

# TOWARDS INCLUSIVE EDUCATION

Relevant for: Developmental Issues | Topic: Education and related issues

The ADITI access switch, a non-contact switch for a person with motor disability which helps them “click” on a computer screen. | Photo Credit: RAGU R.

The [Rights of Persons with Disabilities Act, 2016](#) guarantees to every disabled person a large bouquet of rights and entitlements. But the reality that disabled persons confront in their everyday lives is far removed from the law’s progressive vision. The Supreme Court judgment in [Avni Prakash v. National Testing Agency](#) (2021) is emblematic of this gap. As the appellant’s answer book during an exam was snatched away, due to the testing authority’s confusion and the centre’s callousness, she did not get an hour of extra time to which she was legally entitled. The Court had to remind the competent authorities about their duty to provide her reasonable accommodation and inclusive education. Against this backdrop, the draft accessibility guidelines and standards for Higher Education Institutions (HEIs) and Universities released by the University Grants Commission (UGC) are a welcome intervention.

The way in which the guidelines were released, however, left much to be desired. The public notice preceding the guidelines was inaccessible to persons with visual disabilities. This was because the notice appears to have been printed and poorly scanned. If the document had been a digital document, authenticated by the digital signature of the competent authority, it would have been fully accessible. Worse still, the same problem was seen late last year in the public notice released by the Union Home Ministry with respect to its guidelines on creating disabled-friendly infrastructure and the guidelines released by the Civil Aviation Ministry on making air travel more disabled-friendly.

The suggestions in the guidelines are capacious in scope and breathtaking in ambition. What the guidelines ignore, however, is that disabled students are neglected and sidelined at worst or grudgingly accepted at best in universities. The guidelines have to be realistic. Crucially, each chapter of the guidelines should be followed by a checklist that distils the key action items contained in that chapter. Further, the checklist should divide these action items into those that must be immediately implemented (for example, accessibility to Information and Communication Technologies and making learning materials available in accessible formats) and those that must be implemented progressively (for example, accessibility to extracurricular activities). Further, the compliance of HEIs with this checklist must be monitored by the UGC, by requiring HEIs to submit a compliance report on an annual basis (instead of a self-certification mechanism). The UGC should also be empowered to take disciplinary action against HEIs not complying with the guidelines.

An assessment of the needs of persons with diverse disabilities should be conducted on an annual or biannual basis by the Equal Opportunity Cell/Enabling Unit to devise and thereafter revise the institutional plan for inclusion of students with disabilities. Such an assessment will equip the administration to undertake specific need-based interventions. The assessment must be in the form of hearings in which the plan’s content or implementation can be discussed.

Further, when a student with a disability joins an HEI, the HEI should conduct an assessment of their disability-based needs. On this basis, a plan should be drawn up to fulfil those needs. Each HEI must maintain data on students with disabilities, on the basis of parameters such as applications, enrolment, retention and participation of students in academic and non-academic activities.

Finally, the guidelines should provide for a redress mechanism along the lines of the Rights of Persons with Disabilities Rules, 2017. The mechanism may be resorted to by aggrieved persons with disabilities in case the concerned HIE does not implement or violates the UGC guidelines. The District Education Officer referred to in Rule 7 of the Rules can be empowered to deal with any such infractions. Likewise, the UGC can consider instituting a mechanism for affected persons with disabilities to file complaints about the violation of these guidelines. Such complaints must be dealt with within a time-bound fashion. A separate chapter should be added to the guidelines which comprehensively outlines the modalities of the grievance redress mechanism.

In sum, for the disabled, high-quality education represents a unique pathway for empowerment and meaningful participation in society. If modified suitably, these guidelines can serve as a catalyst to unlock this transformative potential for every student with disability pursuing higher education.

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