

The Viksit Bharat Shiksha Adhishthan Bill, 2025- introduced

THE MINISTER OF EDUCATION (SHRI DHARMENDRA PRADHAN): Chairperson Sir, with your kind permission, I rise to move for leave to introduce a Bill to enable and empower the Universities and other higher educational institutions to achieve excellence in teaching, learning, research and innovation, through co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions, and for that purpose to constitute a Viksit Bharat Shiksha Adhishthan, to facilitate the Universities and other higher educational institutions to become independent self-governing institutions and to promote excellence through a robust and transparent system of accreditation and autonomy, and for matters connected therewith or incidental thereto. *(Interruptions)*

HON. CHAIRPERSON: Motion moved:

That leave be granted to introduce a Bill to enable and empower the Universities and other higher educational institutions to achieve excellence in teaching, learning, research and innovation, through co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions, and for that purpose to constitute a Viksit Bharat Shiksha Adhishthan, to facilitate the Universities and other higher educational institutions to become independent self-governing institutions and to promote excellence through a robust and transparent system of accreditation and autonomy, and for matters connected therewith or incidental thereto.

(Interruptions)

PROF. SOUGATA RAY (DUM DUM): Sir, I want to oppose the introduction of the Bill.

HON. CHAIRPERSON: You will be given an opportunity to speak. I will give an opportunity. Kindly be seated. There are listed Members to be given opportunity.

(Interruptions)

HON. CHAIRPERSON: Sushri S. Jothimani not present

Dr. Kadiyam Kavya not present

Shri Manish Tewari

SHRI MANISH TEWARI (CHANDIGARH): Mr. Chairperson, I rise to oppose the introduction of the Viksit Bharat Shiksha Adhishthan Bill, 2025 under Rule 72(1) of the Rules of Procedure and Conduct of Business in the Lok Sabha. The grounds for the opposition of the Bill are as follow.

Firstly, the Bill results in excessive centralisation of higher education and violates the constitutional distribution of legislative competence. While Parliament may legislate under Entry 66 of List 1 on coordination and determination of standards, this power is limited and cannot be used to occupy the entire field of legislation. The Bill goes far beyond standards and intrudes into administration, affiliation, establishment and closure of university campuses, their institutional autonomy, matters falling within Entry 25 of List 3 and Entry 32 of List 2, which cover incorporation and regulation of State universities.

Secondly, the Bill suffers from excessive delegation of legislative power. Vast and substantive matters ranging from accreditation frameworks, degree-granting powers, penalties, institutional autonomy and even supersession are left to be determined by rules, regulations and Executive direction. This abnegation of essential legislative functions violates settled constitutional principles governing delegated legislation.

Thirdly, the Bill undermines the autonomy and independence of statutory regulatory bodies by making them bound by policy directions of the Central Government and subject to supersession at Executive discretion. Such provisions erode institutional independence and offend the constitutional requirement of fairness, non-arbitrariness, and check on Executive power under Article 40.

Fourthly, the Bill also concerns Article 19(1)(G) of the Constitution of India. By subjecting educational institutions to pervasive Executive control, graded autonomy, intrusive compliance requirements, severe penalties, and closure powers, it imposes disproportionate and unreasonable restrictions on the right to carry on education as an occupation. While regulation in the public interest is permissible under Article 19(6), the Bill goes far beyond reasonable regulation and

vests unguided over-board powers that fail the test of proportionality as laid down by this House and the Supreme Court.

Lastly, Mr. Chairperson, Sir, I oppose the Bill given the overriding clause given by this Bill over all other laws coupled with the powers to supersede existing regulatory structures, raising serious concerns of arbitrariness, legal uncertainty, and impacting institutions established under State laws without any safeguards. I hope that the Minister will reply to each and every ground on which the introduction of this Bill has been opposed.

HON. CHAIRPERSON: Hon. N.K. Premachandran ji.

SHRI N. K. PREMACHANDRAN (KOLLAM): Sir, thank you very much for affording me this opportunity to object to the introduction of the Bill. As far as I am concerned, it is very difficult to even pronounce. A Member from South India finds it very difficult so as to even pronounce the Bill. The name and the nomenclature of the Bill is the Viksit Bharat Shiksha Adhishthan Bill, 2025. I cannot understand what is meant by Adhishthan. So, my first objection is the nomenclature of the Bill by virtue of Article 348(1)(b). It reads:

(1) Notwithstanding anything in the foregoing provisions of this Part, until Parliament by law otherwise provides.....

(b) the authoritative texts

(i) of all Bills to be introduced or amendments thereto to be moved in either House of Parliament or in the House or either House of the Legislature of a State,

..... shall be in the English language.

Article 348(1)(b) mandates that the authoritative text of a Bill, shall be in English. But unfortunately, I do not know in which language the nomenclature of the Bill is, whether it is Sanskrit or Hindi. I do not know the meaning of Viksit Bharat Shiksha Adhishthan Bill, 2025. That is my first objection.

The second objection is regarding the Entry 66 in the Seventh Schedule in the Central List. I do agree with regard to the higher education, but unfortunately, the education, even the higher education is also included in the Concurrent List and in the State List in the Seventh Schedule.

Sir, in 1972, through 42nd Amendment, this education is put in the Concurrent List. What is the purpose of putting it in the Concurrent List? Before that, it was absolutely within the domain of the State List. What is the purpose of it? The main purpose is that the local resources and the requirements of the concerned State should be taken into consideration in framing the legislation in respect of the education. But as far as this Bill is concerned, if you go through the contents of the Bill, mandatorily the State Governments and all the universities, even a university which is established under an Act of the State Government, are bound to abide by the conditions of the Commission. That indirectly imposes the powers of the Central Government over a right which is being vested upon the State Government which means that it is totally against the federal principles of the Constitution and it is centralisation of the power with the Centre. It is against the basic principle of federalism which is envisaged in the Constitution. That is my second objection.

Further the curriculum, the syllabus and all these things are being determined by this University Higher Commission. The name is a little bit different in Hindi. I do not know it, but I think that it is the Higher Education Commission. There also, the political philosophy and the political ideology of the Government at the Centre is going to be imposed on the State. That is the main object and purpose of this Bill, for which this Bill is being brought in. By way of this Bill, the States resources, the local requirements and the States culture, tradition and language will be taken away means, which is also against the basic principles of the Constitution, the federal principles of the Constitution.

Also, I fully agree with the objections already raised by Shri Manish Tewari ji and also the Bill is not being circulated in proper time and it is being bulldozed in the House without having proper agenda in the List of Business. I do object to that also. I very humbly request the hon. Chairperson to refer this matter for tomorrow so that we can have a detailed discussion regarding the introduction. Otherwise this may be withdrawn by the Government. These are my objections.

HON. CHAIRPERSON: Thank you, Sir.

Hon. Prof. Sougata Ray Ji.

(Interruptions)

PROF. SOUGATA RAY (DUM DUM): Sir, hon. Members, Shri Manish Tewari and Shri Premachandran have opposed the introduction of the Bill. But I first point out to the ineptness of the Ministry of Parliamentary Affairs. We got a copy of the Bill

late last night. Today in the List of Business, introduction of the Bill was not mentioned. The Supplementary List of Business was circulated at 1 o'clock this afternoon. Now, is this the way the Ministry of Parliamentary Affairs functions where they do not even give us a chance to prepare for opposing the introduction?

The main points opposing the introduction of the Bill have been mentioned by hon. Members Shri Manish Tewari and Shri N.K. Premachandran. The Viksit Bharat Shiksha Adhishthan Bill, 2025 is an effort to centralize power in the Central Government's hands with regard to educational matters. Earlier, the University Grants Commission used to decide on allocating funds for educational institutions, both universities and colleges. Now that is being taken over and subsumed in the Viksit Bharat Shiksha Adhishthan Bill, 2025.

I do admit that under Article 66, the Centre has the power to legislate on the educational matters, though it is in the Concurrent List. This Entry 25 is subject to Entry 63 and 66 of List-I. So, Parliament cannot assume comprehensive control over State universities. We have so many State universities in West Bengal. The Parliament will have total power over them. They will appoint Vice-Chancellors and all that. As it is, the Governors in Kerala, West Bengal and Tamil Nadu, are interfering with the functioning of the universities. Now this gives legitimate power to the Centre to control the functioning of the universities in higher education. This essentially undermines the autonomy and independence of statutory regulating body and checks on Executive power under Article 25.

This Bill hence should not be brought. We oppose the introduction of the Bill. We oppose the ineptness, the failure of the Parliamentary Affairs Ministry. They do not even give us an opportunity to study a Bill before opposing its introduction. Sir, you are a learned man. You give a ruling on this. Let it be a historic ruling that this is not the way the Parliament should function.

SHRI T. M. SELVAGANAPATHI (SALEM): Hon. Chairperson, Sir, I rise to oppose the introduction of the Bill titled Viksit Bharat Shiksha Adhishthan Bill, 2025 under Rule 72 of the Rules of Procedure and Conduct of Business in Lok Sabha. The very nomenclature itself is deemed to be imposition of Hindi on those States which do not know Hindi at all. All these years, any law or any scheme that this Government has brought, it titles it only in Hindi language and not as required by the Constitution of India. The Constitution is clear that the nomenclature has to be in English language so that every citizen, every part of the country knows what the veracity of the Bill is.

Secondly, this is against the federal principle of the Constitution. The regulatory council under the Commission proposed in the Bill is against the spirit of the Constitution, particularly contravening the provisions under Entry 32 of List-II. Entry 44 of the List-I says that the Union Government does not have power to regulate universities, but it is being vested with the Union by this Bill, which is arbitrary. In the name of coordination and determination of standards, the entire regulation of higher educational institutions comes under the Union Government. This is totally a colourable legislation that gives arbitrary decision-making powers to the Union Government. This Bill is nothing but an abuse of process of law. As per various provisions of this Bill, practically the Union Government will be the sole decision-making authority which is against the spirit of the Constitution. The Union Government will have the final say if this Bill is passed, which is totally contrary to the Constitution, in the name of Bharatiya knowledge system. Whatever is asked, is to be followed by the Commission and its three vertical pillars have to be implemented by the higher educational institutions, failing which the institute will be deemed to have violated the Act and its accreditation may be withdrawn.

They have enormous power. Whichever university they deem to be in violation, they can reject its accreditation. Without accreditation, no institute can function and the accreditation power lies with the accreditation council. Therefore, this Bill has to be withdrawn. I oppose the introduction of this Bill on behalf of DMK Party.

SUSHRI S. JOTHIMANI (KARUR): Hon. Chairperson, Sir, I oppose this Bill on three grounds. The Bills aggressive and unnecessary Sanskritized nomenclature directly violates Article 348(1)(b) which mandates that authoritative text of all the Bills shall be in English language. There is no technical reason to use Hindi names. Hindi names are used 53 times in the text of this Bill.

* This Viniyaman Parishad. I am not understanding any of these terms in Hindi. If I speak in Tamil, you cannot understand. Similarly, you have been imposing Hindi terms on us and hence we find it difficult to understand. Therefore, I insist that the terms should be in English.*

It should be in English so that whichever State wants to understand, can understand it. I see that this is a kind of Hindi imposition. Already in Tamil Nadu, we have actually been deprived of SSA funds just because we do not agree to the three-language formula in the New Education Policy. This is another way of imposing Hindi on a State like Tamil Nadu which is very successful in two-language system.

Secondly, this is an attack on the federal structure. This Bill moves forward despite the Parliamentary Standing Committee on Education's explicit finding that the Bill maintains Union Government-heavy composition and insufficient State representation, given that State universities and their affiliated colleges educate over 81 per cent of India's total students enrolment and State Government network of over 46,000 affiliated institutions nationwide. This policy-making body's composition must reflect the even scale and responsibility held by the State education sector.

This Bill is an attempt at executive overreach and undermining autonomy. The proposal decisively moves away from the independent regulation. Provisions granting the Union Government overriding power over the Commission represent a clear attempt at executive outreach, fundamentally violating the doctrine of separation of powers by subordinating a key regulatory body of the executive. Clause 11(4) clearly says that the regulatory council needs prior approval of the Central Government to provide or revoke the authorization of higher education institutions and the authority to grant degrees.

On these grounds, I oppose the introduction of the Bill.

माननीय सभापति : प्रश्न यह है :

कि उच्चतर शिक्षा या अनुसंधान और वैज्ञानिक और तकनीकी संस्थाओं में मानकों के समन्वय और अवधारण के माध्यम से अनुसंधान और नवाचार में श्रेष्ठता के उच्चतर स्तरों को प्राप्त करने के लिए विश्वविद्यालयों और अन्य उच्चतर शैक्षिक संस्थाओं को समर्थ बनाने और सशक्त करने, और उस प्रयोजन के लिए विकसित भारत शिक्षा अधिष्ठान का गठन करने के प्रयोजन के लिए, विश्वविद्यालयों और अन्य उच्चतर शैक्षिक संस्थाओं के स्वतंत्र स्वशासी संस्था बनने को सुकर करने के लिए और प्रत्यायन तथा स्वायत्तता की एक मजबूत और पारदर्शी प्रणाली के माध्यम से श्रेष्ठता की अभिवृद्धि करने के लिए, और उससे संबंधित या उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति प्रदान की जाए ।

प्रस्ताव स्वीकृत हुआ ।

SHRI DHARMENDRA PRADHAN: I introduce* the Bill. (*Interruptions*)

माननीय सभापति : माननीय मंत्री - श्री किरन रिज्जू जी ।

THE MINISTER OF PARLIAMENTARY AFFAIRS; AND MINISTER OF MINORITY AFFAIRS (SHRI KIREN RIJJU): Hon. Chairperson, Sir, during the meeting of the

Business Advisory Committee, many hon. Members have requested that this is an extensive Bill and they need further deliberation on this Bill. So, the Government hereby proposes to send it to a Joint Parliamentary Committee. We authorized the hon. Speaker to constitute a JPC in consultation with the other House and also with various political parties.

(Interruptions)

माननीय सभापति : आइटम नंबर 14 सी । माननीय मंत्री डॉ. जितेंद्र सिंह जी ।