



A STUDY OF CONSTITUTIONAL PROVISIONS FOR EDUCATIONAL RIGHT OF WOMEN IN INDIA FOR INCLUSIVE EDUCATION

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Abstract

There are estimated 25 million children's of school in India, many of whom are marginalized by factor such as poverty, gender, disability, caste, religion ect. There for The constitution of India gives the right of education to the women. This right useful for women education against the gender byes and sex equality. The various policies promotes the women education for The inclusive education in various field.The implementation of constitutional act such as right to education for women inclusive education can be carried out though various schemes and programs.



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Introduction

There are estimated 25 million children's of school in India, many of whom are marginalized by factor such as poverty, gender, disability, caste, religion ect. There for undoubtedly the idea of inclusive education is certain highly relevant to our current condition to where differences in religion, faith, gender, ethnicity and ability are often seen as threat rather than a source of richness and diversity. Inclusive education stands for improvement of school in all dimensions to address the educational needs of all children's.

A caste, gender or disability link does not seem to have empirically researched to date in India context. There are many Gov. and NGO programs focused on caste and gender In India, yet seem to concerned with how disability in reinforces these dimensions of exclusion.

Statement Of Problem

“A study of constitutional provisions for educational right of women in India for inclusive education.”

Objectives

1. To study the article 15(1) and 15(3) for Educational Rights of women in India.

2. To study implementation of the article 15(1) and 15(3) for Educational Rights of women in India for Inclusive education .

Methodology

i) Design of the Study

Historical method was used for study of provisions for Educational rights (articles) of women .

Descriptive Survey method was used for the study of schemes and programmes of women education in India.

ii) Sources

a) Primary Sources

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b) Secondary Source

- Bakshi, P.M. (2002), *The Constitution of India, 5th Edition*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.
- David Sills (1968) *International Encyclopedia of the Social Science*, 10. The Macmillan Company and the Free Press, U.S.A.
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iii) Sample

MHRD Department of Women and Minorities Govt, of India.

Data Analysis And Interpretation

Objective-1: To study the article 15(1) and 15(3) for Educational Rights of women in India.

Article 15 (1) :“The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”

Interpretation : For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect of purpose of impairing or nullifying the recognition, enjoy exercise by women, irrespective of their status, on a basis of equality of men and with human rights and fundamental freedom political, economic, social, cultural, civil or a field.

The constitution of India not only grants equality to all citizens including

girls/women and forbids any discrimination based on religion, race, caste, sex and place of birth but also empowers the state to practice Protective Discrimination in favors of girls/women, children and any socially and educationally backward classes or the scheduled castes and scheduled tribes. As per the Directive Principles of state policy, the Article 45 of our Constitution enjoins that the State shall Endeavour to provide within a period of 10 years from the commencement of the Constitution, compulsory education for all children until they complete the age of fourteen years. This constitutional directive was interpreted by our policy planners as eight years of elementary education (five years of primary and three years of upper primary education) for all children in the age group 6-14 years as a programme of Universal Elementary Education (UEE).

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

Interpretation: States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women. The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely; Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Objective-2: To . . To study implementation of the article 15(1) and 15(3) for Educational Rights of women in India for Inclusive education .

For the implementation of article 15(1) and article 15 (3) various schemes are carried out by the government and non government NGO agencies. Though that inclusive education for the empowerment of girls and women can be classified into schemes for 1) livelihood generation, 2) education, 3) health, 4) food security and nutrition, 5) housing, and 6) protection and the generation of awareness. Education schemes have had the largest budgetary allocation of the fund for women's empowerment. A major chunk of the allocation for the education of girls and women has been accorded to the Ministry of Human Resource Development's Sarva Shiksha Abhiyan (SSA). In absolute terms, Rs.50.6 billion was being spent on the SSA in 2006-07.

1. The United Progressive Alliance had pledged in its Common Minimum Programme to empower women politically educationally, economically and legally to ensure gender equality. The Tenth Five Year Plan had an overly ambitious target of reducing gender gaps in literacy. However, even schemes like the Indira Awas Yojana in which 77.17% of the beneficiaries are women and the National Child Labour Project in which only 44% of

the expenditure is exclusively for girls have been given 100% of their funding from the fund that is to be used exclusively for women..

2. Schemes for Education of Girls and Women of Ministry of Human Resource Development (MHRD)

The Department of Elementary Education and Literacy is in charge of the MHRD's most ambitious schooling project- The Sarva Shiksha Abhiyan (SSA). The SSA serves as an umbrella scheme for schemes directly and indirectly beneficial to the girl child- the National Programme for the Education of Girls at an Elementary Level (NPEGEL) and the Early Childhood Care and Education (ECCE) Programme. The Education Guarantee Scheme under SSA also aims to provide vocational and non formal education to out-of school children, of which, girls are intuitively significant in number. While these schemes have been designed, keeping in mind, groups like girls, SCs and STs who are often left out of the development process, the quality of schooling is a matter of concern. Other MHRD schemes include the Kasturba Gandhi Balika Vidyalayas (KGBVs), the Mahila Samakhyas Programme, the Mid-Day Meal Scheme and schemes for adult literacy.

3. Sarva Shiksha Abhiyan

The SSA was launched in accordance to the Eighty Sixth Constitutional Amendment for Universal Elementary Education (UEE) towards the end of the Ninth Five Year Plan in 2001 and was integrated with the District Primary Education Programme (DPEP). It was continued into the Tenth Five Year Plan. The aims and objectives of the SSA were rather ambitious. It was intended to ensure that all children were enrolled into the schooling system by 2003. All initially enrolled children were to complete five years of schooling by 2007 and eight years by 2010. By 2010, the SSA aimed to achieve universal retention.

4. National Programme for Education of Girls at an Elementary Level (NPEGEL)

The National Programme for Education of Girls at an Elementary Level was started in September 2003 as an integral component of the Sarva Shiksha Abhiyan. It sought to distribute free textbooks for girls till Class VIII, construct separate toilets for girls and to conduct bridge camps for older out-of-school girls. The NPEGEL aimed at ensuring that 50% of the newly recruited teachers were female and that learning materials would be gender sensitive.

5. Kasturba Gandhi Balika Vidyalaya (KGBV)

Launched in July 2004, the KGBV sets up residential schools at the upper primary region- primarily for girls from SC, ST and OBC families as well as minority communities. The scheme is being implemented in Educationally Backward Blocks where the female rural

literacy is below the national average. 75% of the seats in KGBVs are reserved for SCs, STs, OBCs and minorities. The remaining 25% of the vacancies are filled with girls of BPL families.

6. Early Childhood Care and Education (ECCE)

The ECCE was an optional component of the District Primary Education Programme while it was still in operation. Currently, the ECCE is still being carried out, though in a small way, under the Sarva Shiksha Abhiyan. The ECCE aims at setting up pre schools to prepare children for schooling. It has an indirect bearing on education for girls as with her siblings in school, the girl child need not assume sibling care responsibilities during school hours and can therefore, attend school.

7. The Mid-Day Meal (MDM) Scheme

According to the afore-mentioned PROBE Survey, the presence of Mid Day Meals in the villages increased the probability that a girl child would be enrolled in a school by 15%. The MDM has this effect as it increases the benefit of schooling a girl as perceived by her parents. (A girl generally has a higher opportunity cost of schooling as she is expected to look after the household, especially if her mother is working. So an increased benefit will swing the implicit cost-benefit analysis in a parent's mind in favour of schooling the girl child.) The MDM also reduces caste biases as it forces children of all castes to eat together. 100g of food grain per child per school day is distributed to all children in government schools. MDM is also known as the Nutritional Support to Primary Education Scheme.

8. Kishori Shakti Yojana (KSY)

The Kishori Shakti Yojana is a redesign of the Adolescent Girls' Scheme which was under the ICDS. Like its precedent scheme, the KSY seeks to benefit girls of 11 to 18 years of age. Its objectives involve improving the nutritional, health and development status of adolescent girls, promoting awareness of health, hygiene, nutrition and family care, sending out of school girls back to school through bridge courses and non formal education channels as well as imparting vocational training and sex education.

9. Balika Samridhi Yojana

The Balika Samridhi Yojana was started on 2 October 1997 and was revised in 1999. It targets BPL girls and daughters of rag pickers, vegetable/fish sellers, pavement dwellers and the like. Those who wish to avail of the benefit from this scheme must apply to Anganwadi workers.

Findings

1) To study the article 15(1) and 15(3) for Educational Rights of women in India.

Article 15 (1) :“The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.”

For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect of purpose of impairing or nullifying the recognition, enjoy exercise by women, irrespective of their status, on a basis of equality of men and with human rights and fundamental freedom political, economic, social, cultural, civil or a field. The constitution of India not only grants equality to all citizens including girls/women and forbids any discrimination based on religion, race, caste, sex and place of birth but also empowers the state to practice Protective Discrimination in favour of girls/women, children and any socially and educationally backward classes or the scheduled castes and scheduled tribes. Under the protective discrimination clause, the State (our country) has passed several legislations and initiated special programmes and schemes for the

protection, welfare and development of girls/women and children. As per the Directive Principles of state policy, the Article 45 of our Constitution enjoins that the State shall endeavour to provide within a period of 10 years from the commencement of the Constitution, compulsory education for all children until they complete the age of fourteen years. This constitutional directive was interpreted by our policy planners as eight years of elementary education (five years of primary and three years of upper primary education) for all children in the age group 6- 14 years as a programme of Universal Elementary Education (UEE).

Article 15(3): “Nothing in this article shall prevent the State from Making any special provision for women and children.”

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women. The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely; access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

The constitution of India gives the right of education to the women. This right useful for women education against the gender byes and sex equality. The various policies promotes the women education for The inclusive education in various field like Girls from extremely poor families/suffering ill health, Orphan girls, From shepherd community, Migrating parents, Girls from large families where household help is required, Older girls who missed primary school, Girls from tribal community (others) living in remote hamlets. The constitutional right to

education act and various policies are used for Girls from violent homes, Girls with disabilities, Children of sex workers, Agriculture child labor (picking cotton, helping the families etc), Girls from Muslim Community (some may be enrolled in religious schools)

Objective-2: To study implementation the article 15(1) and 15(3) for Educational Rights of women in India for Inclusive education.

Schemes for inclusive education for the empowerment of girls and women can be classified into schemes for 1) livelihood generation, 2) education, 3) health, 4) food security and nutrition, 5) housing, and 6) protection and the generation of awareness.

1. The United Progressive Alliance had pledged in its Common Minimum Programme to empower women politically, educationally, economically and legally to ensure gender equality..

2. Schemes for Education of Girls and Women of Ministry of Human Resource Development (MHRD)

3. Sarva Shiksha Abhiyan.

3. National Programme for Education of Girls at an Elementary Level (NPEGEL)

4. The Mid-Day Meal (MDM) Scheme

5. National Programme for Education of Girls at an Elementary Level (NPEGEL)

6. Kasturba Gandhi balika vidyalaya

7. Early childhood care and education

8. Balika Samridhi Yojana.

From all above schemes and policies the implementation of constitutional article 15(1) and 15(3) can be carried out. The authorities cannot ensure that these schemes function smoothly. The targeted beneficiaries should be empowered to ensure proper service delivery. This can be done through massive publicity campaigns to exhort parents, teachers and women to get together, organize and register themselves with the District Authorities. The Block Authorities and Panchayats should also persuade beneficiaries to form Self Help Groups. Once these Self Help Groups, School Management Committees and Mahila Sanghas are formed, they should be funded directly from the Central Accounting System set up by the RBI, on a release order from the concerned Ministry in the Government of India once it receives a list of all the Committees. This will save inefficiencies in the trickle down of funds from the Centre to the State to the District to the Block Authorities, in which case funds might be 'parked' or simply away. Consider while measures like free uniforms and textbooks are effective in raising enrolment, they may not increase retention. For the latter, there should be a greater focus on proper service delivery and on the quality of infrastructure and teaching.

Referense

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Nashik District Population

The Maharashtra State is divided into 23 Districts. One of those is Nashik District. Nashik District is located in the Indian state of Maharashtra with total population of 6107187. Of this, 51.7% (3157186) is male population and 48.3% (2950001) is female population. Out of total population 57.5% (3509814) people live in Rural area out of which 1804712 is the Male population and 1705102 is the Female Population. On the other hand, 42.5% (2597373) people stays in Urban area out of which Male population is 1352474 and female population is 1244899.

Nashik Population

6107187

Male Population: 3157186

Female Population: 2950001

Urban Popluation: 2597373

Rural Population: 3509814

RuralUrban42.5%57.5%

TRU Population

Rural 3,509,814

Urban 2,597,373

Total: 6107187

Mandal Wise Population in Nashik District

In Nashik there are approximately 15 Mandals.

- The code of Nashik District is 516.

- Number of Households in Nashik District is 1222887.
- The head quarters of Nashik District is Machilipatnam.
- From the below table get the list of Mandals, Mandal wide population, and Number of villages

Mandal Population Villages

Baglan	374435	170
Chandvad	235849	111
Deola	144522	50
Dindori	315709	158
Igatpuri	253513	117
Kalwan	208362	152
Malegaon	955594	143
Nandgaon	288848	100
Nashik	1755491	73
Niphad	493251	134
Peint	119838	145
Sinnar	346390	130
Surgana	175816	190
Trimbakeshwar	168423	125
Yevla	271146	124

Population in Nashik District by Religion

In Nashik District there are many religions like Hinduism, Muslims, Christians, etc.

- Out of total population in Nashik District, 85.8% (5237009) are Hindus.
- Muslims in Nashik District are about 693052 i.e., 11.3% out of total population in Nashik District.
- Nashik District has Christian population of about 23946 i.e. 0.4% of total population of Nashik District.
- In Nashik District, Sikh population is estimated at 8912 i.e. 0.1% out of total Nashik District Population.

- Buddhist population in Nashik District is approximately 94783 which makes up to 1.6% of total Population in Nashik District.
- Approximately, 38212 Jains reside in Nashik District i.e. just 0.6% out of total Nashik District Population.
- Not only these, in Nashik District there are other religions with population of about 1795 which makes up to 0% of total Population in Nashik District.

Religion	Total	Rural	Urban
Hindu	5237009	3410367	1826642
Muslim	693052	60696	632356
Christian	23946	2758	21188
Sikh	8912	870	8042
Buddhist	94783	22462	72321
Jain	38212	6928	31284
Other religions and Persuasions	1795	399	1396

HinduMuslimChristianSikhBuddhist1/285.9%

Religious Population

Hindu	5,237,009
Muslim	693,052
Christian	23,946
Sikh	8,912
Buddhist	94,783
Jain	38,212
Others	1,795

Total :6107187

Population of Nashik District by Education

As per recent population census in India, there is an improvement in Literacy Rate in Nashik District. Out of total Nashik District population of 6107187, 28.9% of people (1762219) are attending educational institutions, 45.7% of people (2791790) have attended before and 25.4% of people (1553178) have never attended.

- There are 4345366 literates and 1761821 illiterates in Nashik District.

- In Nashik, out of rural population of 1036376, people are attending educational institutions, 1411833 people have attended before and 1061605 people have never attended.
- On the other hand, out of urban population of 2597373 in Nashik District, 725843 people are attending educational institutions, 1379957 people have attended before and 491573 people have never attended.

Total Population 6107187

Population Attending Educational Institution 1762219

Attended Before 2791790

Never Attended 1553178

Population Attending Educational Institution Attended Before Never Attended
28.9% 25.4% 45.7%

Education Data	Population
Population Attending Educational Institution	1,762,219
Attended Before	2,791,790
Never Attended	1,553,178

Total :6107187

Nashik District SC Population

The total SC population in Nashik District is 554687. Out of this total SC population, the SC Male Population is 282213 and SC Female Population is 272474.

Total SC Population 554687

SC Male Population 282213

SC Female Population 272474

Male Female 49.1% 50.9%

Scheduled Castes Population

Male 282,213

Female 272,474

Total :554687

ST Population in Nashik District

The total ST population in Krishna is 1564369. Out of this total ST population, the Scheduled Tribes Male Population is 282213 and ST Female Population is 272474.

Total ST Population 1564369

ST Male Population 792547

ST Female Population 771822

MaleFemale49.3%50.7%

Scheduled Tribes Population

Male 792,547

Female 771,822

Total :1564369

Age Wise Nashik District Population

In total population of Nashik i.e., 6107187 there are different age groups. Age wise population in Nashik is provided in detail in the Table. The total population of all ages in Nashik District is estimated at 6107187 out of which 3157186 is the Male Population and 2950001 is the Female Population of all age groups in Nashik.

- The Rural population of all age groups in Nashik District is estimated at 3509814 out of which 1804712 is the Male Population and 1705102 is the Female Population of all age groups in Rural areas of Nashik District.
- The Urban population of all age groups in Nashik District is estimated at 2597373 out of which 1352474 is the Male Population and 1244899 is the Female Population of all age groups in Urban areas of Nashik District.

Age Group	Total Persons	Males	Females
All ages	6107187	3157186	2950001
0-4	585461	309500	275961
5-9	597624	315823	281801
10-14	632261	333215	299046
15-19	594633	314518	280115
20-24	611895	314437	297458
25-29	558759	288776	269983
30-34	474438	245531	228907
35-39	425672	218828	206844
40-44	363168	188351	174817

Age Group	Total Persons	Males	Females
45-49	303974	158189	145785
50-54	245383	128503	116880
55-59	188615	95743	92872
60-64	172415	80873	91542
65-69	147805	67441	80364
70-74	98321	47053	51268
75-79	48233	23092	25141
80+	47697	21505	26192
Age not stated	10833	580	

Disabled Population in Nashik District

In Nashik there are total 115,668 disabled persons out of which 66,921 are males and 48,747 are females. Now let us see the disabled population in Rural and Urban areas in Nashik.

- In Rural areas there are total 70,122 out of which 40,088 are males and 30,034 are females.
- Coming to Urban areas there are total 45,546 out of which 26,833 are males and 18,713 are females.

TRU Total Disabled Population Males Females

Total	115,668	66,921	48,747
Rural	70,122	40,088	30,034
Urban	45,546	26,833	18,713

RuralUrban39.4%60.6%

TRU Population

Rural 70,122

Urban 45,546

Total: 115,668