

[Mr. Deputy Speaker]

in respect of Capital Outlay on Multipurpose River Schemes” .

DEMAND NO.131—OTHER CAPITAL OUTLAY OF THE MINISTRY OF IRRIGATION AND POWER

“That a sum not exceeding Rs.13,83,79,000/- be granted to the President TO COMPLETE the sum necessary to defray the charges which will come in course of payment during the year ending the 31st day of March, 1972, in respect of Other Capital Outlay on the Ministry of Irrigation and Power”.

15.29 hrs.

**CONSTITUTION (AMENDMENT) BILL*
(Amendment of Article 124)**

श्री अटल बिहारी वाजपेयी (ग्वालियर) :
उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए ।

MR. DEPUTY-SPEAKER : The question is :

“That leave be granted to introduce a Bill further to amend the Constitution of India”.

The motion was adopted

श्री अटल बिहारी वाजपेयी : मैं विधेयक को पुरःस्थापित करता हूँ ।

**CONSTITUTION (AMENDMENT) BILL*
(Amendment of Article 124)**

SHRI P. K. DEO (Kalahandi) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER : The question is :

“That leave be granted to introduce a Bill further to amend the Constitution of India”.

The motion was adopted.

SHRI P. K. DEO : I introduce the Bill,

**CONSTITUTION (AMENDMENT) BILL*
(insertion of new Articles 24A & 24B)**

डा० लक्ष्मी नारायण पांडे (मंदसौर) : मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए ।

MR. DEPUTY-SPEAKER : The question is :

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The motion was adopted.

डा० लक्ष्मी नारायण पांडे : मैं विधेयक पुरःस्थापित करता हूँ ।

15.31 hrs.

**CONSTITUTION (AMENDMENT) BILL
—Contd.
(Insertion of New Articles 23A and 23B)
(By Dr. Karni Singh)**

MR. DEPUTY-SPEAKER : We shall take up further consideration of Constitution (Amendment) Bill moved by Dr. Karni Singh. Two hours were allotted and we have already taken one hour and 20 minutes; forty minutes are left. Shri Lakkappa was on his legs. He is not present. Shri Ram Gopal Reddy.

SHRI M. RAM GOPAL REDDY (Nizamabad) : Sir, I have absolutely no objection for introducing compulsory primary education which is the purpose of Maharaja Karni Singh's amendment. But I want to know who will foot the bill. Governments are spending money on this but they cannot spend all their

money on education; so many other things need to be done. There is one easy method. What Dr. Karni Singh proposes may take long years; but according to my method in two years we can make the entire population in India educated, without any exception; my proposal is, : each one, teach one. Every educated person should teach one uneducated person. I want Dr. Karni Singh to start.....(Interruptions) All his family members are educated and they can teach every body so that they may set an example.

What is happening is that we give primary education to so many people for four years and then they leave the primary school and join the middle school or other schools. But many children after leaving school do not continue and they forget what they learn and relapse into illiteracy. We should have some follow up programme. I request Dr. Karni Singh to bring another Bill so that people who are once educated do not become uneducated. The percentage of literacy is supposed to be 34 but actually it may not be more than 17 per cent because people who have got education become uneducated as they forget what they learnt. We should have libraries and we should cultivate the habit of reading. There is absolutely no habit of reading. There is great need for educating the educated persons also.

15.32 hrs.

[SHRI K. N. TIWARI in the Chair]

Educated persons behave in the most uncultured way, whether they become leader and occupy high posts or they become legislators.....(An Hon. Member : Ministers) ... of course. Once a man in educated and holds some important place in society, he does not treat his unfortunate brethren as equal men. We doubt whether those persons have been educated at all and have any culture. That is why I request Dr. Karni Singh to bring another Bill that such persons should also be educated so that they might become cultured and set an example to others. We see that almost all educated persons are having bad habits. We see the educated persons in gambling houses, in drinking places and in the race clubs. We can see most of the educated persons on Saturdays and Sundays in Race Course. These people are all educated persons and no uneducated person goes there. That

is why I request the Maharajah to bring another Bill so that the educated persons may be educated in true spirit of the term.

MR. CHAIRMAN : Shri Bade—absent. Shri Shukla.

SHRI B. R. SHUKLA (Bahraich) : Sir, the House should be grateful to Dr. Karni Singh for bringing a Bill of this nature. He has, by bringing this Bill, focussed the attention of this august House on a very important aspect of the directive principles of the Constitution. But I am afraid howsoever well-intentioned this Bill may be, it is misconceived in its approach and procedure, because the directive principles are not enforceable in a court of law. Supposing we allow this Bill to become an Act, how are we to enforce it? If a child or its parent goes to the court of law and moves the court, "Here is a child who has been denied the right of free and compulsory education," then, what appropriate remedy or order would be passed by a high court of the Supreme Court? I think the courts should not pass an order which would be infructuous, which should be ineffective in its implementation. So my submission is that this Bill cannot be enforced by providing for an appropriate remedy enforceable in a court of law.

Now, the question is, the directive principles are made unenforceable, what would be the consequence. It might be argued by the propounder of this Bill that if the directive principles cannot be enforced in a court of law, then they would be merely dead letter in the Constitution. My submission is that there are many provisions in the Constitution which are enforceable otherwise than in a court of law. The remedy is political. If the directive principles are not observed in their application, then the parties who are aggrieved thereby can make it an issue at the time of the election and agitate this matter by saying that these directive principles have been laid down in the Constitution but despite their being included in the Constitution they have not been implemented by the party in power. Therefore, they can support their point there. There are other provisions in the Constitution which can be similarly politically agitated but cannot be made the subject-matter of legal action in a court of law.

[Shri B. R. Shukla]

15.39 hrs.

[SHRI R. D. BHANDARE in the Chair]

Therefore, my submission is that this Bill has served its purpose by focussing the attention of this House on its being an important measure and by drawing our attention that free and compulsory education which has been laid down as a directive principle in the Constitution has not been implemented in all its seriousness and that it should be given due thought and consideration. Free and compulsory education is a concomitant of free democracy. Democracy is a meaningless mockery if we are to manage it by means of adult franchise which consists of millions of illiterate voters.

Therefore, my appeal is that the Bill should be withdrawn and the matter should be agitated outside the House for giving effect to its provisions.

SHRI K. GOPAL (Karur) : Sir, I rise not to oppose the spirit of the Bill, but to tell the move about the financial implications and the factual incorrectness of his Bill. To say that free education is not provided is not correct. To say that the directive principle of the Constitution in this regard has not been implemented is also not quite correct.

All education is free in Jammu and Kashmir and Nagaland. It is free upto PUC in Tamilnadu. It is free upto the secondary stage in Gujarat, Andhra, Kerala and Mysore. In Maharashtra, primary education is free; it is free at all stages for children the income of whose parents is below Rs. 1000. In Rajasthan, education is free for girls and primary education is free for boys. In Punjab, Haryana and MP, primary education is free. In UP it is free for girls upto 5th standard and for boys upto 6th standard. In Bihar, it is free for girls upto 7th standard and for boys upto 5th standard. In West Bengal, primary education is free for girls in rural areas upto 7th standard. In some urban areas, it is free for boys upto 5th standard. In Orissa, primary education is free. In Assam, it is free for girl upto 8th and for boys also upto 8th standard. In Delhi and other union

Territories, primary education is free. Scheduled castes and scheduled tribes enjoy free education at all levels. So, to say that free education is not provided is not quite correct.

Coming to compulsory education, it not only involves administrative and financial implications, but it is also a big social problem. In villages before we compel the girls to go to schools, a lot of social reforms should take place. You cannot compel the boys to go to school in villages because the parents will ask, "Who will graze my cattle" It is linked up with the economic structure. These practical problems are there.

About the cost, he said, it involves only Rs. 10 crores of non-recurring expenditure. I do not know how he arrived at it. A survey was made and the modest estimate is to make it free upto 14 years, the cost would be Rs. 970 crores, whereas our entire budget on education is just Rs. 950 crores.

I will give some figures about the progress we have made since independence in the education of children of various age groups. In the age-group 6 to 11, in 1951, it was 182 lakhs or 43 per cent. In 1971, it is 605 lakhs or 80 per cent. In the age-group 11 to 14, in 1951 it was 31 lakhs or 13 per cent. Today it is 143 lakhs or 35 per cent. So, compared to other developing countries, we have certainly made great strides in education.

Apart from cost, there are so many other factors involved in compulsory education.

Even the Education Commission recommended that compulsory education can be there only in 1985-86. That is the target they have fixed. When the Kher Committee made their recommendation they did not take into account the cost and increase in population, which is a mistake. By 1971 the population has increased.

As far as old age pension is concerned, some time back the Department of Social Welfare wanted to pay 10 per cent of the people above 60 years of age and 10 per cent of the disabled persons at the rate of Rs. 20 per head. It worked out to Rs. 39 crores. That was on the basis of the 1961 census. According to the 1971 census we will have to spend at least Rs. 85 crores.

These are the problems involved. Moreover, our country today is passing through an economic crisis because of what is happening in Bangla Desh. Considering all these things I would request Dr. Karni Singh to withdraw his Bill.

SHRI DINESH CHANDRA GOSWAMI (Gauhati): Mr Chairman, though in spirit I lend my support to the Bill introduced by Dr. Karni Singh, yet I feel that so far as proposed article 23B is concerned, this article being vague and there being no proper definition, I cannot accept this Bill and I hope the House will reject it. So far as the question of education is concerned, it has been discussed by my friends and so I will confine myself to article 23B.

Article 23B says that a person who is above 60 years of age, if he has nothing to fall back upon and has to fend for himself, will be entitled to financial assistances. So also a person who is chronically ill, or permanently incapacitated or disabled. We know that in this country even judges have fought for the determination of their ages. There have been cases in the Supreme Court where the Judges of High Courts have come up and quarrelled as to what their proper age is. When that is the position of even judges, who can keep count whether a person has attained the age of 60, 59 or 57?

Secondly, supposing a man is at present active and is in a position to work. Will it still be the duty of the State to give him financial assistance? Therefore, so far as the first part is concerned, I think it will miss the bus and the very purpose for which Dr. Karni Singh has introduced the Bill would be frustrated.

Then, so far as the question of a person being chronically ill is concerned, there is no definition here in this Bill as to what will constitute chronic illness. Suppose a person has got a chronic stomach ailment. Is he to be considered chronically ill? Suppose he is capable of working. Will it still be the duty of the State to give financial assistance to him?

Then, there is no definition whatsoever as to what is meant by permanently incapacitated or disabled. We know that in the Workmen's Compensation Act and other Acts these things are defined very precisely

so that if such question is fought in a court of law the court can determine, considering his disablement, whether it comes within the scope of the Act or not.

Then the next provision is that they will give financial assistance if a person has nothing to fall back upon. Suppose a person at the age of 59 transfers all his property to his sons and daughters or bequeaths them as gift and claims old age pension. How can you prevent him from doing it? He can very well do it and say "I have nothing to fall back upon; so, give me pension."

There is nothing in this Act which can check all these things and human nature being what it is there is a possibility that when such an Act is passed people of the age of 58 or 59 may transfer whatever property they may have and claim financial assistance, or compensation, or pension, whatever you may call it, by saying "I have nothing to fall back upon and I am unable to fend for myself". Therefore, article 23B being vague and no definition as to what will constitute these things, though I support the spirit underlying the Bill, I cannot support this articles as it is at present worded.

So far as education is concerned, for children up to the age of fourteen education should be compulsory and also free. But whether it will be possible for the State to provide it will depend upon finance, that is to say, whether at the present moment our country can afford it. As has been discussed by my hon. friends earlier, probably it will have a very heavy drain to the financial resources of this country. Therefore, it may be necessary that at least in this particular moment of this country, we may have to postpone it for some further time.

With these few words, I oppose this Bill.

श्री भार० बी० बड़े (खरगोल) माननीय सभापति महोदय, मैं डा. कर्णीसिंह जी को इस बिल को यहाँ लाने के लिये बधाई देता हूँ और इसका पूर्ण समर्थन करता हूँ। इसका कारण यह है कि डाइरेक्टिव प्रिन्सिपल में लिखा हुआ है—

"It is the duty of the State to provide for free and compulsory education for all children up to the age of 14 years."

[श्री अवर० श्री० बर्वे]

डाइरेक्टिव प्रिन्सिपल में ऐसा न होने से, मैंने मध्य प्रदेश में देखा है, जहाँ 56 लाख आदिवासी रहते हैं, कम्पलसरी एजुकेशन न होने से और वहाँ की स्टेट का उच्चर ज्यादा लक्ष्य न होने से, गांव में स्कूल खोलते हैं तो टीचर नहीं है, टीचर है तो पाठ-शाला नहीं है, दोनों हैं तो बिल्डिंग नहीं है, बिल्डिंग है तो गिरी हुई बिल्डिंग है। बहुत श्री जगहों के बारे में मैंने उनको रिपोर्ट किया कि आप कहते हैं कि बिल्डिंग है, बिल्डिंग वहाँ नहीं है, छाड़ के नीचे बैठ कर बच्चे पढ़ते हैं। अगर स्कूल है तो बैठने के लिये टाट-पट्टी नहीं है, अपने घर से बैला लेकर आते हैं, और उस पर बैठ कर पढ़ते हैं। इस प्रकार की स्थिति वहाँ पर है, उसके बाद भी जो बच्चे वहाँ पढ़ने आते हैं वे इतने उत्सह हो जाते हैं कि कुछ पढ़ नहीं सकते, क्योंकि स्टेट का उस तरफ लक्ष्य नहीं है। हमारे यहाँ मध्य प्रदेश में फादर हैनरी आया हुआ है, कैथोलिक मिशन के स्कूल हर गांव में खुले हुए हैं, उनमें आनन्द में बच्चे पढ़ने आते हैं। उनको जो मास्ता मिलना चाहिये, वह भी पता नहीं कहा जाता है, दो पांव का चूहा खा जाता है या चार पांव का चूहा खा जाता है, लेकिन मिशनरी स्कूलों में उनके लिये सब व्यवस्था है।

इस लिये स्टेट के ऊपर फंडामेंटल राइट या डाइरेक्टिव प्रिन्सिपल के द्वारा यह उत्तरदायित्व डाला जाय—उन को गांव-गांव में स्कूल खोलने चाहिये, एजुकेशन कम्पलसरी करनी चाहिये, तो मैं समझता हूँ कि इससे आदिवासियों का भला होगा और वे पढ़ने के लिये आगे आवेंगे। क्योंकि आज वे भी ट्राइबल से डी-ट्राइबल होना चाहते हैं, वे चाहते हैं कि हमारे बच्चे भी तहसीलदार बने, कलेक्टर बनें, कम से कम उनको कोर्ट में नौकरी मिले—इस प्रकार की महत्वाकांक्षा आज उनके अंदर उत्पन्न हो गई है।

आज कितने भी एक्ट्स हमने आदिवासी के कल्याण के लिये पास किये हैं, उनका लाभ उनको नहीं पहुंच रहा है, क्योंकि उनको पढ़ना-लिखना

नहीं आता है, उनको कहा जाता है कि झंगूठा चोस्टा दे। हर गांव में सिर्फ दो-चार आदिमी ही कुछ पढ़े-लिखे मिलेंगे, बाकी सब झंगूठा चोस्टाते हैं। कोर्ट में अगर पूछते हैं कि तुमने झंगूठा चोस्टाया था, पैसा मिला था? तो कहते हैं कि झंगूठा तो चोस्टाया था, पैसा घर ले गये थे, लेकिन हमें गिनना तो आता नहीं है, पता नहीं क्या मिला था क्या नहीं मिला, ब्याज फैलाना नहीं आता, गिनती नहीं आती। पूछते कि तुमने यह झंगूठा चोस्टाया था, तो कहते हैं पता नहीं, हमारा धै, कि दूसरे का धै—इस प्रकार की बातें करते हैं—इस तरह से आज वहाँ पर असंतोष उत्पन्न हो गया है, क्योंकि उन को शिक्षण नहीं मिलता है।

वहाँ जो क्रिश्चियन मिशनरीज आते हैं, वे लोगों को कहते हैं कि तुम्हारी सरकार तुम को क्या देती है? हम तुम को गेहूँ देते हैं, सोयाबीन का तेल देते हैं, देखा अमरीकन सरकार कितनी अच्छी है।

इस लिये मैं कहना चाहता हूँ कि कम्पलसरी एजुकेशन होने से और ओल्ड-एज-पेंशन में जनता को लाभ होगा, उनको अच्छी लीडर शिप मिलेगा। आज क्या होता है—सांग पढ़े लिखे नहीं, उनको लीडर भी ऐसा ही मिलता है, लेकिन अगर लोग पढ़े-लिखे हों, तो वे सोच-समझ कर अपने वोट का इस्तेमाल करेंगे और उनको लीडर भी पढ़ा-लिखा होशियार मिलेगा। मैं डा० कर्णीसिंह को इस बिल के लिये फिर से बधाई देता हूँ और चाहता हूँ कि आप इसे अवश्य पास करें।

बड़ा आश्चर्य होता है, जब कांग्रेसी दोस्त यह कहते हैं कि अपनी स्टेट में डा० कर्णीसिंह ने क्या किया था। अरे, उन्होंने गाय मारी, तो हम बछड़ा मारेंगे, यह क्या बात हुई, यह क्या आर्ग्यू-मेंट है? अगर डा० कर्णीसिंह ने नहीं किया तो तुम भी नहीं करोगे। हालांकि वह तो कहते हैं कि हमने किया है।

इन शर्तों के साथ मैं इस बिल का समर्थन करता हूँ और चाहता हूँ कि इसे पास किया जाय।

सभापति महोदय : जब हाउस में बोलते हैं तो "अरे, ऐसा कर दिया है, 'अरे, ऐसा नहीं होना चाहिये', इस तरह से नहीं बोलना चाहिये, क्योंकि आप बेयर को एड्रेस करते हैं।

श्री जार० बी० बड़े : मेरी मदर-टंग मराठी है, इस लिये ऐसा होता है।

SHRIMATI LAKSHMIKANTHAMMA (Khammam) : Mr. Chairman, Sir, I congratulate Dr. Karni Singh for bringing forward this Bill. Dr. Karni Singh and his family are known for philanthropic work and good work in the educational field. That is why they are very popular in that area. I think, the Government should have no objection in accepting this Constitution (Amendment) Bill.

It is already mentioned in one of the Directive Principles of the Constitution that free and compulsory education will be provided at the primary stage. I think, some States have already passed such a law. As far as I know, Andhra Pradesh had passed the Compulsory and Free Primary Education Bill as long back as 12-13 years ago, other States also would have passed such a law by now.

The question is about the implementation of it. Specially, as far as girls are concerned. I have myself visited many villages during my tour, and when we got to the villages, we ask them how many children go to school. Almost all the girls, excepting may be 5-10 per cent of the girls, do not go to schools. On record it may be there that so many children are going to school, including girls. But the girls are not going to schools because the parents have their own difficulties. An elder daughter will have to look after the home or carry the small child when the mother goes to field for work. So, we must see how best we can introduce compulsory and free education for girls.

As you know, the girls' education is more important. Even Dr. Karve and so many other educationists have said, when the option is given to a person whether a girl should be educated or a boy should be educated, the option is always for a girl to be educated because an educated woman in the family means educating the whole family. There is a lot of difference in the boy-girl ratio in the

matter of education. In spite of the efforts made during the last so many years, this difference has not been reduced. Still girls in a large number do not go to schools.

As far as free education is concerned, already my State has passed a law for free education of boys and girls upto the primary stage. First, they made it for girls and then they made it for boys also.

As far as finance is concerned, I think, we should spend less on the buildings. Most of the money is wasted on buildings. At least, upto the primary stage, we can impart education even under a tree, or some such other place. In respect of the most of the programmes in the field of education, money is spent on buildings. Even if for sometime to come money is not available, we can go without buildings and still get our children educated.

The other thing is about giving pension to persons above the age of 60 years. Even in capitalist countries, in one form or the other, they have got old-age pension or the unemployment insurance and all that. More so, the socialist countries should do it. I think, in some places, they are trying to do. But it is very meagre. In one Block or Panchayat Samiti, they will give a pension to persons who are above 70 years of age. But actually the persons do not know where to go and whom to approach. It will not touch even a fringe of the problem. So, a proper method should be evolved by which these persons can find some employment or old-age pension and settle down where they can be looked after and where they can do some work.

16.00 hrs.

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. GOKHALE) : I wish to give a brief reply to the debate—today's debate and the debate which took place on the last occasion.

The main speech, of course, was the speech of the hon. member of the Bill. While moving the Bill, he made certain introductory remarks. But, before I refer to those introductory remarks, I want to congratulate the hon. Member and would join others in congratulating him. The hon. Member, by bringing a Bill on this subject, has succeeded in focusing the attention of this House as also of the

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country towards a very vital and important question. The subject is certainly important and with regard to the question of free and compulsory primary education as well as the question of providing for our old as well as for our invalid and disabled, certainly there can be no difference of opinion basically and on principle on those aspects of the matter. Therefore, I would repeat that I will join other speakers to congratulate the hon. mover of the Bill who has succeeded in focussing the attention of this House and the country to this vital question.

Any way I am very glad that in moving this amendment to the Fundamental Rights Chapter of the Constitution, the hon. Member has, by implication, conceded that the Fundamental Right Chapter requires some alterations and modifications. I think that was not his earlier view. At any rate, Art. 368 of the Constitution, I hope he concedes, has given power to this House and to Parliament to carry out necessary amendments even in the Fundamental Rights Chapter. Therefore, the one thing that gladdens me most is that when he is trying to modify the Directive Principles in Part IV—certainly the motive is very good—, when later on other Bills for modification of other Directive Principles come up before this House, I don't think it would be unreasonable to look forward to the support of the hon. Members on those measures.

He was very critical of the slogan 'Garibi Hatao'. I have read his speech very carefully and incidentally, he also referred to the possible effect of this slogan, namely, 'Amiri Hatao'. Now I agree with him that the slogan is both imperative but difficult to achieve and that is all the more reason that serious and strenuous efforts have to be made in all directions and particularly, in the economic field to see that this slogan is implemented. And as one of the measures for implementing this slogan, it is necessary to implement the other slogan to which he made a reference, namely, 'Amiri Hatao'. There is nothing wrong in taking measures to see that 'Amiri Hatao' takes place in order that the other 'Garibi Hatao' may be implemented... (Interruption)

I would not take much time because the time at my disposal is very short. I would rather deal with the basic aspect of the Bill.

The positive aspects of the Bill as I have already said, are something which are good and are to be welcomed. Therefore, I would not elaborate further. While I appreciate the positive aspects, I must point out that there are glaring weaknesses in the proposal which he has made both from the financial point of view and from the practical point of view.

The hon. Member has estimated that the cost of implementing a measure of this nature would be about Rs. 10 crores. I think it is a gross under-estimate and many factors which are required to be taken into account in implementing such a measure have obviously missed the hon. Member's attention. I will mention a few and then point out how glaring the difference between his estimate and a reasonable estimate on consideration of all factors can be.

DR. KARNI SINGH (Bikaner): I stand to correction.

SHRI H.R. GOKHALE: I am just pointing out the figures. We have here in India 7.5 crores of children in the primary schools to-day. Only about one-third of them, unfortunately, even to-day have satisfactory building for their schooling, for their education. If universal and free education is introduced as a result of implementation of this Bill, the enrolment will increase from 7.5 crores to nearly 12 crores. It will thus bring in an additional 4.5 crores children for whom other things will be required. We need school buildings for 9.5 crores of children at Rs. 100 per child. At this estimate, not less than Rs. 950 crores will be required for buildings alone. The hon. Member has said that the requirement, is Rs. 10 crores only for the recurring expenditure and there is no non-recurring expenditure. This Rs. 950 crores is the capital expenditure for school buildings which we may regard as non-recurring expenditure. But the estimate that there is no non-recurring expenditure, which is at all involved is not correct and this I would point out, with all respect to the hon. Member.

Also, this does not take into account other things like equipments etc. necessary for this purpose. School buildings alone will not help. So, other equipments are also to be taken into account. If a rough and reasonable estimate is made, it would come to Rs. 1100 crores which will be non-recurring expenditure. This, the hon. Member has not taken into account.

Let us go to the recurring expenditure. It is not only the teachers who are in the schools, but about the whole mass we have to consider. The large masses are not in a satisfactory economic position. Unless that economic condition changes favourably, it is not enough nearly providing with schools and buildings.

It may be that in areas where poorer sections of the community live, we may have to provide free supply of books, clothing, meals, etc. Even in urban areas poverty is there to a large extent. In the rural areas the poor children have to come from long distances. They start from home yet early in the morning, clothing will have to be provided, meals are required to be provided and such other facilities like books etc.

I appreciate the anxiety of the hon. Member. That is why I am putting only the reasonable estimate and I am going to show the optimistic side. It is not as if nothing has been done since independence. I will show how substantial things have been done. I do not want to be complacent and say that nothing further required to be done. Not at all. The hon. Member referred to the lack of buildings and said that children sit under trees. It is really unfortunate that the position is not satisfactory....

DR. KARNI SINGH: I am not opposing to children sitting under trees. I was referring to the poor villagers being asked to contribute....

SHRI H.R. GOKHALE: That you have said in your speech last time. I am referring to the other Hon. Members. Even with the existing facilities the facilities in the rural areas are by no means adequate. What I am saying in this. This will require a much greater figure and massive effort to come up to a reasonable stage of providing compulsory primary education.

Apart from the social factors involved to which some Members have already referred, it is difficult to persuade particularly girls to be brought out of their houses at the age of six and retained in the schools till the age of fourteen in the context of the existing educational and economic position of our people. It is not an easy task. It is a task which cannot be under-rated. We have to meet the social aspect of the whole problem and also effectively solve it by creating a social tempo so that there is adequate response to any scheme of compulsory primary education which it might be possible to undertake in the future when practical circumstances permit it. But I do not wish to go into all those details just now. While coming to the essential services, as I have already said, there are many things such as books and other things which will have to be taken into consideration.

But if you take the recurring expenditure for all children in our country, the total cost on a rough and reasonable Estimate would be about Rs. 972 crores, which is much more than the estimate made by the hon. Members. This is even larger than the current expenditure on all types of education put together which is Rs. 950 crores today. I do not want to frighten the House by giving inflated figures. I only want to create a reality which hon. Members will take into account when considering this Bill which as I have already said from the positive aspect is very important and in regard to which on principle there can be no two opinions.

Regarding old age pension, the factual position is this. Even if we give assistance only to 10 per cent of the population, the additional cost involved will be nearly Rs. 85 crores per year and if all such persons are to be covered, we shall need about Rs. 850 crores per year. I am indicating all these figures only to emphasise the tremendous and great magnitude of the problem of finance, which undoubtedly, the hon. Member of all persons, who is certainly a practical person who has known administration in the past, would take into account, because when one wants to give effect to a principle, however good it is, these practical problems have certainly got to be borne in mind.

As I have said, the social problem is there; the unwillingness to send girls to schools, the long distances of the schools from areas where there are forests or inaccessible areas,

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and even in the case of boys, the unwillingness of the parents to spare boys of ten or twelve years who will otherwise be available for agricultural operations—these are inevitable in the circumstances in which we are to day. These are the factors which have to be taken into account.

But let me tell hon. Members what Government have done so far. I think the approximation of the whole position given by the hon. Member, I am not saying deliberately, but probably because of the facts not having been available to him, is a gross understatement of what has been done so far in this country in the matter of primary education.

Let us take 1947 as the base year. In 1947, only one child out of three in the age group 6-11 was in school. Today, four children out of every five in the age group of 6-11 are attending primary schools. In 1947, only one child out of 9 in the age group 11-14 was enrolled in the schools, but today one child out of every 3 in the age group 11-14 is attending schools. The total enrolment, and these figures will be more telling than the earlier figures, at the primary stage in 1951 was only 212 lakhs whereas it has increased today to not less than 748 lakhs, which I submit is significant. I am not saying that everything that needs to be done has been done and nothing further remains to be done and this is quite satisfactory. I do not want to be complacent. At the same time, it is quite wrong to say that nothing has been done during all these years in the matter of progress in primary education.

Now, here is another telling figure. The expenditure on primary education which was only about Rs. 44 crores in 1950 has now increased to Rs. 380 crores. Therefore, quite a substantial part of the finances of the country is being spent to the extent possible, taking into account all priorities of an all-sided development as are required for primary education.

Some reference was made on the earlier occasion to the condition in Rajasthan. The hon. Member himself belongs to Rajasthan and he must be aware of the position. Even if we take the figures for Rajasthan, in 1949-50, the total enrolment at the primary stage in Rajasthan was 2,43,000 in primary schools.

At present, this enrolment has increased to nearly 26 lakhs. So it is an advance from 2 lakhs to 26 lakhs.

SHRI JAGANNATH RAO JOSHI (Shajapur) : Due to failure of family planning or increase in education ?

SHRI H.R. GOKHALE : If we look at the dark side of the picture, one can always say that it is not enough. I have never said that enough has been done. Therefore, I began my speech by saying that I do not wish to be complacent; Government does not wish to be complacent. Government agrees with the anxiety of the House and the hon. Member to see that this directive principle ought to be enforced, but when we enforce a directive principle, we need not at the same time be so very pessimistic about what has been achieved. Let us have a realistic view of that, in spite of the tremendous difficulties through which the country has passed in the last 23 or 24 years has been achieved in the field of primary education.

A State-wise appraisal of what has been done in the field of primary education is necessary. I have the figures which I would give in brief. The present position regarding free education in the country may be summarised as follows : All education is free in two States, Jammu and Kashmir and Nagaland. Tamil Nadu has made all school education free including PUC. All education upto the end of the secondary stage is free in Andhra Pradesh, Gujarat, Kerala and Mysore. In Maharashtra, primary education is free and children of parents whose income is below Rs. 1200 a year have free education at all stages. In Rajasthan, all education is free for girls and primary education is free for boys. In Punjab, Haryana and Madhya Pradesh, primary education is free. In UP, education is free for girls till the end of class ten and for boys till class six. In Bihar, primary education is free for girls from classes one to seven and for boys from classes one to five. In West Bengal, primary education is free for girls in rural areas in classes one to eight; in some urban areas it is also free for boys from one to five. But in Calcutta and some other urban areas, it is not yet free. In Orissa, primary education is free. In Assam, primary education is free for girls in classes one to eight and boys in classes one to five. In the Union Territory of Delhi, primary education is free.

The other Union Territories follow the pattern of one or other of the States. In all of them, primary education is free.

As regards some of the States where it was not been free, Government is considering the possibility of giving financial support to overcome the difficulty of those States where it could not be made yet fully to the satisfaction of all concerned. These proposals are under consideration.

It was suggested that we should have an overall, all-out plan for the whole country in the matter of primary education. Conditions vary much particularly in the matter of primary education from State to State and even in some states, from region to region. Therefore it is not practicable to work it out on an overall all-India basis. We are seriously considering the appointment of a working group so that it can take the local and regional factors into consideration and evolve a plan to give effect to the directive principle in the back ground of the practical difficulties as early as possible.

While all members have supported the principle underlying the Bill. Some members were realistic also to say that it is not so easy to implement a directive principle like this although everyone wants to see that it is done. I think the position that emerges from a review of the situation is that a lot has been done; it cannot be said that it is enough, nobody wants to be complacent; much is needed to be done and is intended to be done, and concrete steps are in the offing. Steps are being taken to see that something positive and concrete is done in this direction. As and when conditions in the country permit. Surely Government is as anxious as, if not more anxious than, the hon. Member to see that the directive principle is implemented as soon as it is feasible and practicable.

DR. KARNI SINGH (Bikaner) : I am most grateful to members from all sections of the House for their very generous and kind support to my Bill. It would not be out of place to say, after hearing the speeches of eminent members here and our hon. Minister, that I myself feel I am educated. However, I do feel that in the year 1971 when some countries have gone to the moon, it is not in keeping with our prestige or our traditions, to say that

even today, whatever the reasons may be—overpopulation,—yes—the mass of the Indian people remain uneducated. This is something of a stigma to us. It is because of this that I brought Bill before the House. As hon. Members have very kindly appreciated the Bill from all sections of the House, my main objective has been achieved, namely to focus the attention of this sovereign Parliament of India on a very essential problem that we all have collectively to grapple with.

I would be quite clear in my remarks to say that never did I have any intention to play down the achievements of our country since independence. That is not my objective. I am an independent Member and feel that it is the duty of Members of Parliament, particularly those who are independent without any party loyalties, to look at problems objectively. I would request the hon. Minister to set a date line, tell the nation by when he will be able to give free and compulsory education. You have got to work like Lord Mountbatten who set a date by which India has to be independent. Let us set a date line and work towards that so that by the time every citizen of India will be able to get free and compulsory education upto the age of 14.

As far as old age insurance and aid to the infirm are concerned, I need hardly say that many of us are in middle and will soon be old, and with the confiscatory taxation in the country, the richest man may become a boot polisher. In such a situation everybody is concerned. I will say this much in all humility that as a citizen before I introduced this Bill I tried to carry out some of these things in my own humble way.

From the very first day that I was elected to Parliament in 1952, for 19 years every single penny that I received from Parliament including airway bills, was given for scholarships. I am proud to say that 100 children have been reading on my scholarships from 1952 from the money that I earned here. This was my duty as a citizen.

SHRI R. S. PANDEY (Rajnandgaon) : Nothing from your privy purse ?

DR. KARNI SINGH : Yes. When the derecognition took place there was 6 months privy purse heldup. In my case it amounted to Rs. 5 lakhs which I received. The day I got it I created a public charitable trust and gave the entire money for the education of poor children. The beneficiaries from this trust are poor children. We expect that 500 to 1000 will receive direct scholarship. This trust will help old people, the infirm and the blind, fallen women who can be rehabilitated and the marriage of daughters of poor people. There are many things. We have been trying to do our bit. I do not say that is something very great that I have done. It was my duty as a citizen.

Having done that I introduced this Bill. And the objectives are the same that I tried to follow as a citizen. I am particularly grateful for the support that the hon. Members have given. It encouraged me. I would like the hon. Minister in another six months or one year to come forward with a positive Bill.

Family planning is directly connected. Although I am only 47, I am one of the older Members of this House from the point of time. I can say that I had once to cross swords, even with that great man whom I worshipped, Jawaharlal Nehru, on population explosion. I was a boy then and I told that great man : "You will not be around here, my generation will have a tough time when the lid blows off and India's population touches 100 crores." It is not that the House did not know. Population has been debated, but half-heartedly. Fortunately today, ten years later, many Members, including you, Sir, observed in their remarks on this Bill that the runaway population increase was making everything negative as far as our plans were concerned and certainly with regard to our literacy. So, inspite of a larger number of schools, colleges and Universities, the apex or base has increased because more than 50 per cent of the population is under 21 and consequently perhaps we have more illiterate people today than we had before. This is understandable. but the important point is; do we accept that situation or do we fight ? I say fight. It is our duty to see that when we go home and retire from this Parliament, nobody can point a finger at us and say that these men sat in Parliament and did nothing to see that the Directive Principle laid down in the Constitution were seriously considered.

I am glad the hon. Minister has given an indication, though not very clearly, that some thing is going to emerge as a result of this debate. And the sooner that comes about the better.

I shall try to reply to a few points raised by hon. Members. Mr. Daga from Rajasthan State said that the State Government did not take money for making schools in villages. When he mentioned this point two weeks ago I made some enquiries in Rajasthan and I find that what I said was correct. In many places whenever schools are made people from the village are asked to give matching contribution of 30, 40 or 50 per cent or whatever it is. I would request the hon. Minister that in this great dynamic India, socialist India that we are trying to build, for God's sake, do not ask the people in the villages to make matching contributions for schools. I can understand that compulsory education under article 14 may be your next step. Let the schools be built by the nation. You have already enough in taxes. You know perfectly well that means can be created. Mr. Chavan at ten minutes notice can provide you with the wherewithal that you need to build as many schools as you want in the villages, particularly in the desert. It is a pledge that we must take that people who have to go without food and whose children have to go without clothes should atleast not be asked to contribute towards building schools. It is the duty of the Government to provide them schools otherwise we have no justification to call ourselves a welfare State.

Mr. Daga is not present here. He said that I had some ulterior motive in moving my Bill. Perhaps the motive he thought was that may be we wanted to see the Congress defeated in Rajasthan. It is a logical motive. The Opposition in a democracy must try to defeat the ruling party and *vice versa*. I do not see any harm in it. But the bitterness of the battle fields of elections should not continue in Parliament. We are colleagues. At least I feel so. I have been here for twenty years and I have had the honour of sitting in this House with the greatest men; I am proud of it. I am opposed to communism as a creed; I believe in democracy. Even then the Communist Members, some of them, are my best friends. Why should we doubt the motives of each other. If Members of Parliament in the august

House started doubting the motives of each other, where are we going to end? Let us try to sow the seeds of faith and confidence in each other, we may have been elected from different parties but we have only one goal: build a great country, to remove poverty from this country. I do not say how far it is correct or in keeping with the true traditions of democracy if in this House we begin to doubt the motives of each other.

The hon. Member again referred to what was done in the "States" times. I should humbly make a submission to this hon. House that I was elected by the people of India to the first Parliament after the Constitution came into being. I do not represent the former States people. In other words I was elected to Lok Sabha in the same way as anybody else. Every time I open my mouth, whatever the subject may be, for any Member to get up and say: so and so is the son of so and so and therefore there is a stigma—I do not think it is very good for us. Not that we care. You are welcome to go ahead. But should you keep on reminding us about our titles which are historically true? If I tell him my father was not Maharaja it would be untrue. You can raise a privilege motion on that. If I said that he was a Maharaja, that I had inherited a bogus title, it is a historical fact. It is also probably historically true in the next five days it will disappear. These things you cannot do. What is the object of some Member getting up and saying every time Maharaja? Please do not refer to us by our titles. You know my name. You have known it for twenty years. Cannot we be citizens? Cannot we be brothers and colleagues? If this goes on could not I get and remind the Prime Minister—I haven't done it before and I shall never do so—that she sits on that seat No. 1 only because she is Jawaharlal's daughter? We can do it.

But it is not right. I feel, and I would make this submission to hon. Members here: you do whatever you like with the privy purses Bill. I have nothing to do with that. Whatever the House in its wisdom decides it must do. But this is a Bill on education; this is a bill on old-age insurance; it has nothing to do with my parentage. I am proud of my parentage, because if my parents were not what they were I would not have been elected five times to the Lok Sabha. So, that is still proof to you that at least some good was done by the great old

man. I never ruled for one single day. I do not know how to rule. In the 20 years I have sitting in Opposition, all I know is to criticise what the Government does whenever I thought that criticism is necessary. So, I will not say any more in this direction. I hope that I have said enough.

But there is one thing I will just very briefly mention. Everytime something is said about old State times, I am not a lawyer of the late Maharajahs. But may I say about Bikaner from where I come, because as a boy when I was in college I saw all those things. When the integration took place, Rs. 4½ crores in solid cash were handed over by my father to the State, and this was given from an area which was a complete desert. 1,000 miles of railways were built by the State; no Central aid; no five year Plan funds, 1,000 miles of railways. How much this free India build there since then? Three miles. The Gang Canal which irrigated 1,000 square miles was brought in by the great old man, Maharajah Ganga Singh. No central aid; no foreign aid; nothing. It was all by the sweat of the brawn that they worked. They tried to keep corruption down. They tried to make the best use of the money that they got.

AN HON. MEMBER : it has nothing to do with the Bill.

DR. KARNI SINGH : I know; I am trying to answer other Members from your party who also likewise said. We had a high court in 1912; the privy purse was separated from the State in 1912. We had a legislative assembly in 1913, I think. It is all very well for anybody to get up and say, "Look what happened then." I ask you, is there any comparison between prewar India and post-Independent India? None at all. Man has landed on the moon. But today, if any road has to be built, anything big is to be done, the States will ask Government of India for aid, and the aid will be given. I would only like to say this much. If those crores of rupees were given to some of those great architects, what might have been done? Even those great architects sitting in this House as ministers of the great Jawaharlal Nehru, what sort of India it could have been? I can only think. But Mr. Daga comes from Rajasthan and therefore I have dealt with it at a little length.

[Dr. Karni Singh]

Now, Prof. Bhandare-You, Sir- have kindly appreciated the reasons for my Bill, and I am very grateful to you. You mentioned that the question of litigation might become a problem-
(Interruption)

AN HON. MEMBER : He was a professor.

DR. KARNI SINGH : I know. I have great respect for him. He said that there will be legal problems because it is being made justiciable. Well, this I say only in levity; not very seriously, because I hope it will never be so. But, with a committed judiciary that we are expecting soon, you should have no problems in this direction.

I am grateful to the hon. Member Shrimati Lakshminikanthamma who really hit the nail on the head-female education. I feel that if the mothers in this country are educated, you will have a better citizenry. There is no doubt about it.

I also agree with hon. Members who have expressed their views here that there will be difficulties in villages; that people will be reticent in sending their girls to study. I know that. But how do we, as responsible citizens of this great country, responsible representatives, handle a situation like that? You cannot write it off. You cannot say that people in the villages do not want to send their girls to schools; and therefore the Bill dies. No, Sir. That is not the way to look at it. The problem is there. We are parents; we have grown-up children going to schools and colleges. We have to solve the situation, and before my generation is dead, I want to see every single Indian educated. And when that happens, India will be like the Soviet Union, India will be like Germany, India will be like America, and one day our people will be landing on the moon. This is my hope but that will only come through education.

The hon. Member, Shri Bibhuti Mishra, made a reference, and here, may I say, he being a very senior Member I have great respect for him.

He said, why don't you donate your house? If that would solve the problem of compulsory education I would do so. But may I ask, for

argument's sake, if the old rulers must give up everything, having given up their States, for God's sake, what is your Government doing? If we are so generous, why did he forget to mention the fact that members of Parliament draw Rs. 51 a day income-tax free? I tried to calculate and I found if it is taxed like the income of the man in the street, it would be a lot of money, which could be diverted to compulsory and free education. But this is no argument.

Another little joke that occurred to me was this. Somebody said sometime back, the Maharaja of Bikaner gets free medical aid; it is a terrible thing which should be stopped. But Dr. Karni Singh, M. P. can get free medical aid. That is perfectly all right. The old order has gone and this is the new order. If these new rulers get free medical aid, it is perfectly all right.

SHRI D. N. TIWARY (Gopalganj) : We are covered by the CGHS.

DR. KARNI SINGH : The amount you pay will be just equal to the taxi fare from your house to the hospital. Anyhow, I have got a lot of figures about what MPs and Ministers get, but I would not deal with it now.

About the funds required, many hon. members and the ministers have corrected me. Honestly I did not know how much it would cost. I thought Rs. 10 crores was a lot of money. Evidently it is going to run into thousands of crores. Whatever it is, it is up to the Government to find the means to implement it.

If the losses of your public undertakings could be stopped, if violence in industrial establishments is stopped, if you utilise some of the famine funds that are being wasted—I am not against famine funds being used properly; I am against their misuse—all these would mean a lot of money that can be diverted to free and compulsory education. Then, we spend crores of rupees on road repairs including repairs to defence roads. Every time the rains come, the roads are cut and you cannot send a tank. If there were 3 inches of rain in Rajasthan, no tank can go upto the Pakistan border. I wrote to the minister last year and year before

last, sending photographs. But road conditions are the same. Crores are going into the repairs, but where is it actually going? You should plug these loopholes and use it for education.

Mr. Ramgopal Reddy suggested that each one should teach one. It is an excellent idea; it did not occur to me. Even in this House, if we take the pledge to teach one, it will mean a lot. I take the pledge and I am going to start tonight. If each one starts teaching one, we will certainly achieve our objectives.

I do not want to make any comments about Bangladesh because it is going to be discussed on Monday. Whatever be the needs of Bangladesh on humanitarian grounds, India and our people are priority number one. I only hope that Government will not lose this sense of priority when we think of Bangladesh.

With these words, I request the House to adopt the motion for consideration of the Bill. I know the requisite majority for adopting it is not present.

SHRI H.R. GOKHALE : In view of the very pragmatic approach that the hon. Member has shown in his speech, may I request him to withdraw his Bill?

SHRI R.S. PANDEY : Government will bear in mind the suggestions he has made while formulating their policy.

DR. KARNI SINGH : I do not object to it. If that is the desire of the hon. House, I would be glad to withdraw my Bill. I would like the hon. Minister to kindly bear in mind what I said and set a time limit.

MR. CHAIRMAN : I will have to dispose of the amendment first. I will put it to the vote. The question is :

“That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of 8 members, namely: Shri Chhuttan Lal, Shri Hiralal Doda, Shri Nathu Ram Mirdha, Shri Kishan Modi, Shri Siddhartha Shankar Ray, Shri Nawal Kishore Sharma, Dr. H. P. Sharma, and Shri

S. N. Singh, with instructions to report by the first day of the next session.”

The motion was negatived.

DR. KARNI SINGH : I beg to move for leave to withdraw the Constitution (Amendment) Bill, 1971.

MR. CHAIRMAN : The question is :

“That leave be granted to withdraw the Constitution (Amendment) Bill, 1971.”

The motion was adopted.

MR. CHAIRMAN : Bill is withdrawn by leave.

The Bill was by leave, withdrawn.

16.42 hrs.

PREVENTION OF CONVERSION BILL by Shri Jagannathrao Joshi

श्री जगन्नाथराव जोशी (शाजापुर) : मैं प्रस्ताव करता हूँ कि अव्ययस्क व्यक्तियों के धर्म संपरिवर्तन का निर्वन्धन करने वाले विधेयक पर विचार किया जाये। सभापति महोदय, इस विधेयक को प्रस्तुत करते समय प्रारम्भ में इस विषय पर उड़ीसा और मध्यप्रदेश की संयुक्त विधायक दलों की सरकारों ने जो विधेयक पास किये, इसके लिए मैं पहले बधाई देता हूँ। वास्तव में यह जिम्मेदारी अपनी सरकार की है।

[SHRI K. N. TIWARI in the Chair]

आजादी से पहले क्या हुआ, इसके बारे में भले ही हमारा दायित्व कुछ न हो, किन्तु आजादी के उपरान्त जब हम कहते हैं कि स्वाधीनता आई, स्वराज्य आया, स्वतंत्रता आई, उसका “स्व” जो है, उस “स्व” का आविष्कार अभी तक नहीं हुआ है, इस क. मुझे बड़ा खेद होता है। यह यहाँ जो, कल भी मैंने उल्लेख किया था, धर्म चक्र प्रवर्तनीय का शासन है, मैं जरा मंत्री महोदय से प्रार्थना करना चाहता हूँ कि इसका अर्थ वे समझने की कोशिश करें। (व्यवधान) शासन का जो दायित्व है वह