

**COMMITTEE ON PRIVATE
MEMBERS' BILLS AND
RESOLUTIONS
1954**

THIRTEENTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI
*September, 1954***

MEMBERS OF THE COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

1. Shri M. Ananthasayanam Ayyangar—(*Chairman*)
2. Shri Nemi Chandra Kasliwal.
3. Shri P. Natesan.
4. Shri Raghunath Singh.
5. Shri Nageshwar Prasad Sinha.
6. Shrimati Ammu Swaminadhan.
7. Shri Choithram Partabrai Gidwani.
8. Dr. Natabar Pandey.
9. Shri Tridib Kumar Chaudhuri.
10. Shri Ganesh Sadashiv Altekar.
11. Shri Goswamiraja Sahdeo Bharati.
12. Shri Narendra P. Nathwani.
13. Shri C. R. Basappa.
14. Shri B. H. Khardekar.
15. Shri T. B. Vittal Rao.

SECRETARIAT

1. Shri S. L. Shakhder—*Joint Secretary.*
2. Shri N. C. Nandi—*Deputy Secretary.*
3. Shri V. Narasimhan—*Under Secretary.*

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I, the Chairman of the Committee on Private Members' Bills and Resolutions, having been authorised by the Committee, present on their behalf this their Thirteenth Report.

Constitution (Amendment) Bill

2. The Committee met on the 25th September, 1954 to examine, under rule 44(1) of the Rules of Procedure and Conduct of Business of the Lok Sabha, the Constitution (Amendment) Bill (*vide* Appendix I) given notice of for introduction by Shri Khub Chand Sodhia. The Bill seeks to amend Article 45 of the Constitution which relates to the provision of free and compulsory education for children.

Examination of Bill

3. The Member who has given notice of the Bill and the representative of the Ministry of Education which is concerned with the Bill were, on invitation, present at the meeting and stated their views on the Bill.

4. The Committee considered the points of view of the sponsor of the Bill and the reactions of Government thereto and examined the Bill in the light of the principles laid down by the Committee in paragraph 6 of their First Report, which had been duly approved by the House. The Committee arrived at the following findings as a result of their consideration of the Bill.

Findings of the Committee

5. The Bill seeks to amend Article 45 of the Constitution by providing that the initiative in the matter of introducing free and compulsory education throughout India should be taken by the Central Government. Article 45 is in the directive principles and in spite of this amendment it cannot become compulsory or obligatory either on the Centre or the States. The amendment does not improve the present situation.

6. Further, free and compulsory education is a State subject. Even if the Centre should take the initiative, the entire action or implementation has to be done by the State Governments

7. The Committee was informed that the Central Government is already taking steps in this regard and has spent about Rs. 45 crores for the spread of elementary and basic education. The States are spending amounts according to their capacity. It was also pointed out that a scheme for introducing compulsory education was prepared some time in 1948 by the Education Ministry and it was found that free and compulsory education could be introduced throughout the country only if Rs. 400 crores were spent every year over a period of 16 years. Therefore, that scheme was abandoned but that all the same, yearly contributions are being made on a sharing basis to the States for the spread of basic education. Moneys are granted by the Centre for converting elementary schools into basic schools. In the Five Year Plan priority has been given to agriculture, com-

munications etc., and some provision has been made for education also. As soon as other targets are reached, the money that will be released is intended in the future years for the spread of education. Under these circumstances, even if the Constitution is amended, the Central Government may proceed only at the present pace owing to the want of adequate funds. The mere amendment will not improve the present situation.

8. Besides, what is sought to be achieved by the amendment can easily be achieved by moving a resolution or raising the matter during the Budget discussion and impressing on the Central Government that greater attention should be paid to this. The sponsor of the Bill wants that the initial steps should be taken before the end of the first five years and there are hardly a few months for the First Five Year Plan to be completed. From this point of view, the amendment, even if carried, would not have any practical utility.

Recommendations

9. Under the circumstances stated above, the Committee consider that the amendment to the Constitution proposed is unnecessary and recommend that the Bill may not be allowed to be introduced.

M. ANANTHASAYANAM AYYANGAR.

NEW DELHI;

The 30th September, 1954.

APPENDIX I

Bill No. 3 of 1954.

THE CONSTITUTION (AMENDMENT) BILL, 1954

(TO BE INTRODUCED IN THE HOUSE OF THE PEOPLE)

A

BILL

further to amend the Constitution of India.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Constitution (Amendment) Act, 1954.

2. Amendment of Article 45.—In article 45 of the Constitution the following shall be added at the end, namely:—

“and the initial steps in this direction shall be taken by the Central Government within five years from the commencement of this Constitution.”

STATEMENT OF OBJECTS AND REASONS

As no concrete steps have so far been taken to implement the provisions of Article 45 of the Constitution, it is necessary to make a beginning now without delay. Hence this Bill.

KHUB CHAND SODHIA.

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BILL

further to amend the Constitution of India.

(Shri Khub Chand Sodhia, M.P.)

APPENDIX II**Motion Re: Adoption of the Thirteenth Report of Committee on Private Members' Bills and Resolutions.**

The following motion was moved by Shri Ganesh Sadashiv Altekar and was adopted by the House on the 26th November, 1954:—

“That this House agrees with the Thirteenth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 30th September, 1954.”

[L. S. Deb., dated 26th November, 1954.]