

LEGAL PROVISION FOR EDUCATION OF WEAKER AND CHALLENGED

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Abstract

Education is the fundamental and basic need for every human being. Without education it is almost impossible to develop the quality of human life. For survival, protection and development of human potentialities, education is the only way. No citizen on grounds of only religion, sex or place of birth should be subjected to any restriction to any place of public entertainment or any educational institution. Suitable incentives are provided to all weaker sections of society. Weaker class people are the back bone of our society. They are in need of support. Integration of the physically challenged into the regular school programme initiated by the Kothari Commission is essential. For achieving equalization of educational opportunities, the children with disability should have access to quality education comparable to other children

Key words-Education, India, Weaker section, physically challenged, special education, backward class

Introduction

The Central Government grants reservation in Government services in favor of scheduled caste and tribal people, because, suitable hands for them are not available. For improvement of this situation, the Government has opened Coaching-cum-Guidance Centers at Chennai, Jabalpur and Manipur. These classes transmit information regarding employment opportunities. They also impart training to scheduled caste and tribal people for special jobs. Since 1953, more than two dozen scholarships have been instituted for sending persons of scheduled and tribal groups to foreign countries for obtaining education. Nearly 12 to 17 percent of seats in educational institutions are reserved for scheduled caste and tribal people. Seats are reserved for them in medical and engineering colleges also.

Education of Weaker Sections of the Society

The All India literacy rate of backward class is very low as against other population. The literacy rates of backward class women are even much lower. It is found that SC/ST children are enrolled in schools in very small number. Many of them drop out in between. Among these communities, it is found that dropout rate is even higher for girls. This indicates that there is need for systematic efforts towards the educational development of these communities.

The Policy and its Implications

The Central focus in educational development of backward classes is- their equalization with the common population. This is important at all stages and levels of education. The target is to improve percent enrolment of backward children in the age group of 6-11 years. This ensures that they are retained in school till completion of the primary stage. The children in the age group 11-14 years need to be enrolled. These children should be retained in school. This leads to satisfactory completion of Class VIII. Then only government policy goals visualized in the NPE will be achieved.

The Strategies for Achieving the above Goals

The targets for implementation are as follows:

- Incentives to families to send their children to school till the age of 14. To provide assistance to backward families. Details of a scheme of assistance should be worked out with the State Governments.
- To ensure timely payment of scholarships. The amounts of scholarships should be paid by the first of every month. A single model agency should be identified for disbursement of scholarships. Payment through banks or post offices should be made. Amount of scholarships should be increased from time to time for backward children. The amount given to children should not be very little. This will ensure universal enrolment of backward children in schools. The coverage should be hundred percent of all eligible SC/ST children.
- Scheme of incentives like provision of uniforms, stationery, books, shoes, food, medical checkup and guidance should be made available. Detailed financial estimates should be prepared by the State Governments. It should be implemented effectively.

- Scholarships for children of families engaged in occupation like scavenging and tanning should be made available.
- Benefits under the scheme should also be extended to cover day scholars.
- Constant micro-planning and verification should be done to ensure enrolment and retention in the courses of all backward students at all stages. Micro-planning should include preparation of detailed village level plans within given time-frame. Government should do mapping of education infrastructure. Removal of deficiencies is also very important. Different agencies should work at the village level to convince parents to send the children to school. This should be done with the involvement of teachers, parents and social workers. There should be provision of remedial coaching at all stages. Special remedial coaching should be made available for classes IX-XII for preparing backward children for professional courses.
- Recruitment of Teachers form backward classes should be done. A crash programme should be undertaken to remove existing gaps for recruitment of teachers form among SC/ST. Educational qualification for women teachers should be given some concession. Professional upgrading of teachers should be done.
- Provision of hostel facilities for Scheduled Castes/Scheduled Tribes (SC/ST) at district headquarters should be made. A phased programme should be undertaken to ensure that all districts headquarters which do not have hostels are provided with such facilities.
- The Ministry of Welfare should take up schemes under centrally sponsored programmes. Location of school buildings and balwadis should be decided and made available for scheduled castes and tribal villagers.
- Content and value orientation of the curricula should be in respect of backward classes. The centre and the State government should form committees at appropriate levels to review the content of the existing curricula to ensure that prejudices do not come in that way of integration.

Education for the Physically Challenged

The Kothari Commission (1964-66) observes that the 'Goal of universalisation of elementary education' depends upon the extent of success in bringing special groups of children within the education network. Unless educational services are extended to this group

of children on mass scale, the universalisation of elementary enrolment will not be achieved. The low percentage of enrolment speaks volumes for the serious neglect and denial of educational opportunity for millions of disabled children in the country, even though the constitution of the country prescribes compulsory education for all children up to primary level. Most of the special groups of children are either not enrolled at all or drop out due to some reason. The slow progress towards bringing the disabled within the education network has been due to little provision in special schools despite the fact that about 90 percent of it can be catered to in regular schools.

Integration of the physically challenged into the regular school programme initiated by the Kothari Commission leads to (i) reduction of costs of education and (ii) promotion of mutual understanding between the challenged and normal. However, many challenged children find it difficult to cope with normal ones as they tend to be neglected. It is important that maximum number of children are enrolled in the integrated programmes. This has been reinforced in the National Policy on Education, NPE-1986. It states that wherever possible, education of children with loco motor handicaps and other mild handicaps should be included with normal children. The children with severe handicaps are proposed to be enrolled in special schools with hostels. Those children who are initially admitted to special schools for training and curriculum skills, that are required in addition to their regular school curriculum, should be transferred to general schools later on once they acquire daily living skills, communication skills and basic academic skills. For achieving equalization of educational opportunities, the children with disability should have access to quality education comparable to other children

Legal Provision for Special Education

The persons with disabilities-Equal opportunities, Protection of Rights and full Participation Act, 1995 The Gazette of India : Extra ordinary, Part-II, Section-I No. 1 of 1996, 1st January, 1996, Ministry of Law, Justice and Company Affairs, New Delhi : Chapter-V of Education p.12-13 has stated the following:

1. The appropriate Governments and the local authorities shall-
 - (a) Ensure that child with a disability has access to free education in an appropriate environment till he/she attains the age of eighteen years.
 - (b) Promote the integration of disabled students in the normal schools.

- (c) Promote setting up of special schools for those in need of special education. Children with disabilities living anywhere in the country should have access to such school.
 - (d) Establish special schools for children with disabilities. There should be provision for vocational training.
2. The appropriate Government authorities shall by notification make schemes for-
- (a) Conducting part-time classes for children with disabilities who have completed education up to class fifth and could not continue further studies.
 - (b) Conducting special part-time classes for providing literacy for all children in the age-group of sixteen.
 - (c) Imparting non-formal education by making use of the available manpower in rural areas.
 - (d) Open schools/ open universities/ online mode should be made available for imparting education.
 - (e) Conducting discussions through interactive electronic or online media.
 - (f) Providing special books and equipments to every child with disability, free of cost.
3. The Governments shall initiate research for the purpose of designing and developing new devices, teaching aids and special teaching materials which are necessary to give a child with disability, equal opportunities in education.
4. The Governments shall encourage setting up of teacher's training institutions and assist other national institutes and voluntary organizations to develop teacher's training programmes specializing in disabilities.
5. The Government shall by notification prepare a comprehensive education scheme which shall make provisions for physically challenged-
- (a) Transport facilities to the children with disabilities or financial incentives to parents to enable their children with disabilities to attend schools.
 - (b) The removal of architectural barriers from schools, colleges or other institutions.
 - (c) The supply of books, uniforms, stationery and other materials to children with disabilities attending school.
 - (d) The grant of scholarship to students with disabilities who are going to schools.

- (e) Suitable change in the examination system to eliminate purely mathematical questions for the benefit of visually impaired students and students with low vision.
- (f) Changing curriculum for the benefit of students with hearing impairment to facilitate them to take only one language as part of their curriculum.

Conclusion

A large number of backward classes have not been given opportunity for education. This class is in a very crucial situation. They are socially and economically deprived due to their profession. The Constitution has paid particular attention to the education of the backward classes. Constitution clarifies that the state will not be hindered from taking any steps for the progress of educationally and socially backward citizens or for making any special provisions for the scheduled tribes and scheduled castes. Integration of the physically challenged into the regular school programme initiated by the Kothari Commission is essential. For achieving equalization of educational opportunities, the children with disability should have access to quality education comparable to other children.

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