



National Education Policy, NEP- 2020 and Right to Persons with Disabilities Act 2016

Author

Dr. Ram Shakal Sahani

Director

CRCSRE- Shillong, Meghalaya

Under the administrative control of SVNIRTAR- Cuttack, Odisha

Department of Empowerment of Persons with Disabilities (Divyangjan)

Ministry of Social Justice and Empowerment

Government of India

Abstract

Every citizen of India is entitled to the Fundamental Rights enshrined in the Constitution. Persons with disabilities must also be equally empowered to enjoy these rights, ensuring that no one is left behind in the pursuit of equality, dignity, and justice. In this article, the author have analysed the National Education Policy, NEP- 2020 and while appreciating the government's bold initiative in terms of Disability Acts towards establishing an egalitarian society in its real sense, the authors have tried to shed some light on the intricate fallacies of the policy and its implementation process which if not cured, would defeat the entire purpose of the education system at large, let alone the policy at hand.

Keywords: National Education Policy (NEP), 2020, Right of Persons with Disabilities (RPwD) Act., and Disability Rights.

Introduction

The first Indian legislation which dealt with the needs of special education was the Rehabilitation Council of India Act, 1992 which trained educators to provide education for persons with disabilities. In between 1992-2020, a National Policy for Persons with Disabilities in 2006 was formulated by the Government of India to deal extensively with integrated and inclusive education for the first time.

The National Education Policy (NEP), 2020 has been widely discussed about its impact on special education in India. The policy has been well engaged with the educational rights of students with disabilities and has introduced laudable changes that were missing from previous education policy. However, there are some issues that have not been addressed and require immediate attention from policymakers and implementers.

Chapter VI of the NEP focuses on equitable and "inclusive" education. It primarily emphasizes the need of having an inclusive education system consisting of inclusive schools, where students irrespective of disability status can learn together and where due regard is paid to the needs of the disabled students. To achieve this goal, the NEP sets out a very ambitious plan which consists of making disability-friendly infrastructure and educational resources available in all schools across the country.

The focus has been laid down on open schooling, appropriate infrastructure, suitable usage of technological interventions to ensure access for the disabled students. A prime focal point of the NEP was on early childhood care and education (ECCE), and emphasis has been laid down on the need for prioritizing the

inclusion of children with disabilities in ECCE. Safety of the disabled students, recruitment of educators with cross-disability training, emphasis on the availability of textbooks in large print and braille, PARAKH (Performance Assessment, Review, and Analysis of Knowledge for Holistic Development), etc. have been envisaged. Further, a new vocabulary of SEDG's also includes persons with disabilities. The NEP also advocates special attention for students with learning disabilities from a foundational level by relying on suitable assessment procedures and the usage of technology to meet the needs of students with learning disabilities.

Education and Disability Rights

The biggest triumph for disability rights in the NEP is the recognition of the 2016 legislation on disability i.e. The Rights of Persons with Disability Act, 2016 with a strong promise to enforce the legislation. Chapter III of the Act deals with education and outlines various methods and means to achieve special education goals. The Act provides for free education for a child with benchmark disability between the ages of six to eighteen years. Further, it provides for the reservation of not less than 5% seats in government and government-aided higher educational institutes for students with benchmark disabilities. Age relaxation of five years for admission has also been provided.

NEP- 2020 and Disability Rights

The National Education Policy- 2020 has provided for the standardization of sign language as previously variations existed across different regions and uniformity has yet to be fully established. Further, language standardization also involves the publication of a dictionary and a grammar and modernization of the grammar. However, standardization of the sign language will now mean that only one sign will correspond to a particular word. This is wrong from both every day and academic points of view. Spoken languages such as English, Nepali, etc. have various synonyms and antonyms, but no standardization of such spoken languages has ever been done. After standardization, the standard form is referred to as the 'legitimate form' and all other variations of the language become illegitimate. In India, already failing to impart quality sign language education to students, standardization was unnecessary and uncalled for.

The Rehabilitation Council of India (RCI), one of the pioneering institutions entrusted with the responsibility of preparing and training special educators, has made significant contributions to the development of special education in India, while also facing challenges in fully realising its mandate. However, under the NEP the RCI has now to collaborate with the NCTE in making the curriculum for educators. Similarly, the NCERT has been asked to consult the Department of Empowerment of Persons with Disabilities before formulating a curriculum for students so that its recommendations are also implemented.

Further, it has now been mandated under the NEP- 2020 that the B.Ed. programs would also impart training to teachers on teaching children with disabilities or those with special interests and talents. In case teachers show a special interest in special education, provision for a shorter post-B.Ed. certification course has also been provided for.

However, the fact that this special educator will get be sufficiently trained in the span of 4 years in his B.Ed. to teach and train students with special needs. Moreover, the term 'disability' is heterogeneous which encompasses people with different special needs including the blind, deaf or people with other physical or cognitive disabilities. To make a general reference in the policy that special educators shall be trained in their B.Ed. course to teach and train people with special needs is only extensively vague as the teachers may find it difficult to trained to be professionals in teaching ISL, Braille and the methods of teaching students with intellectual disabilities all at the same time. The NEP- 2020 could have provided for a major and a minor in B.Ed. which would have given the teachers to opt for one subject that they wanted to specialize in and another as their minor. This would have resulted in there being more specialized and qualified teachers to help students with disabilities rather than there being teachers with little knowledge of all the modes of teaching students with different disabilities.

Moreover, it would be a time consuming and repetitive task to firstly sensitize the teachers in their training towards students with disabilities and then educating them on how to train such students all in just 4 years.

Instead of making changes in the teaching courses, the NEP- 2020 could have rather focused on including at least ISL and Braille as a compulsory subject for every student right from their primary education, which would not only help sensitizing young minds but would also in later years make it a common subject amongst students which would promote inclusivity in its real sense. Ergo, the need for special training teachers for students with a disability shall wear off to a certain extent as everyone who would join a teaching course shall have good knowledge in Indian Sign Language and Braille, to say the least, and more emphasis could on other kinds of disabilities.

The NEP- 2020 has certainly tried to promote more teachers to become special educators and that is evident from the fact that it provides that if teachers in service want to specialize and teach students with disabilities, they'll have a chance to do it by completing a certificate course of 1 year. Contrary to the hopes of the government of being noticed by the people as working for the betterment of the disabled students in the country, the reality of the desperate move surfaces as a person can't be completely trained in just one year to teach and train people with disability.

The establishment of cluster schools has been envisaged for cooperation and sharing of resources across schools, which would provide better facilities than usual for students with disabilities. However, instead of laying down a well-formulated plan for clustering schools keeping in mind the educational needs of disabled students, the NEP shifted the burden to State governments, tasking them with adopting 'innovative' mechanisms by 2025 to solve the challenge of cross-school cooperation.

Secondly, if inclusive schools are the aim of the NEP, then it is difficult to understand how cluster schools would be able to fulfill that aim. Clustering of schools is being done to make schools more efficient, but the NEP does not engage on whether all schools are to be made inclusive in a cluster or whether a few schools in a cluster are only going to be made inclusive. In case the latter is what has been envisaged, it essentially brings up the hardship of traveling a larger distance to a few select inclusive schools in a cluster, only more pertinent.

Presently National Institutes functioning under the Department of Empowerment of Persons with Disabilities (Divyangjan), Ministry of Social Justice and Empowerment, Government of India, plays a significant role in promoting inclusive education and ensuring equitable educational opportunities for Persons with Disabilities. Through their academic, research, training and rehabilitation initiatives, these institutions support the educational development of children and students with disabilities and facilitate their meaningful participation in the learning process. Under the guidance of National Institutes, Composite Regional Centre for Skill Development, Rehabilitation and Empowerment of Persons with Disabilities (CRCsREs) and Regional Centre (RCs) are functioning across the country to extend educational support, early intervention, specialized services, skill development and capacity-building, human resources initiatives. These centres contribute towards strengthening inclusive educational practices by support learners with diverse needs, promoting awareness among educators and communities and facilitating access to appropriate assistive devices and rehabilitation services.

The concept of inclusive education has not originated in India with NEP, rather it is inspired by western cultures like that of the UK and USA where there are inclusive schools. The very idea of inclusive schooling is very pious and the intent of legislature stands out to be bona fide. But, how far does this importation of western ideas without required changes to suit the dynamics of Indian society tenable in terms of working is a question that needs to be pondered upon? Approximately 64% of the Indian population lives in rural areas devoid of even basic amenities like water and electricity, let alone education and sensitivity amongst people towards people with special needs. In this backdrop, how far is it legitimate to expect that the teachers would be specialized in teaching students with special needs and would have knowledge of ISL or Braille? Moreover, in a country where people believe in superstitious ideas like “bad karma of one's past makes them disabled”, how can one expect that non-disabled students in villages would attend school with students with special needs and not traumatize and condescend to them with their belittling remarks?

Another noteworthy provision of the policy is its emphasis on and acknowledgment of different kinds of disabilities. It has aptly covered disabilities in their apparent form but has left out “intellectual disability” and has only referred to learning disability in the context of training the teachers to identify a disability. It

has blatantly left out other cognitive disabilities and autism which further marginalizes students suffering from such disabilities in the assessments done by the National Assessment Centre (PARAKH- Performance Assessment, Review and Analysis of Knowledge for Holistic Development), an educational body established under the Ministry of Education which is responsible for developing assessment standards and guidelines that support inclusive and equitable assessment, including children with learning disabilities.

Conclusion

In conclusion, while the Rights of Persons with Disabilities (RPwD) Act, 2016 and the National Education Policy (NEP), 2020, represent significant milestones in India's journey towards inclusive education, their vision can be fully realised only through effective implementation and appropriate legislative reforms. In particular, aligning the Right of Children to Free and Compulsory Education (RTE) Act, 2009, with the provisions and principles of the RPwD Act, 2016, is essential to ensuring that children with disabilities enjoy their right to inclusive, equitable and quality education. Harmonising the provisions of these legislations would strengthen the legal framework, address existing gaps and ensure that the rights of children with special needs are translated into meaningful opportunities for learning and participation. The NEP's commitment to implementing the educational provisions of the RPwD Act provides a strong foundation for such reforms and offers renewed hope for a more inclusive education system.

From Macaulay's *Minute on Indian Education* to the NEP, India has travelled a considerable distance in its understanding of education and the rights of persons with disabilities. Today, the National Institutes, Composite Regional Centres for Skill Development, Rehabilitation and Empowerment of Persons with Disabilities (CRCs), and Regional Centres (RCs) play an important role in advancing the vision of an inclusive, accessible and equitable education system. Through their collective efforts, they seek to ensure that every learner, irrespective of disability, has the opportunity to learn, grow, participate and realise their full potential. These initiatives reinforce the national commitment to barrier-free learning environments, equal participation and the holistic development of all learners, ensuring that no child is left behind.

The NEP, therefore, offers not merely a policy framework but also an opportunity to transform the way society understands and responds to disability. As India moves forward with its implementation, equal importance must be given to changing social attitudes, challenging stereotypes and recognising the abilities, aspirations and contributions of persons with disabilities. For too long, the barriers faced by persons with disabilities have arisen not only from their impairments but also from social attitudes, inaccessible environments and institutional practices that have limited their opportunities. The way forward lies in replacing these barriers with acceptance, accessibility, empowerment and equal opportunity.

Ultimately, the true success of inclusive education will depend on the extent to which progressive legislation, forward-looking policies and institutional initiatives are translated into practice. By harmonising the RTE Act with the RPwD Act, strengthening implementation and fostering a society that values diversity, India can move closer to an education system in which every child is respected, supported and empowered to succeed. With sustained commitment, collective responsibility and a fundamental shift in social perspectives, the vision of inclusive education can become a lived reality—one in which disability is never a barrier to learning, dignity, participation or achievement, and every learner has the opportunity to realise their fullest potential.

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