

RAJYA SABHA

*SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Monday, July 20, 2009/ Asadha 29, 1931 (Saka)

MATTERS RAISED WITH PERMISSION OF THE CHAIR

I. Alleged irregularities in functioning of A.I.C.T.E.

SHRI M. V. MYSURA REDDY: AICTE is the apex body to look after the standards of technical education in the country. There have been allegations that the Chairman, Members, Secretary and other officials are involving in corrupt practices. In this context, CBI has caught one Member red-handed while accepting Rs. 5 lakh as bribe from the management of an engineering college at Hyderabad. A case pertaining to charges of corruption and nepotism has been filed against Chairman, Adviser and Regional Advisers of AICTE.

This clearly shows the pathetic condition of the functioning of the AICTE. So, I request the Hon'ble HRD Minister to change the guidelines for sanctioning of engineering colleges.

II. Reported firing at army recruitment centre in Chandauli, Uttar Pradesh

SHRI NAND KISHORE YADAV: This is a very serious matter which is regarding involvement of agents in the recruitment of jawans in Army. Army recruitment drive was scheduled from 13th to 20th July, 2009 in Chandauli, UP. About 20, 000 youths from neighbouring districts had come there for getting recruited in Army on 19th July. The process of recruitment was on since 4 AM in the morning but the process was not transparent and there was resentment among the youths over favour done by Army to some

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of the candidates. Youths went on the rampage and firing was reportedly opened to control the mob in which 4 people were reportedly shot dead and 1000 people suffered injuries. The district administration remained a silent spectator for nearly 7 hours.

I appeal to Government to conduct a high level inquiry in the entire matter as to who opened the fire and to look into the allegation of favouritism.

(Shri Rudra Narayan Pany, Shri Raghunandan Sharma, Prof. Ram Gopal Yadav, Shri Shivanand Tiwari and Shri Mahendra Mohan associated.)

SHRI KALRAJ MISHRA: Whenever there was any recruitment drive of Army in Uttar Pradesh in the last so many years, there was some sort of incident due to unfairly and biased approach of army in recruitment process. Similar development took place in Chandauli, Uttar Pradesh on 19th July, when the youths from surrounding districts had come there to get recruited in Army. Some people say that army adopted biased attitude during recruitment process. There is unconfirmed report of four people having been killed. The families of people who have been killed should be adequately compensated and a high level inquiry should be conducted in the matter.

III. Reported shifting of Patna BHEL office to Durgapur in West Bengal

SHRI ALI ANWAR ANSARI: A power unit of BHEL in Patna is being shifted to Durgapur. The renovation work costing worth Rs. 800 crore is being done in Barauni and Kanti Thermal Power Station. In such a situation, what is the justification behind shifting a power plant unit to Durgapur? There is already power crisis in the State. There is widespread demonstration in entire Bihar against this move.

I submit to the Government that such a move will not be tolerated. The concerned Minister should come with an assurance that the power plant unit will not be shifted.

(Shri Shivanand Tiwari, Shri N. K. Singh and Dr. C. P. Thakur associated.)

IV. Regional imbalance in the distribution of natural gas

SHRI TAPAN KUMAR SEN: The Government of India has gone on record rightly in asserting that the country's natural gas reserves including

the gas of KG Basin is a national asset and the interest of the national economy cannot be held hostage to the benevolence and mercy of some private players. Natural gas is our property, it is growing in our land and there is, absolutely, no justification of pricing the product linked with the international price of altogether a different product, the crude oil. West Bengal and the entire Eastern region is gas starved. They are being made to use costlier LPG for their public transport instead of CNG. I demand to have a proper distribution and country's sovereign right over natural resources. We welcome the announcement of the Government to have a National Gas Grid.

V. Flood situation in Kerala

SHRI P. RAJEEVE: I draw the attention of the House to the serious flood situation in Kerala. During the past 24 hours, eight persons have died in monsoon-related disaster. The total number of people person killed during the monsoon in the State has risen to 96. In a primary assessment, the loss would run into more than Rs. 300 crores, around 650 houses have collapsed totally and 1500 houses have collapsed partially. The heavy rain has caused damage to agriculture crops of more than 2000 hectares. I request the Central Government to sanction immediate debt relief to the State of Kerala and to send a special team to the State of Kerala urgently to assess the damage caused by heavy rain and flood.

PROF. P. J. KURIEN: Nearly 100 people died due to flood that is there for the last two-three days in Kerala. Loss to the cultivation is more than 10,000 hectares and Rs. 300 crores is the estimated loss. The Government of India should immediately intervene and release assistance to the State of Kerala.

(Shri D. Raja, Shri Sitaram Yechury, Shrimati Brinda Karat, Shri Tapan Kumar Sen, Shri Bhagwati Singh and Shri M.P. Achuthan associated.)

VI. Reported scam in rice import

SHRI D. RAJA: The outlook journal and some other journals have reported a news regarding the export of rice to the African countries which appears to be a very big scam. The Government of India banned the export of non-basmati rice in 2007. Subsequently, we witnessed a steep rise in the rice prices in the international market. I think, both the Ministry of Food and Public Distribution and Ministry of Commerce must be held responsible for such a situation. Going by the reports, it appears that the scam would run to

the tune of Rs. 2500 crores. Therefore, I would urge upon the Government to order a thorough enquiry and this loot must be exposed. Those who are responsible for such a scam, must be prosecuted and punished.

SHRI BALBIR PUNJ: The rice export was banned in India. But a loophole was kept. Then, the price were allowed to increase in India from three hundred to almost one thousand Dollars in the international market. Now, two things happened. One, after the export was banned, the prices in India got depressed and the price in the international market sky-rocketed. The Ghana Government placed an order on Amira Exports. The three public sector undertakings, the STC, the PEC and the MMTC, which are governed by the Commerce Ministry, were asked not get into this and to just nominate Amira Exports. And this entire shipment was made. But it never reached Ghana, in stead, those foodgrains and rice were sold on the high seas at a very high price.

(Shri Sitaram Yechuri, Dr. Chandan Mitra, Shri Prakash Javadekar, Shri Vikram Verma, Dr. C. P. Thakur, Shri Shanta Kumar, Shri Rudra Narayan Pany, Smt. Brinda Karat and Shri Tapan Kumar Sen associated.)

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN) : I have taken note of the issues raised by the hon'ble Members. It will be brought to the attention of the Government.

SPECIAL MENTIONS

I. Demand to resolve the plight of Indians working in Spain

SHRI AVTAR SINGH KARIMPURI: The livelihood of 5000 Indians, majority of whom are from Punjab and who are working in Spain, is at stake due to changes made by Spanish Government in immigration rules making Police Clearance Certificate mandatory for permanent immigration purpose.

I request the Union Home Ministry to immediately address the needs of Indians working in Spain by issuing the Police Clearance Certificate. I also request the Prime Minister's Office (PMO) to intervene in

this matter and direct the Indian High Commission in Spain to liaison with the Spanish Government to protect the rights of Indians working there immediately.

(Sardar Tarlochan Singh associated.)

II. Demand to give the fertilizer subsidy to farmers directly

SHRI MOTILAL VORA: At present 80 per cent of the subsidy is being given directly to the concerned fertilizer production company and the balance 20 per cent is given after receiving the inquiry reports of the state governments. The sorrowful situation is this that the private fertilizer companies are getting subsidy by preparing fake claims whereas in fact most of them are not in existence.

At the time of the inquiry conducted by Economic Offence Wing these companies did not produce any documents in respect of their fertilizer production. It has been disclosed in the inquiry of Economic Offence Wing that the supply of some fertilizer had been made by the two wheelers or three wheelers but in government documents, it had been shown that the supply had been made by truck. According to the Economic offence wing this is a scam of rupees 1200 crores only in Uttar Pradesh and in the entire country it is a scam of around rupees 1,20,000 crores.

I urge upon the government to stop the subsidy to be given to the fertilizer companies with immediate effect, inquiry should be initiated for the subsidy which has, so far, been provided to the companies and the subsidy should be given to the farmers directly.

(Shri Mahendra Mohan associated.)

III. Demand to expedite the completion of National Highway No. 16 by the Border Road Organization connecting Chhattisgarh and Andhra Pradesh

SHRI SHREEGOPAL VYAS: All are aware that Chhattisgarh and Andhra Pradesh are the most affected Naxal areas. The construction work of National Highway No. 16 from Jagdalpur in Chhattisgarh to Nizamabad in Andhra Pradesh was assigned to Border Road organization in the year 2001. Due to the slow pace of construction work it seems that it can not be completed within its scheduled time i.e. 2010. Normal contractors can not complete it due to being it a Naxal-affected area. I urge upon the Government

that the Border Road Organization should be continued to be engaged in it and the obstacles in the way of its work should be removed.

(Shri Rudra Narayan Pany associated.)

IV. Demand to take steps to make the river Ram Ganga free of pollution

SHRI VEER PAL SINGH YADAV: Originating from the Kalagarh Bandh in Uttarakhand the river Ram Ganga flows through Moradabad, Rampur, Bareilly and Shahajhpur Districts of Uttar Pradesh falls in the river Ganga in the District of Farukhabad. People have the same belief in it as they have in the river Ganga. Dirty and contaminated water of many factories of Moradabad, J.P.Nagar, Rampur and Bareilly falls in this river due to which it is affecting the health of the people. Many animals and birds are dying due to consumption of this water and the vegetations have been destroyed by it. I urge upon the government to take measures to clean the said river so that the belief of the people there does not hurt.

(Shri Mahendra Mohan associated.)

V. Demand for early completion of Railway Projects in the Tribal areas of Orissa, Particularly in Mayurbhanj District

SHRI BHAGIRATHI MAJHI: In the Rail Budget 2009-10 the people of Mayurbhanj District of Orissa State have been neglected. During NDA time, a major work of broad Gauge Line Conversion work from Rupsa to Bangariposi was sanctioned which is also pending.

I demand from the Government that the Super-Fast Train from Baripada to Bhubaneswar may be extended to Puri and AC coach may be provided in the Train. A Passenger train from Baripada to Howrah for business class people may be introduced. A new line from Baripada to Jamshedpur Via Gorumahisani should be constructed which will be a major support for this area's development and Tata-Badampahar Rail line may be extended up to Keonjhar.

(Shri Rudra Narayan Pany associated.)

VI. Request to encourage the development of the life sciences laboratories of DRDO

SHRI SANTOSH BAGRODIA: Nine life-sciences laboratories of DRDO are providing protection to our armed forces against hazardous environment. With a total defence R& D budget of Rs. 6000 crores, the

share of the life sciences laboratories is 1 per cent. The Life sciences labs of DRDO have developed composite herbal preparation to supplement nutritional requirements and the treatment of high altitude maladies and cold injuries to enhance survivability. With high altitude agriculture 4000 MT tone of fresh vegetables have been produced, catering to 56 per cent of total requirements of the troops in western Himalayas. Nuclear-Biological-Chemical products developed with a meager investment of Rs. 30 crore by these labs have been inducted into the services. The processed food technologies developed for soldiers have also been transferred to food processing industries in civil sector. I urge upon the Government that instead of dismantling these institutions, they should be further developed.

VII. Demand for Central Assistance to save the state of Nagaland from drought like conditions

SHRI KHEKIHO ZHIMOMI: There is drought like condition in the State of Nagaland. The unprecedented drought situation has adversely affected the current seasons paddy transplantation as well as the Zhum cultivation, which is entirely dependent on seasonal rains. The horticultural crops have failed to flower with reports of unusual pest and insect infestation. Normal life the State has also been severely affected, with more and sicknesses. Many have lost their livelihood because agricultural activities have come to a stand still. Due to lack of enough fodder, the livestock are also dying.

The State Government has already declared the state as a 'drought-hit state for the current season. The intervention of the Central Government is absolutely necessary for providing relief and rehabilitation of the drought affected people of the State. I appeal to the Central Government to come to the rescue of the State Government and the affected people of Nagaland.

VIII. To provide additional stipend to the Trainee Doctors in the country, particularly in Tamil Nadu

SHRI N. R. GOVINDARAJAR: Additional stipend to the Trainee Doctors should be provided since the stipend provided by some state Governments is less. In Tamil Nadu the provision of stipend is so meager that last week it resulted in a situation when the trainee doctors went on an indefinite hunger strike onto death. In general, engineering courses with lesser capitation fee, time period for the completion the course and good employment opportunities with higher salary are treated as profit oriented professional course. But Medical graduation has five and half years course

duration with unimaginable capitation fee and additional education expenditure. It is also treated as a life saving professional course with the motto of serving the society without any parity. So it is the duty of the Government to give more importance to the medical students. I urge the government to consider to provide stipend in addition to the state governments, keeping in view the service of the doctors.

(Shri S. Anbalagan and Shri A. Elavarasan associated.)

IX. Demand for strict regulation to control the confusing publications brought out by the private publishers for children

SHRI KALRAJ MISHRA: The books of private publishers are creating confusion among the children and pushing their tender mind towards cinema in place of the knowledge of Alphabets. In the above Alphabets, for the Alphabet 'Ri' for Rishi, Ritik Roshan and for the Alphabet 'A for Ainak', Aishwarya Roy is being taught and their pictures have also been published in the order of Alphabets of the said book. The carelessness of the publishers is also creating confusion about the birth-date of renowned scientist, Shri Jagdish Chander Bose. In the 2004-05 edition of a publication his date of birth has been shown as 30th November, 1858 and in its, 2008-09 it has been shown as 13th November, 1858 by a publisher.

In the schools being run under the recognition of the Central and State Governments, the books of private publishers are taught of on the pretext of the shortage of the books of NCERT and the guardians are exploited. I demand that an effective monitoring should be made for it and this carelessness should be stopped by awarding strict punishment and imposing fine on the publishers playing with the education.

X. Demand to amend Section 304-A of the Indian Penal Code in view of the various tragedies caused due to negligence

SHRI MAHENDRA MOHAN: 'Uphaar Cinema Hall Trasdi Pedit Sangh' has given a memorandum to the Hon'ble President on July 10, 2009 seeking a new legislation for the investigation and judicial action for a crime, endangering the lives of a number of people, by the deeds of a person. The memorandum has been given keeping in view the incidents in which a person took the lives of thousands of people out of his greed and negligence.

There have been a number of such incidents which are the results of human errors. We have not taken any lesson from these tragedies. How

many those people have been punished who have been responsible for such incidents? At present, there is Section 304-A of Indian Penal Code under which such person is prosecuted for his negligence leading to death of the victim and punishment for this is only for 2 years. It is a mockery of our legal system. There is no provision for the crimes mentioned above in this system. A new legislation is required in such cases. I urge upon the Government to take steps in this direction.

XI. Concern over the poverty and malnutrition widespread in the country

DR. JANARDHAN WAGHMARE: India aspires to be an economic world power. Despite recession and meltdown, our economy is not threatened. The Economic Survey-2008-2009 points a rosy picture of India. But the other side is dismal. 260 million people are under-nourished in India. Hunger and disease are our greatest enemies. Poverty and inequality have been our age-old curse. They are responsible by and large, for malnutrition, unemployment and health problems. Government of India has passed the National Rural Employment Gaurantee Act which ensures employment to the BPL families for one hundred days in a year. Unless we generate employment in rural sector we cannot give justice to the poor people. I, therefore urge the Government to take steps on a war-footing to eliminate poverty and generate ample employment opportunities, particularly in rural areas of the country.

(Sardar Tarlochan Singh Associated.)

XII. Demand to give Dalit Muslims Arzal the status of Scheduled Caste

DR. EJAZ ALI: The demand to give Arzal Dalit Muslims the status of Scheduled Caste is being raised for the last one and half decade. According to Sachar Committee report, the population of Dalit Arzal Muslims is approximately 0.80 per cent. The educational, economic and social conditions of this community are very pathetic. Even though Dalits of all religions except Christians were given the status of S.C. from 1936 to 1950. This status was restricted only to Hindu dalits as per the President Order, 1950. The Ranganath Commission, National Commission for Scheduled Castes and National Commission for Minorities, in addition to Sachar Committee, have also recommended inclusion of Dalit Muslims (Arzal) in the Scheduled Castes. Dalit Muslims (Arzal) have not been given the status of S.C. till today inspite of the fact that they were given the status

of S.C. like Sikhs and Buddhists before 1950. The question of including Dalit Muslims in the Scheduled Castes is under the consideration of the Cabinet.

I urge upon the Government to add the word Muslims with that of Hindus, Sikhs and New Buddhists by amending the Presidential Order, 1950 in order to include Dalit Arzal Muslims in the Scheduled Castes.

(Shri Rajniti Prasad associated.)

XIII. Demand to stop exploitation of rare medicinal herbs in Himalayas

SHRI BHAGWATI SINGH: The Himalayan Mountain range in Uttrakhand has remained the rich area for Ayurvedic medicines. This area is facing degradation due to government's apathy. Unmindful exploitation, large scale deforestation and deteriorating environment have created a great crisis there. Hundreds of contractors are engaged legally or illegally in collecting herbs in the area ranging from Himalaya to Shivalik. The pharmaceutical companies are also active in this area. The smuggling of these herbs are taking place in large scale due to rising demand of Ayurvedic medicines and cosmetics. Botanical Survey of India has mentioned about the availability of around one thousand species of herbs therein but 200 species are almost extinct. It is our demand from the government to take effective steps to save the reserve of rare species of herbs.

(Shri Veer Pal Singh Yadav associated.)

THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION BILL, 2008

**THE MINISTER OF HUMAN RESOURCE DEVELOPMENT
(SHRI KAPIL SIBAL):** I beg to move :

“That the Bill to provide for free and compulsory education to all children of the age of six to fourteen years, be taken into consideration.”

DR. (SMT.) NAZMA A. HAPTULLA: Nobody is going to oppose this Bill. It should have been brought much earlier but we are happy that at least, now it has been put-forth. I was born in Bhopal. I did not have to spend a single penny till I completed my Ph.D. Children, particularly girls

were provided with stipend for their education. Universal Education concept is a very good concept. It provides a level playing field to everybody. Some States are apprehensive of it as they think that it will completely finish the value of Examination Boards. Originally, it was the idea of Shri Maulana Abul Kalam Azad who thought about it in 1948 that universal education is essential to maintain the unity and integrity of the country. He also said that education should be treated on par with defence. But, it could not be done at that time. In the very first draft of first Five Year Plan, this word education was not included. But, now, I am very happy to read an article in Internet that Shri Kapil Sibalji has said about co-operating with foreign universities to raise the standard of education. This whole article is very positive. But, I don't know why it has been put aside.

I am very proud that our country has so many languages. I think, elementary education should be imparted in Mother tongue because a child can learn anything quickly. English is a strong subject. It is our requirement and necessity. Because, today, we are living in a globalized world. So, the knowledge of english language is also necessary. But, it would be much better for a child to get elementary education in his or her mother tongue. They will learn their culture more easily. India has always been a knowledge centre. Foreigners used to come to our Takshshila and Nalanda universities to gain knowledge.

Earlier, Science and Technology, Culture, Sports and Youth etc. were all inherent in education. Then, in 1985, when Shri Rajiv Gandhi became the Prime Minister, he introduced a New Education Policy in the country and gave the Education Ministry to his senior most colleague, Shri Narsimha Rao ji, who introduced the concept of Human Resource Development which was originally the concept of Shri Maulana Abdul Kalam Azad. Then, Operation Black Board was started to spread out literacy. There are a number of such traditional crafts which are posed on from generation to generation. But, now, their children after getting educated from modern day schools and colleges have become a part of white collar unemployed group. On the one hand they are not getting jobs from the Government and on the other hand, they have also left their traditional crafts. So, I request you to kindly include all these traditional crafts as your curriculum while formulating New Education Policy. Earlier, I had made this request to Shri Narsimha Rao ji also and my second suggestion to him was to develop education tool kits as specialised tool kits. But, it has not been done so far. You should add in it the dignity of labour. So, they would

never feel any inferiority complex while learning any art and craft, which is the pride of our nation.

Regarding, neighbourhood schools, it has not been defined in the bill. What is the concept of neighbourhood school? Whether it is based on the criteria of distance and number of inhabitants? Please explain it. Then there is the question of finance. How you are going to manage its financing. You have Cess for education. How will you divide this money among various States and Centre? Then, there is the question of reservation of seats. What will be the role and status of Minority Institutions?

The money which had gone from Centre, was misappropriated. Kindly tell us that how are you going to control the finances. You are putting this subject back in the State-list from Central-list. Kindly clarify this aspect also. When will it be notified, because until then, it cannot be operative. Government should frame all the required rules under Section 34 within six months. Now the question is that what you are going to do to fulfill this Fundamental Right. I support the Bill with my apprehensions.

SHRI SANTOSH BAGRODIA: I support the Right of Children to Free and Compulsory Education Bill, 2008. I find the Statement of Objects and Reasons extremely meaningful. Elementary education should be completely free from any kind of fee or charges. Quality education is every child's birth right and education cannot be taken as a joke.

The provision for 25 per cent reservation in private schools for children from economically weaker sections may violate the Constitution. I request the Minister to look into the Constitutional aspect of this. The Bill does not exempt the minority institutions. This provision could also violate article 30 of the Constitution. This also may have to be looked into.

The Bill does not explicitly specify the share of funding that Central Government and State Government will provide. Sometimes State Government say that they don't have the finances and sometimes the proportionate fund does not come from the Central Government. This aspect should be looked into, so that every child is really educated.

The allocation of only 4.15 per cent in the Budget is not enough for this purpose. At least, 6 per cent of the GDP should be provided. As per the Plan, eleven lakh additional *aanganwadis* are required, but the fund provided for the purpose is not enough even for 3.5 lakh *aanganwadis*. The planning should be synchronized with the allocation of funds.

Around 45 per cent of our children are below the age of five and suffer from malnutrition. We have not been able to tackle even infant mortality. These things have to be seen while talking about elementary education for all.

Out of the total allocation earmarked for children in the Union Budget 2009-10, 71.3 per cent is meant for child education schemes which is good. No visible measures have been taken for strengthening the ICDS system in the States. To ensure proper nutrition for every child, Centre can take the full responsibility regarding allocation of food subsidy.

The drop-out rates among boys and girls have not reduced as much as it should have reduced. That is why, we must take necessary steps to see that proper monitoring is done.

I fully agree with the inclusion of art and craft as a curriculum, but unless it is made lucrative, it is not going to help. The 'neighbourhood' point has to be defined, particularly in a place like Rajasthan where people have to travel from 10 to 50 kms.

SHRI P. RAJEEVE: I congratulate the Central Government for presenting this Bill. We had to wait for more than 50 years to make an amendment to the constitution making education a fundamental right in our constitution.

This Bill has made the mistake by not recognizing the importance of pre-school training by limiting the fundamental right to education to 6-14 years. The early years of childhood are very important for life-long development. Therefore, it should be re-drafted in a proper way to ensure free pre-schooling to all children as a fundamental right.

I request the Hon'ble Minister to ensure that the free education system contemplated here should cover all schools, from pre-primary school to plus-two stage. I also support the neighbourhood school system. This Bill is not clear on financial allocations. The allocation for school education in the current Budget is only Rs. 200 crore. If this is the approach, right to education would be a dream unfulfilled. The major liability should be carried by the Central Government. There should be a detailed financial statement for defining the primary and major responsibility of Central Government in this regard. Unless the Government commits that certain minimum expenditure per pupil, the provision of free education will not serve any purpose.

Regarding financing, I would like to add one more point. Each state may be allocated with sufficient funds for achieving the objectives contemplated in this Bill. It is a fact that knowledge has played a major role in this era. Quality education is not a privilege 'but it is the right of the children.' The title of the Bill should be changed as the Right of Children to Free, Compulsory and Quality Education.

Getting admission and receiving education of equitable quality in the neighbourhood school should be the fundamental right of every child. For ensuring quality in education, one provision should be strictly incorporated in the Bill that 'no school shall have norms and standards relating to infrastructure, teachers, pupil-teacher ratio, curriculum and teaching lower than that of Kendriya Vidyalayas'. I suggest that all the teachers should qualify a national level eligibility test such as NET conducted by UGC. Proper allocation of funds should be made in the Budget itself for conducting teachers training programmes. The present Bill should have necessary provisions to ensure that there should be a classroom and a teacher for each grade of students. It may be noted that the children belonging to Scheduled Tribes and other vulnerable sections of the society are the students of these multi-grade schools.

The Bill must strive to work against creating a parallel and discriminatory system of alternative, non formal education. The reservation principle should be mandatory in all schools which are availing the financial support from appropriate Government agencies. The perspective of curriculum should be progressive, secular and democratic. Regarding private cost of education there should be some provision for stipend and scholarship to meet this private cost of education. The responsibility of the Government for protecting the rights should be mentioned in this Bill.

SHRI BRIJ BHUSHAN TIWARI: This Bill is very good. But there is controversy also in this Bill. Our Hon'ble Minister is very dynamic and want to reform the education system. On one hand, he intends to give the right of education to all and on another hand, he talks about free market. According to him since the Government have no adequate resources, the private sector and foreign educational Institutions should also be allowed to open schools and educational Institutions. I want to tell the Hon'ble Minister that free market is not for the poor, it is for rich people.

The ground reality today is that our primary education is in a very pitiable condition. It is the poor children who read in primary schools. The

objective of inclusive growth and inclusive education cannot be achieved by such discrimination. Dr. Ram Manohar Lohia said that economic parity is difficult to achieve but we can achieve mental parity. The issue is how to end this discriminations.

Moreover, Sarva Shiksha Abhiyan has caused further deterioration in our education system. Funds are there, buildings have been constructed in villages but teachers are not available. As regards the medium of education, the first priority should be our indigenous languages and Hindi should be our National Language. The issue of funds is also involved here. According to State Governments, it is the liability of Centre but the Centre wants the States to share also. We do not spend even 4 per cent of GDP on education. We demand for parity in education and there should be no class-distinction.

SHRI GANGA CHARAN: I support this Bill. We are lagging behind in education sector in the world and this is the reason that we are lagging behind in economic sector also. The provisions made in this Bill are very good but the budget provided is not sufficient. Dr. Lohia said that 10 per cent of the total budget should be spent on education. I would also state that English should be made compulsory, we cannot progress without it. Hindi is our mother-tongue. It is our official language but to face the competition in international market, English has to be learned.

The reality is that if we have to maintain the unity of the country, we will have to make english compulsory in our basic education. The purpose of Right to Education is that education should not be commercialised. You say that you are running single teacher schools for the children living in slums, but basic facilities are not available there. How would you impart education to them? You are not able to prevent child labour. First of all you will have to provide food, cloths and books to them and after that you will have to make arrangements for their guardians also. Only then the dream of your bill would be realized.

Today States have their own Education Boards. There should be a uniform syllabus after dissolving all the Boards. Only then universal education can be implemented in the country.

I urge upon that there should be uniform education and commercialisation of education should be done away with.

DR. K. MALAISAMY: Our age-old Indian Constitution has envisaged free and compulsory education to children. It was to be done within ten years. The Bill has come only now. It has come belated. Better late than never. Being a subject under the Concurrent List, the object, probably, has been diluted. Children constitutes 41 per cent of the total population. They are all living under different difficult situations. The total drop-out is considered to be 53 per cent. As far as the features of the Bill is concerned, the Bill would be free from defects and deficiencies. The Bill envisages free and compulsory education to children, rational deployment of the teachers without regional imbalances, appointment of trained teachers, norms and standards for schools and working days and working hours for teachers and institutions and punishment for harassment of the students. The screening of students and parents, collecting capitation fee and expulsion and detention of the children has also been prohibited. The Finance Minister has given priority to higher education and according to the HRD Minister, it is primary education. Is the UPA Government going to give priority for higher education, or, for primary education? There are various compositions of children and they are subject to poverty, deprivation of basic needs, etc. Whether you will be able to organise the whole group and bring them under one umbrella for your purpose. Health and poverty seem to be the greatest handicap in the implementation of the scheme.

Whether you can bridge the disparity between the private institutions and the Government institutions in terms of education. Whether you are capable of creating good infrastructure in schools. When we look at tribal areas, people are scattered around. How are you going to bring all of them together? Whether the tribal children could be brought into the fold, whether it is possible to create infrastructure in tribal areas. There are social, cultural and economic problems which the children face, and there is gender disparity, a wide discrimination amongst girl children. Will there be equality among the children who have studied in private schools and Government schools? The early child care is for children between six and fourteen years of age. What are you going to do about children less than six years old? The Bill is good, in theory. In practice, it would be very difficult. The Bill is short of transparency, accountability and it focused on very minor matters.

SHRI N. K. SINGH: This Bill was introduced in this House and was dispatched to the Standing Committee on HRD to report within a stipulated period of just 30 days. That Standing Committee's Report was introduced in this House on the 18th of February. But none of those

recommendations have been at all effected in the Bill. It was pointed out that before the Bill is brought to the House, the memorandum on financial matters should be settled. I plead to the Minister that the financial arithmetic of this should be reflected more accurately in the Financial Memorandum which is appended to the Bill. The Bill stipulates that no child will be held up until completion of elementary education. With the view of ensuring that nobody is held back, what does the Bill have to ensure that the outcome of teaching really meets the kind of desired standards? The Bill stipulates private schools having 25 per cent mandatory reservations. The calibration of this must be done in a manner which is socially non-disruptive and is able to foster public-private partnership.

In ensuring the teacher-pupil ratio, there is no provision in the Bill which improves teaching outcome, teacher training facility. It is my contention that the Bill in its present form does not appropriately balance the requirement of morality and prudence. This Bill in its present form does not address the multiple challenges connected to the rights of children for free and compulsory education.

SHRI D. RAJA : In our country education was denied to vast sections of our people in the name of castes, in the name of religion too. After independence, it took more than 60 years for the Government to think of making education compulsory at primary level. One may appreciate the intent of the Bill, but it has many weaknesses which need to be strengthened. This Bill must be routed in the framework of a fully public funded common school system, based on neighbourhood schools from pre-primary to class 12, which will place equal obligations on all categories of schools.

In the first chapter, it says that all schools shall be neighbourhood schools with representation of disadvantaged sections, weaker sections, gender and minorities. On Chapter-II, when you discuss the elementary education, 0-3 is the very sensitive and delicate period. Children should have provisions for nutrition and health care. Then for the period of 3-6, we need pre-schooling care for children. The Bill really focuses up to 14 years. What would be the objective of this Bill if it stops at 14 years? This Bill must be a comprehensive one. We should strive for providing the standard of quality of education which is available at the Kendriya Vidyalaya level. So far as the matter of neighbourhood schools is concerned, how the street children and working children would be covered under it. The teacher-pupil ratio should be at least 1:30. It should improve to 1:20 over a period of 6-7 years.

Teachers must be trained and they must have continuous training and equipment. Here the non-educational job given to teachers must be defined. In 2005-06, gross enrolment ratio for all children at the elementary stage at 94.92 per cent while dropout rate in Class I to VII was as high as 48.71 per cent, dropout rate among Scheduled Castes children was 55.25 per cent for, Scheduled Tribes, it was 62.95 per cent.

SHRI SHYAM BENEGAL: I am not going to deal with the lacunae and the various other things about which people, more competent than I, have already spoken about those, as far as the Bill is concerned. Thirty-five years ago, I was involved in a doing a series of television programmes. I created 30 programmes, which were under the UNICEF. These were shown in many villages in that region. We have a drop rate now of 50 per cent but the fact is we are talking about 50 per cent of these children who have lost the ability to learn.

It is not just a question of learning through literacy. They have lost the ability to learn even orally and this is really the problem and somewhere we need to address this. One of the things that we can and we should and must do is to use television because is one medium through which you can get to every single small village of this country and we can do it, we have the capability for it and you need that kind of support system for the schools.

The truth is, that we have to think of what we have by way of resources and how are we going to balance between oral forms of learning and literacy forms of learning and not think that people who are literate are educated and people who have learnt orally are illiterates.

SHRI RAJEEV CHANDRASEKHAR: I rise to support the objectives of this Bill completely and wholeheartedly. We all accept that the single biggest investment we can make for the future of our great nation is education. I will make a few brief points to add to what my hon. Colleagues have already said in Parliament. We all accept that despite the work of Kothari Commission, which was appointed in 1964, with broadly the same set of goals, the country has achieved very little of the goals and objectives set out but the Indian Education Commission of the 1960.

One of the big mistakes we are making is to assume that education is simply about building more schools or bringing private sector into elementary education. The biggest crisis facing education in India, is the profession of teaching is on the decline, both in terms of numbers and in

terms of quality. What kind of capacity for training and developing teachers of tomorrow is the Government envisaging through this Bill? What the Government is going to make teaching an attractive profession for upcoming students? Widespread entry of private schools will hasten the demise of the Government schools.

SHRI M. RAMA JOIS: I wholeheartedly support this Bill. It is a very important legislation. But, it is unfortunate that the Bill has come up after 58 years of the commencement of the Constitution, though it should have come 58 years before. I congratulate the Government for bringing forward this Bill, at least, now, for it is never too late to improve. In fact, it would have been better if the Bill were entitled 'Duty of State to Provide Primary Education', as children cannot enforce their rights. If we want good citizens, we can secure this only through good education. Earlier, the education was the Directive Principles of State Policy under article 45 of the Constitution. It was raised to the level of the Fundamental Rights by the Supreme Court.

How can a citizen discharge his onerous fundamental duties unless he is given very good education. Now I come to the language of primary education. All reports on education are unanimous in saying that primary education must be imparted in the mother tongue of the children. 'I am glad that in clause 27 of this Bill, there is a specific provision that as far as possible, primary education shall be imparted in mother tongue. All this will be a waste when the child goes to a school where he has to study in some other language.

I now come to the other very important aspect, i.e. quality of teachers. I compare teachers to construction workers, national construction workers. The quality and qualification of teachers is of utmost importance. These matters should be given utmost importance. The Bill contains all these provisions. It should have financial backing. I am referring to para 312 in which the Yashpal Committee Report. The private schools are making money. I am forced to speak in English because our national leaders did not introduce our own language in the educational system when we were studying. We have earmarked all these things. That is the pitiable situation of our country as far as education is concerned. There should be thorough reforms primary education must be strengthened.

DR. K. KESHAVA RAO: It is an important Bill. Perhaps education is the only subject about which everything has been spoken by

everybody. We have never addressed any issue about academics except the service transfers and salary payments sort of things. So, education really needs some kind of a focus. Knowledge-based education and oral literacy have been discussed. We have two schooling systems in this country.

Still there are few issues which will be looked into by the Hon'ble Minister as far as this Bill is concerned. This Bill is trying to attempt or address is a fundamental right or a legal right that should be given to children who are born here. Be it a rich man or a poor man, he has a right to go and have an education. That is what we are trying to achieve. This Bill refers to age and language. Unfortunately, we have made language an issue, a subject. It is a concept. It is a cultural concept. All that we are trying to talk about is language. Kothrai Commission said, "the national is re-building the classrooms." He talked of human element as a teacher who is there. When we thought of a standing committee, we thought of it as not only oversight committee, but as a mini parliament. Because we don't have time in committee, we go and discuss things among ourselves.

The different organizations gave different figures about the dropout rates. Regarding appointment of teachers, I would like to draw the attention of the Hon'ble Minister to one important clause of the Bill which says that appointment of teachers will be done by the Central Government. Unity does not mean uniformity. The educational needs of our people in hilly areas and other areas also. Education being a State subject comes to Concurrent List where you want to maintain some kind of unity, uniformity and coordination. Education is a step-wise evolution. So, this aspect must be understood by the Government. I just don't know what this National Curriculum Framework is. At matriculation level, or less than matriculation, or upper primary, what is needed is personality development, the assimilation of the knowledge, assimilation of, the environment in which we live, and our responses towards it. We are giving priority to primary education. Let the primary education, the secondary education, this basic education be given to everybody and they become responsive enough to future's challenges. The FICCI said that there would be something like 4.7 lakh direct appointment through your IT companies.

I have not understood the Section 2. Kindly look into Section 2(n). As far as school, if it is true, it is too meagre and it makes no sense as far as this Bill is concerned. This is the first Government which has accepted that it is the responsibility of the State to take care for the boy so that for some, he walks alone, for that it requires quality. Please look into the needs of the

society, and, secondly, please see that you are appointing teachers, it need not be your authority. Let the local school appoint its own teachers. As you said, it is an important subject. But because education is not talking about 34 clauses that you have brought in, or discussing in the Standing Committee.

SHRI MAHENDRA MOHAN: The objectives of the Bill are very good. It is a good suggestion that the Primary-Education should be in its mother-tongue only. I understand that there should be one teacher on 25 students only then the good education can be provided. It is a good idea of neighbourhood school. The quality of education in government schools is not good. It has to be improved. It is the government's policy that 25 percent reservation should be in non-aided schools. Reservation is a good thing and the children should get it. Everybody must get the right to education but for its realization such a system should be adopted which have good schools and they are also provided with training.

DR. (SHRIMATI) KAPILA VATSYAYAN: The history of commissions related to education from goes back Wood's Report of 1860 to the Independent India's Reports of the Radhakrishnan Commission, the Mudaliar Commission, and the Kothari Commission, and the NPE. Each of these Commissions has recommended three important things. One of them is 'character-building.' Second is 'value,' and thirdly of a future generation do we want. There is a vast fund of oral knowledge in this country and I urge upon you to read one article of A.K. Kumaraswamy which talks about the bugbear of literacy and education.

There is the question in terms of how will we take the great human resource that we have in our communities. Questions regarding language have been raised. We are genetically a multilingual country. We all can communicate in multiple languages. There is no question of prioritization one language or the other. A group of educationists sent a petition to the Standing Committee. This was considered in two days and seven hours in the IIC and cognizance may have been taken of those recommendations.

SHRIMATI SHOBHANA BHARTIA: The Right to Education Bill has had a long journey and is a historic legislation. The enactment of a law making the right to education a Fundamental Right has become necessary in view of the fact that the goal of universal elementary education eludes us despite it being a Directive Principle for over half a decade. The Bill has to address the twin problems of low quality of education and the high dropout rate which have plagued our country for the last many decades.

In this context, there are three important issues that I would urge upon the Minister to consider, the basic minimum qualification for teachers, the desired learning levels for students and the benchmarking of schools on the basis of quality.

It is not only money, it is quality of education that matters. The most important thing is what are the minimum standards that we expect from teachers? UNESCO says today only 20-25 percent of teachers are actually fit to teach. The result is that the learning of students in the government primary schools is abysmally low. The Bill also makes it mandatory for non-government schools to gain a certificate from the Government which will become a tool for harassing schools. The implementation of this fundamental right is left to the State Government. It does not specify who is going to be accountable. My request to the Minister is to consider about it, who would be held accountable. It is unclear who would be the appropriate authority to monitor that the children are enrolled in schools. This window of three years is too long a time. I would urge to re-look at that.

SHRIMATI KANIMOZHI: I welcome this Bill. Education is encouragement. It should awaken the natural curiosity of the young minds. The Bill places great importance to the provision of physical infrastructure, but there is no mention of an assessment of outcomes. A child goes to school for ten years to learn. But we examine the child in just three hours. No child's ability can be tested this way. The continuing education and assessment of teachers must be stressed and incorporated into the Bill. I also request that the Bill should expand its definition of "a child" and include pre-primary education into it, and the age of the child for 'compulsory education' and 'the Right to Education' has to be changed to 3-14 years of age. The responsibility and the limits of the Central and State Governments for providing funds should be made very clear. It is very important to define "a neighbourhood school". I request that there should be reservation for the socially backward classes. The Bill hardly mentions anything about drop-outs. How are these children going to be put in the mainstream? The Bill states that the children will not be denied admission on account of any disability. It fails to acknowledge the additional facilities. Child sexual abuse cases are still dealt with by using the laws enacted for adults. I request the chair for a discussion on this here.

DR. RAM PRAKASH: Survey should be conducted State-wise what percentage of children take admission in the school? How many

children leave schools? What are the conditions of schools? What are the results of Sarva Siksha Abhiyan? What are the reasons for drop-outs? The teachers should not be engaged in the work other than education. We should open more Anganwadis for free school education. The Anganwadi should be built on the basis of number of children. Primary education should be started with mother tongue. The Government of Haryana have introduced financial incentive for the children of Scheduled Castes. As a result, enrollment in Haryana is cent-per cent and the rate of drop-outs is very less. If we want to introduce neighbourhood concern, then at least there should be a school upto Fifth standard in every village. The facilities provided to those parents who don't send their children to school, should be withdrawn. The industrial houses should make arrangements compulsorily for the education of children of their labourers. The system of examination should be implemented in some classes. If this is not implemented, then their merit cannot be trusted. The question of quality of education has been raised. If quality of education words are added in respect of elementary education, then your problem is solved.

DR. BIMAL JALAN: We have more than 60 years of experience in trying to what we want to do. We have the institutions which can do a sample survey to tell you why it works in some places in the same district and doesn't work in others. We need a decentralised ground-level study. The second suggestion is let us do a survey of teacher. It is about the problems of the teachers. We can get the views of the teachers from all over India. Based on this study, we can make a programme which will actually work and give us the results. I would suggest to the hon'ble Minister – the Right to Education PCO. There should be this advisory service available to do what needs to be done regarding a problem. What I would suggest is to find a methodology whereby the Principal is allocated resources, which would give them the empowerment.

SHRI SHARAD ANANTRAO JOSHI : All children should have a right to compulsory education. This was stated in the Directive Principles of the Constitution. We have not succeeded in achieving even universal literacy. I regret to say that this is not a Right to Education Bill, it is a right to formal schooling Bill. The idea that in the school you get education and you become wise is a very old idea.

We have the tribals, the bonded labour children, the children of the migratory labour and the children from agricultural families who have

difficulty in going to the school. The important thing is whether we are providing the facilities for schooling and giving them any enabling instruments that will encourage them to go to the school. The farmers do not like to send their children to the school because their impression is, once they go to the school, they lose the habit of hard work and their instinctive knowledge of agriculture will be also lost. If we only combine two flagship programmes and widen the scope on NREGA to include in NREGA work on the agricultural fields where a child has been compulsory sent to the school, the father will not have any complaint about sending the child.

Abolition of examinations starting from I standard to the last standard is a very negative step. We want to expose ourselves to globalisation and, at the same time, wish to take away all the competitive elements that exist in our present system.

There are a number of contradictions in the Bill. In clause 4-5, for example, they say that special tuitions ought to be provided and in clause 28 it is said that all kinds of private tuitions would be banned. Then, the neighbourhood school has not been defined.

The reservations for economically weak classes is something that is not in the system. On this particular clause, the whole Bill may get rejected in the judiciary.

DR. JANARDHAN WAGHMARE: I rise to support the Bill. The Hon'ble Minister has got the historic moment to introduce this Bill in this House. All children of marginal sections and deprived sections are going to get a chance and a right to education.

This particular Bill has many salient features and many provisions have been made. The teacher is the focal point in the system of education. His training must be given as much importance as we give importance to the education for children. Accountability has to be fixed on the teacher.

The Bill does not mention the medium of instruction. We have a clear-cut language policy that primary education has to be given in the mother tongue. So, that has to be made very clear in this particular Bill.

There is no clause of goals and objectives of primary education in the Bill. We can have to inculcate cultural values in the minds of the students, the ethos of secularism and the rights of citizens and all that.

SHRI JESUDASU SEELAM: I rise to support this Bill. Now, with this Bill the State is taking the role of a parent. In short, you are providing a right to a child to learn or the Right to Opportunity to Learn.

There are certain concerns which make me feel that different forms of discriminations. The dropout rate, stood between 55 per cent and 60 per cent among the girls belonging to SC/ST communities. All this is because most of them still work as agriculture labourers and their parents depend on their wages, to some extent, for their subsistence. Despite the Mid-Day Meal Scheme on a large-scale, there are dropout. So, there is a need to improve the situation as per the objectives of this Bill.

It is not clear in the Bill whether you are going to upgrade the existing infrastructure, especially in the villages where a large number of Government schools do not have the basic facilities.

25 per cent reservation combining with economically weaker sections, SC/ST, OBC and also with other sections has been made. We would like to be clearly demarcated what percentage will go to the most deprived sections. We are not going to ask the minority institutions for reservation. But the Muslim minority institutions can have reservation to Dalit Muslims and the Christian minority institutions can give reservation to Dalit Christians.

Today also, in Delhi, there are certain public schools running two sessions one for the poorer sections and another for the affluent. This may kindly be clarified as to whether you want this system to continue or, you want equal environment where everybody can learn together.

SHRI SABIR ALI: I have risen to support the Bill. The Ministry has allocated a huge amount for education. I want to give an example of Bihar. 2,00,000 teachers have been appointed there and I can claim that there are hardly 5 percent teachers among them who have got teaching experience and more over, their ability are not upto the marks. 95% Anganwadi Kendras exist on paper only.

Today everywhere, be it small or big cities the people are much worried over the admission of their children in the schools. Why do we not emphasise over the system to ensure admission to every child who is desirous of getting education.

Our education system is in the grip of mafia. The mafia elements fix their target about division of money before the government announces the allotment for education. This system needs to be improved so that the allotment made for education reaches to the grass-root level and the people are educated.

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****Supplement covering rest of the proceedings is being issued separately

ERRATA TO SYNOPSIS OF DEBATE, DATED 17TH JULY, 2009

Page 255	Line 5, read 'Matter' for Matters'
	Line 3 from bottom, read 'Parliamentary' for 'Parliament'
Page 260	Line 10 from bottom, read 'to' for ' too' after 'have'
Page 264	Line 11 from bottom, add 'being approved.' after 'not'
Page 265	Line 7, read ' Fair' for 'Fare'

RAJYA SABHA

*SUPPLEMENT TO SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Monday, July 20, 2009/ Asadha 29, 1931 (Saka)

THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION BILL, 2008-*contd.*

SHRI M.V. MYSURA REDDY: The intention and objective of the Bill should be implemented in letter and spirit. I got this doubt after seeing the budgetary allocations. In the Bill, stress has been laid on some guide posts but I doubt whether provisions are sufficient to achieve this goal. There are a number of clauses for teachers' responsibility but there is only one subsection about students' standard. According to a survey, 33 per cent students of the fifth class were not able to pass the first class test. We will be only giving them certificates for promoting them to the next standard, without any knowledge or standard of education.

Parents' reluctance to send their children to school, child labour, lack of learning, begging, migrant labours etc are the issues which need to be addressed in order to make compulsory education successful.

PROF. ALKA BALRAM KSHATRIYA: There are 50 crore people in India below the age group of 25 years but the ratio of education among them is very less. The proliferation of education among the poor people and particularly backward class people, people belonging to SC and ST categories and Muslim population is very meagre. If the provision of

***This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.**

punishment to the parents who fail to send their children to school, will be added to meet the objective of compulsory education?

The other thing is about quality education. Every child should get the same quality of education, which is provided to the children of wealthy people and the children of central government employees. Whether the burden of education on small children will be reduced?

State like Gujrat have three languages in their school courses but there are some Hindi-speaking states, where the children have only two languages in their courses. In view of this, our government has made Hindi optional from onward but our children may face problems in future due to non-learning of Hindi. In this context, I submit that three languages i.e. regional, Hindi and English may be made compulsory everywhere.

You have allotted some non-teaching tasks like census and election duties for the teachers but the Anganwadi workers in Gujrat are so much assigned in non-teaching tasks that they do not find time to do their allotted work. The Anganwadi workers have given an ultimatum to the Government of Gujarat that they will not do the surplus work given beyond to their duties. Therefore, implementation of law is very necessary. The civic sense, the issues relating to language and environment should be taught in primary classes.

SHRI KUMAR DEEPAK DAS: The Directive Principles of State Policy enshrined in our constitution lay down that the States shall provide free and compulsory education to all children up to the age of 14 years. Ultimately, we have a Bill which seeks to achieve this objective. I support this Bill. Effective steps need to be taken and sufficient budgetary allocation made for the effective implementation of this Bill.

In Assam, there is an established procedure of opening up a school. Some villagers get together, acquire or purchase land, construct buildings and open up schools for children. Thereafter, the Director of Elementary Education gives permission to run such schools. A few years later, the school gets recognized and after 10-15 years, the school is provincialised on the condition that it has a good building, sufficient number of teachers and then land is made available.

What is provincialisation in our State? The salaries of teachers is borne by the Government. But, in the last 15 years more than 3000 schools

have not been provincialised so far by the Government of Assam. These schools are still running without making free books available to the children, without providing mid-day meals to the children, without building grants without paying salaries to teachers. 80 per cent of the students studying in these schools belong to BPL families and disadvantaged groups or weaker sections. Whether this Bill would give some kind of relief to those school-families?

SHRI RAJNITI PRASAD: An educationist, Shri Nurul Hasan Saheb had said in an article that if proper treatment was not given, he was not looked after and he was not given education by his mother, that boy can do nothing in future. Which you have started that you will provide primary education from the age of six years, in a way what will happen to the poor child of the age from one year to five year.

What Shri Vimal Jalan has said is true that you should make a survey and find how can we provide education to the people? Earlier also you have started Anganwadi and Sarav Siksha Abhiyan. You have put crores of rupees in Sarav Siksha Abhiyan but its teachers are not matric passed and they have brought certificates from the wrong place. Compulsory Education should be meant for poor. In every country of the world the teachers have regard. In America Primary teacher gets more salary than a professor and an arrangement for his stay is made. But the primary teachers in our country are not seventh class passed and they enter in the compulsory education and start to teach children. I want to say that there should be a provision of general education i.e. the child of rich and the child of poor will get education altogether. If it is done, the quality of the education will also be good.

In the end, I would like to say that the person who can speak in Hindi, should speak in Hindi. Don't speak English just to show that you know English also. Our Education Minister should do some sort of miracle so that poor children also get education.

SHRI BHARATKUMAR RAUT: I wish to congratulate Hon'ble Minister and the Government for bringing in this path-breaking Bill. But, I think, its provisions, though well intended, are far from reality and, therefore, I request you to make it more comprehensive and more effective. This Bill provides for compulsory education between the age group of 6-14 years up to eighth standard. What happens next? Is he really educated? This pure

academic education does not mean anything to many students in their real life. So, give them education of many trades which can be used by them immediately after the schooling is over, after the eighth standard is over. I hope this provision can give much better sense to the purpose of the Bill.

Clause 33 talks of National Advisory Council and it is a good thing that you are bringing in a council of fifteen members coming from the field of education to govern the situation. My request is to give them some powers, by which they can implement this Bill more effectively. Since this is a Central Bill, there should be only one Council, only one National Advisory Council, which should govern everything. You can set up sub-committees which will work under that Council.

You are talking about education, teachers and construction of school buildings etc. You are talking of one teacher behind every thirty students. But in reality, there is only one teacher from class one to seven in various schools of the country. So, why do you give such dreams to the people and add to their injuries. I think, you should sit back and give a relook to this Bill. We have subordinate legislation committees in both the Houses. Send it to the Subordinate Legislative Committee. Let them scrutinize it. Let them take witnesses at the State level, taluka level, or, village level. Bring them in, and, bring much more comprehensive Bill.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI KAPIL SIBAL), replying to the debate, said: I am deeply grateful to the Hon'ble Members of the House for their very valuable participation on a matter, which, I think, is not just of national importance, but will determine the course of India in the 21st Century. We must recognise the fact that this is not an easy task. What we are embarking upon is a national enterprise.

In 2002, 86th constitutional amendment was passed and it was decided to bring a bill which did not come. When UPA Government came in power, CABE committee was constituted and I was the Chairman and this bill was drafted. We are dealing with one billion people. Some people have said that it is not easy and it is difficult to implement. I agree but we have to be partners in that national enterprise.

The second thing, we must understand the meaning of this Bill and the title makes it quite clear – the Right of Children to Free and Compulsory Education. It is only talking of a right and an obligation – the right of the children to free education and the obligation on the Government to impart

that education to the children. It does not talk about content of education. We will formulate a policy to ensure that all the children in the schools get the kind of education that is required to make them good citizens of this country. National Curriculum Framework is there. It is based on the system of education which is capable of responding to India's diversity of geographical and cultural milieus while ensuring a common core of Constitutional values along with academic component. This is what is going to be taught to the children of our country. We have taken up a large national enterprise. You will have your doubts. You should make suggestions and tell us how best to implement it. It is not a issue of BJP, Congress or any other party, it is a issue of future of the country.

The appropriate Government will frame rules in respect of neighbourhood school because we want partnership with the States and community to move forward. Our National University for Education, Planning and Administration is already on the job preparing up the estimates of funds required for implementing the provisions of the Bill. Once the Bill is enacted, we will make a demand for additional resources in revised estimates 2009-10. After the Bill is passed, then we will decide the share of Central Government and the State Governments. Once Parliament passes a Bill, it is a fundamental right of the child to get education.

Some hon'ble Members have raised one point that 25 per cent of this reservation is violative of the Constitution. I want to inform that under the Delhi Education Act, there is, already, a 15 per cent reservation on these very terms, and that is being upheld by the Court.

As far as minority institutions are concerned, the Supreme Court judgment quite clearly says that the minorities can have 50 per cent of their own community in an educational institution.

If the States continue to collaborate with the Central Government and increase their levels of investment in education, over the years, I think, by the end of the Eleventh Plan, we will have, almost, a 5.86 per cent of GDP in education.

This kind of an amount of money that has been allocated to education has never been given before in the history of the country. The only problem is that the States' share is declining. If the States' share does not decline and they also consider themselves as partners in the national

enterprise, I am sure, we will reach the figure of six per cent of the GDP by the end of the Eleventh Plan.

Now problem is this if in this country 100 children go to school, only 12 children reach the university level, 88 children do not go to university and Government does not have so much resources that schools can be opened and quality school can be opened.

If we want the citizens to serve India and the global community. We must make them competitive; otherwise, we will not be able to do that. Then I come to the issue of language that has been raised. It is very important for the child to be taught in his mother tongue. It is exceptionally important because that gets him closer to his roots. But it is equally important for him to be educated in Hindi, because that integrates him with the rest of the society in India. So, his mother tongue takes him into his roots and Hindi integrates him with the rest of India. But if he needs to move across the borders, if he needs to have trans-national opportunities, then he needs English.

So, all the three are important; your mother tongue for your roots, Hindi for integration and English for moving across the boundaries for realising opportunities both in terms of employment and competing with the rest of the world. Now, this Bill that has been initiated here is under article 21a of the Constitution? Article 21 says, "the State shall provide free and compulsory education to all children of the age of 6-14 in such a manner as the state may by law determines." So, the legislation is in the context of 21 (a) and that is why we have not dealt with 0-5 years.

If, there is any violation of the Right to Education Act, then, to that extent, the National Commission on Labour will take cognizance of it and take action. Free education for the child; the obligation of the State to provide free education; the nature of curriculum being consistent with our constitutional obligations. There is a provision of this Bill as to what the eligibility conditions of a teacher will be. You are going to get quality teachers. And we have set out obligations of a teachers as well, as to what a teachers is going to do.

What we have provided here was that every neighbourhood shall be constructed within a period of three years from the passing of this Act. Apart from quality education, quality teachers, we are looking at sixth, social responsibility. Without social responsibility you can't take the entire community with you. And, of course, this also, tries to attempt to deal with

the issue of child labour. We cannot resolve it, but it attempts to deal with it. So, that is the seventh aspect of this Bill. The eighth aspect is, it de-bureaucratizes the system. The ninth is participation of civil society in educating our people. The children are our national asset. They will be running the country in the years to come, and we need to give them respect. That is very important, and this Bill attempts to do that. And that is where we need to support of all Members of this House and all State Governments, and civil society to ensure that we actually move forward in the right direction.

The child must run after knowledge. It must not be foisted on the child. That is the kind of education system that we want, and we are going to achieve it. It is part of our National Education Policy. We are looking at accreditation system within the schooling system; we are looking at changing course; we are looking at doing away with the kind of oppressive examination system that we have in this country. We have provided a provision here in section 26, which says that the appointing authority must ensure that the vacancy of a teacher in school under its control shall not exceed 10 per cent of the total sanctioned strength. So, we have tried very hard. The point is, we must recognize that we are sitting on a great opportunity for our children and for our nation. We need to grasp that opportunity. If we lost it, I do not know what will happen to our country; because, if 47 million children are not educated, I think, the consequences of that would be disastrous; we need to seize the opportunity. Even if there are any provisions in this Bill, which requires a different orientation and implementation, we are open to suggestion. We must move forward, and we must send a message to the rest of the world and to our children that we ensure that they are provided with the quality education. By the time they are 14 years of age, we will provide them further passage to move forward beyond 14.

Where a school provides education below six, the provision in the Bill says that that should continue. Schedule in the Bill provides for the kind of things that will be provided to the children. It is mentioned in the schedule about teacher-student ratio that how many teachers should be in how many classes. This term is coming to an end and we want to do this exercise very quickly so that all that can be dealt with by the Finance Commission. That this is something that we will allow the State Government to do and this incidentally applies to all schools because the definition of school includes every school in this country.

So, even in Kendriya Vidyalayas now we are going to have 25 per cent of neighbourhood children and the manner in which it will be done will be left to the State Government of India.

I just want to inform the hon. Members Clause 2 (e) which deals with child belonging to weaker section clearly says, “child belonging to weaker section’ means a child belonging to such parent or guardian whose annual income is lower than the minimum limit specified by the appropriate Government, by notification.”

The motion for consideration of the Bill was adopted.

The Clauses etc. were adopted.

The Bill, as amended, was passed.

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Secretary-General.

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