. Institutions that can cater to varying degrees of impairments: -
  1. Regular or Special schools - Children with benchmark disabilities
  2. Resource centres- Children with severe or multiple disabilities



### 3. Home-based – Children with severe and profound disabilities

2. Resource centres collaborate with special educators to address the rehabilitative and educational needs of children who have severe and multiple disabilities. Furthermore, they will assist parents/guardians in achieving excellent home-schooling and fostering skill development for these children, if needed.
3. Technology-based solutions will be utilised to offer assistance to parents/caregivers and extensively disseminate instructional materials, enabling them to actively support their children's educational needs.
4. Accessibility is facilitated via the presence of individual instructors and mentors, collaborative tutoring, adaptable educational programmes, proper facilities, and appropriate technology help. This can be particularly advantageous for children with disabilities.
5. Children with disabilities will be provided with assistive devices, technologically advanced tools, and instructional materials that are suited for their language. This will help them integrate into the classroom and communicate with their instructors and peers.
6. The National Assessment Centre, PARAKH, will formulate regulations and suggest evaluation tools encompassing the entire educational continuum, spanning from the fundamental stage to tertiary education.
7. NIOS will develop high-quality modules for teaching Indian Sign Language.
8. It is important to provide scholarships for CWSN.
9. Exceptionally talented and worthy students from all SEDGs will get support measures such as bridging courses, price waivers, and scholarships at the secondary level.

Despite the Indian Education system receiving a belated yet well-deserved boost from the recent NEP, 2020, it has been criticised for being more of an imaginatively conceived institution rather than a practical and efficient system. The fierce opponent of this strategy attributes its shortcomings to its ambitious and unrealistic goals. However, it has been a crucial cornerstone in shaping the future ideal form of the education system in the coming years. At the beginning of inclusive education, particularly in addressing the requirements of individuals with disabilities, the policy's extensive categorization may reduce the importance of prioritising specific themes that require greater attention compared to other groups. It might restrict the degree to which children with impairments receive comprehensive coverage from SEDGs.



The Policy emphasises the necessity of inclusive schools to facilitate the development of skills in children with disabilities. However, the limited availability of inclusive schools and special schools in many rural areas of the country serves as a concerning reminder of the difficulties, we have in attaining this goal. The present condition of inclusive education in numerous schools is inadequate and not achieving satisfactory advancement towards its objective. Moreover, there is a scarcity of resource centres and teachers with particular expertise. The efficacy of this guidance may be impeded by the difficulty of adopting technology-driven solutions that need parents and carers to acquire a specific degree of computer competency and literacy.

Significantly, the evaluation of home-based education, as mandated by RPWD, may not be deemed authentic because the inclusive education provision in RPWD necessitates accessible facilities and classrooms, along with personalised support to ensure comprehensive inclusion. There is an absence of comprehensive advice for home-based education, encompassing the curriculum, teaching strategies, and methods of evaluation. The presence of both instructors and tutors, along with technology interventions, will provide a substantial challenge in attaining objectives, especially in an area with an uneven student-to-teacher ratio. The absence of technology continues to be a notable deficiency in several educational institutions.

Additionally, the creation of SEZs will depend on the census report of the designated population. The verification of the accuracy of this report will depend on the meticulousness and legitimate methodologies employed by the authorities or organisations responsible for data gathering. Neglecting to comply with this requirement may lead to the omission of regions that explicitly require the mentioned provision for SEZs.

## **VI. CONCLUSION**

The alignment of the Indian school system with the need of Divyang residents is a crucial milestone in the country's pursuit of comprehensive and equitable education. The NEP serves as a guiding framework that acknowledges the diverse educational requirements of all students, including those with disabilities. The NEP 2020 lays the foundation for a more comprehensive educational setting by giving importance to adaptability, availability, and a multifaceted approach to learning. The interaction with the Policy is an opportunity to evaluate and revamp the traditional structures within the Indian education system. The objective of the NEP is to provide an educational environment that fosters academic achievement, social integration, and

overall growth by recognising the unique challenges faced by individuals with disabilities and applying tailored strategies to empower them. An important benefit of personalised education, in addition to fostering children's academic and other talents, is its potential to enhance intellectual activities. Inclusive education begins with the teacher's attentiveness to the diverse needs of the children, rather than forcing them all into a single approach. This involves acknowledging their previous experiences and knowledge, as well as any physical or psychological obstacles they may face. Additionally, the teacher must establish a safe environment that fosters readiness for learning among the students.