

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

STARRED QUESTION NO:324

ANSWERED ON:12.12.2000

CONSTITUTION AMENDMENT BILL FOR UNIVERSAL ELEMENTARY EDUCATION
AVSM, BRIG.(RETD.) KAMAKHYA PRASAD SINGH DEO;IQBAL AHMED SARADGI

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) the present stage of the Constitution Amendment Bill to make universal elementary education a fundamental right which was originally tabled in Parliament in 1997;
- (b) whether the Government have obtained the views of the State Governments, public and experts in the field of education thereon;
- (c) if so, whether any objections have been raised by them ;
- (d) if so, the details thereof along with other suggestions made by them; and
- (e) the time by which a final decision is likely to be taken in this regard ?

Answer

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (DR. MURLI MANOHAR JOSHI)

(a) to (e): A statement is laid on the Table of the Sabha.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOKSABHA STARRED QUESTION NO.324 FOR 12.12.2000 ASKED BY SHRI K.P. SINGH DEO AND SHRI IQBAL AHMED SARADGI REGARDING CONSTITUTION AMENDMENT BILL FOR UNIVERSAL ELEMENTARY EDUCATION.

(a): After examination by the Parliamentary Standing Committee and receipt of suggestions in the 165th Report of the Law Commission of India, a revised proposal was placed for the consideration of the Union Cabinet. The Union Cabinet referred it to a Group of Ministers where it is under consideration.

(b): The amendment to the Constitution to make education of children of 6-14 years of age a fundamental right had been recommended by the Muhi Ram Saikia Committee

(1997) of which Education Ministers of States were members. National Committee of Education Ministers under the Human Resource Development Minister (1999), of which eight Education Ministers of States were members, has also recommended the amendment to the Constitution. The Parliamentary Standing Committee had invited suggestions from public and experts in the field of education. The Law Commission of India suo moto examined this issue in its 165th Report.

(c) to (e) : The Parliamentary Standing Committee gave the following suggestions:

(i) Article 45 should be retained in the Constitution

(ii) Instead of a specific provision to keep private unaided institutions outside the responsibility for free and compulsory education, the matter should be left to the interpretation of Courts.

(iii) The Central Government may consider preparing a simple legislation for the right to education

(iv) The responsibility to provide for universal elementary education should be on the state

The Law Commission of India in its 165th Report suggested a Central legislation and placing a social responsibility on private institutions.

The Ministry of Human Resource Development has taken note of these suggestions before placing its proposal before the Union Cabinet.