

thorities. Default in payment of PF contributions are liable for legal and penal action under the Act. In case, the employer defaults in employee's share of contribution he is also liable for prosecution under Section 405/406 of the Indian Penal Code. The Payment of Gratuity Act, 1972, which provides for payment of gratuity is administered by the States in respect of schools.

The prerogative of granting permission to a start school is entirely within the jurisdiction of the State Govt. or its agencies such as the School Boards of Education, the Directorate of Education or the Municipal Board/Council/Corporation, since educational administration is primarily dealt with by the States. While granting recognitions, availability of appropriate infrastructure, charging of ex-horbitant fees, not providing appropriate service conditions for the teachers etc. can be looked into. Schools which operate without seeking recognition may also be appropriately dealt with by the State concerned.

I would like to conclude by saying that while unsatisfactory conditions of service and the instances of exploitation of certain teachers by management concerned and the rising cost of education in private schools are a matter of concern, it may not be fair to paint all the private schools with the same brush. A number of them are meeting diverse needs of our pluralistic society and providing quality education. Those who indulge in undesirable practices should be brought to book under the respective States' Acts, administrative guidelines or in case the States so desired, even a Central legislation, in this regard, may be considered. However, even if a Central legislation is enacted, it can be implemented only if the State agencies and the representative organisations are vigilant.

I am grateful to the Hon'ble Member, Shri Gurudas Das Gupta for focussing attention on this very important issue. I am confident that if the concerned State Governments are adequately sensitised,

many of the malpractices can be stopped. We, on our part, would be advising the affiliating bodies like CBSE and CISCE to exercise care and caution in exercising their authority.

Madam, I would like to add that I had a long discussion with hon. Member Shri Gurudasji about the 500 teachers who came from West Bengal. I have understood their problems, their difficulties and their agony. I will shortly be calling a meeting of the Minister for Higher Education and the Secretary, Education and discuss the matter with them.

THE DEPUTY CHAIRMAN: I know that a lot of things have been explained to Mr. Gurudas Das Gupta. I am sure he must be somewhat satisfied. But today his Calling Attention is being interrupted off and on. But this is an unavoidable situation. The Minister for Parliamentary Affairs just now apprised me that in Lok Sabha, the hon. Prime Minister made some clarifications as regards the Gujarat matter. It was expressed on previous occasions that the hon. Prime Minister should let the Rajya Sabha Members also know about it. He is not making a *suo motu* statement. So, there would be no discussion and no clarifications. He will only give his position as he did in the Lok Sabha, regarding the matter raised by the Leader of the Opposition, Mr. Sikander Bakht.

#### STATEMENT BY PRIME MINISTER

##### Political Developments in Gujarat

THE PRIME MINISTER (SHRI H. D. DEVE GOWDA): Respected Madam Deputy Chairman, in response to the issue raised by both the Houses, namely, the present political developments in Gu-jarat, the Government wants to make clear its stand on the Gujarat affair. In this connection, I made a statement in the Lok Sabha and I would like to make here the same statement with regard to the stand of the Central Government. The recent developments in Gujarat, presently, are a matter of concern for all,

including the Government of India. However, as far as the Government of India is concerned, while it has the responsibility to monitor the developments in all the States including Gujarat, since developments of this nature would have an impact on the law and order situation, I wish to make it clear that there is no question of interference by the Government of India in the political affairs of Gujarat. The present situation in Gujarat is something which needs to be sorted out by the political parties in Gujarat and by the State Government. The Government of India comes into the picture only if it is convinced that there is a breakdown of the constitutional machinery in the State. Even here the matter is very much within the jurisdiction of the State Government. The question of any interference from the Government of India, at this stage, therefore, does not arise.

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE** Regarding Underpayment or Salaries, Default in the Payment of Provident Fund, Non-Payment of Ex-Gratia, Violation of Labour Laws and Absence of job Security for Teachers in Private Schools in the Country and the Steps taken by the Government—*contd.*

**SHRI GURUDAS DAS GUPTA:** Madam, this is how the problem of education is really lost sight of in the country. In the turmoil of political tension and when the discussions on other important issues go on, the problem of education is really lost sight of.

I feel extremely sorry and sad at the statement which the hon. Minister has made. The cloud that roars does not always rain. The hon. Minister has expressed his concern. He has once again confirmed his commitment. But he has never said that the Government of India is really interested in enacting a law, really to discipline the delinquent private education in the country. This is where the problem of Indian democracy lies. Education is in the Concurrent List, I

know. But after all, it is also in the Concurrent List. The private schools which are being recognised by the Education Boards in Delhi either the C.B.S.E. or the ICSE, are jointly delimiting in their responsibilities. And the responsibility can only be undertaken by the Central Government. The Central Minister looking after the Human Resource Development expresses his concern but he does not hold out an assurance that the Government of India will make a law. I wish, Madam, sincerely wish, that the Government of India does no default in the discharge of its basic responsibility. Let there be law. Let there be a monitoring agency. Let there be supervision. Let there be no 'free-for-all'. Let there be disciplining of the delinquent private education. Let human rights be protected. When the cost of education is going so high in a labour market which is so imperfect, when so many people are chasing so few jobs, when people believe that English education is indispensable to get a place in the corporate sector, it is in such a situation that the promoters of private education are doing hell with the system. If the Government remains a passive spectator, if the Government remains totally helpless, the fall-out will be more anarchy, more high-cost education; there will be two systems—one for the majority and one for the handful few, and as a result, the Directive Principles of the Constitution will be violated in a much bigger way. Therefore, Madam, I wish that the Government fulfils its responsibility.

Government says that it cannot proceed against the CBSE. Can the hon. Minister give me a single instance where a single delinquent school has been taken care of by the CBSE of ICSE? On the other hand, Madam, I can quote from the judgement of the Calcutta High Court in the case of Julien Day School. Justice Bhagwati Prasad of Calcutta High Court directed the State CBI. Now the CBI has not only to look at the Sukh Ram's case, now the CBI has not only to look into