



ROLE OF CONSTITUTIONAL PROVISIONS AND ITS APPLICATION IN INCLUSIVE EDUCATION

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Abstract

Inclusive Education menace normal Students and abnormal students are learning together at one place, There are 12 major Constitutional provisions belongs to education. How it works for Inclusive education, Hoe they apply for Inclusive Education, Effects of such provision on Inclusive Education it explain in this paper. It belongs to 1 Free and Compulsory Education, 2 Education of Minorities, 3 Language Safeguards, 4 Education for Weaker Sections, 5 Secular Education, 6 Equality of Opportunity in Educational Institutions, 7 Instruction in Mother -Tongue: 8 Promotion of Hindi 9 Higher Education and Research, 10 Women's Education, 11 Education in the Union Territories: 12 Educational and cultural relations with foreign countries.



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Introduction –Education means positive behavioral changes among children. This child may be normal or abnormal. Education is must for development of child. If this education can provide together for all type of children's, it is called Inclusive Education. In India there is Constitutional Provisions belongs to education, How such provisions apply and affect on Inclusive Education can be explain in this paper.

12 Major Constitutional Provisions on Education in India and their application as well as effect on Inclusive Education.

1. Free and Compulsory Education:

The Constitution makes the following provisions under Article 45 of the Directive Principles of State Policy that, “The state shall endeavour to provide within a period of ten years from the commencement of this Constitution, for free and compulsory Education for all children until they complete the age of fourteen years

1.1 Application and Effect – This provision apply that each child get free education up to 14 year Age, As per this provision Special child also get free education from government schools effect of this provision that no one can deprive, government take responsibility of abnormal child up to 14 age.

2. Education of Minorities:

Article 30 of the Indian Constitution relates to certain cultural and educational rights to establish and administer educational institution. All minorities whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

2.1 Application and Effect – As per this provision any special child can take admission in any minority Educational Institute, Means he can get education as his continuously as like as any minor special child can get admission in any normal school.

3. Language Safeguards:

Article 29(1) states “Any section of the citizen, residing in the territory of India or any part there of having a distinct language, script or culture of its own, shall have the right to conserve the same.” Article 350 B provides for the appointment of special officer for linguistic minorities to investigate into all matters relating to safeguards provided for linguistic minorities under the Constitution .

3.1 Application and Effect – As per this provision any special child can develop his code of language for his education while taking education among normal children e.g. Hearing Impaired children have their own language, as like as Blind learner have Braille language.

4. Education for Weaker Sections:

Article 15, 17, 46 safeguard the educational interests of the weaker sections of the Indian Community, that is, socially and educationally backward classes of citizens and scheduled castes and scheduled tribes. Article 15 states, “Nothing in this article or in clause (2) of Article 29 shall prevent the state from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the scheduled castes and the scheduled tribes.”

4.1 Application and Effect – As per this provision any special or abnormal child can get proper treatment from teachers and peer groups while taking education among normal student.

5. Secular Education:

Article 25 (1) of the Constitution guarantees all the citizens the right to have freedom of conscience and the right to profess, practice and propagate religion.

Article 28 (1) states, “No religious instruction shall be provided in any educational institution if wholly maintained out of state fund.”

Article 28 (2) states, “Nothing in clause (1) shall apply to an educational institution which is administered by the State but has been established under any endowment or Trust which requires that religious instruction shall be imparted to such institution.”

Article 30 states, “The state shall not, in granting aid to educational institution maintained by the State or receiving aid out of State funds, on grounds only of religion, race, caste, language or any of them.”

5.1 Application and Effect—As per this provision a special child belongs to any community, any religion can take education in any institute as per his conventions there is no religion boundaries for special child.

6. Equality of Opportunity in Educational Institutions:

Article 29(1) states “No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds, on grounds only of religion, race, caste, language or any of them.”

6.1 Application and Effect - As per this provision any special child get equal opportunity to get education with normal student and each school must make provision to provide admission them.

7. Instruction in Mother -Tongue: .

Article 26 (1) states, “Any section of the citizens, residing in the territory of India or any part there of, having a distinct language, script or culture of its own, shall have the right to converse the same.”

Article 350 A directs, “It shall be endeavour of every state and every local authority to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups.”

7.1 Application and Effect –As per this provision any special child can learn with his mother tongue among normal other tongue students.

8. Promotion of Hindi:

The Indian Constitution makes provision for the development and promotion of Hindi as national language. Article 351 enjoins the Union, the duty to promote the spread of the Hindi language.

Hindi accepted as the Official Language of India as laid down by the Constitution in following words: “It shall be the duty of the Union to promote the spread of the Hindi language, to develop it so that it may serve as a medium of expression of all the elements of the composite culture of India.” In practice,

8.1 Application and Effect – As per this provision a special child can learn hindi in any school which is convenient for him.

9. Higher Education and Research: :

Entry 63 of the Union List:

The institutions known at the commencement of this Constitution as the Banaras Hindu University, the Aligarh Muslim and the Delhi University, and any other institution declared by Parliament by law to be an Institution of National importance.

Entry 66 of the Union List:

Co-ordination and determination of standards in institution for higher education or research and scientific and technical institutions.

9.1 Application and Effect – As per this provision any special child having any disability can get higher education from any institute as well as he can conduct research from any department of universities.

10. Women's Education: .

Article 15(1) provides that the State shall not discriminate any citizen on groups only of sex.

Article 15 (3) reads: "Nothing in this article shall prevent the State from making any special provision for women and children."

The Policy states, "Education will be used as an agent of basic change in the status of women. In order to neutralize the accumulated distortions of the past, there will be a well conceived edge in favor of women."

10.1 Application and EffectAs per this provision any special female learner has rights to get education with male learner.

11. Education in the Union Territories:

Article 239 of the Constitution states, "Save as otherwise provided by Parliament by Law, every Union Territory shall be administrator by the president acting to such extent as he thinks fit through an administrator to be appointed by him with such designation as he may specify."

11.1 Application and EffectAs per this provision any special child from territorial region has right to get any type of education ,he may be belongs to economical backward Government must provide him proper education.

12. Educational and cultural relations with foreign countries:

Entry 13 of the Union List reads. Participation in international conferences, associations and other bodies and implementing decisions made there at.

12.1 Application and Effect As per this provision a special child can get any type of fellowship from any other country for higher education or research.

Reframes

Constitutional Provisions Regarding Education in India

Constitutional Provisions Regarding Right to Education in India

The Union Territories of India: it's Constitutional Provisions

Constitutional Provisions for Social Reforms in India

Constitutional Provisions of the Scheduled and Tribal Areas of India

Education and Closed Society Situation after Independence in India

Essay on the Constitutional Concept of Scheduled Tribe

Who Constitute Minorities in India?

The Meaning of Breakdown of Constitutional Machinery in India