

[25 April, 2003]

RAJYA SABHA

श्री सभापति : सारा कोट क्यों कर रहे हैं आप, जरा क्वेश्चन कर लीजिए।

श्री ऐमादुद्दीन अहमद खान (दुरु) : सर, मैं जरा उनको बतला दूँ। In Rajasthan was 677 as compared to 408 of national figures. Has the Government undertaken any study about the same? Why is this rate in Rajasthan higher? What is the action that the Government contemplates in this regard?

डा० मुरली मनोहर जोशी : सर, इससे यह प्रश्न सम्बन्धित नहीं है।

SHRI AIMADUDDIN AHMAD KHAN (DURRU) : My question was regarding Integrated Child Development Service Scheme. The service scheme is for all this.

DR. MURLI MANOHAR JOSHI : You have said only about construction of Kendras; you have not said about services.

Annual General Meeting of NCERT

***512. SHRI EDUARDO FALEIRO :** Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state :

(a) whether two Annual General Meeting of NCERT were held during the year 2002;

(b) whether a number of Education Ministers walked out or withdrew from this meeting ; and

(c) if so, what steps Government propose to take to redress the grievances of these education Ministers?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (DR. MURLI MANOHAR JOSHI) :(a) and (b) Yes, Sir.

(c) The issues raised by the State Education Ministers relate to National Curriculum Framework for School Education (NCFSE)—2000, which has been subjected to a judicial review by a division bench of Hon'ble Supreme Court. The Apex Court has, in its judgement on 12-9-2002, upheld the same in its totality.

SHRI EDUARDO FALEIRO : Under Rule 71 of the Rules of NCERT, NCERT is supposed to have a General Body Meeting every year. No meeting was held in the year 2001 and when it was held in May 2002, 15 out of 21 State Education Ministers—a vast majority of State Education Ministers—walked out on the ground that the concerned officials had misled both Parliament and the Supreme Court by saying that National Curriculum Framework had been approved by them by General Body Meeting, when it was revealed one month earlier. Therefore, I would like to ask the hon. Minister, what action had been taken against these officials for (a) not having the General Body Meeting in 2001; and (b) misleading Parliament and the Supreme Court about approval of National Curriculum Framework for School Education by the General Body of NCERT? If no action had been taken, why not?

डा० मुरली मनोहर जोशी : इन सारे प्रश्नों का निराकरण एन०सी०ई०आर०टी० की सामान्य सभाओं में हो चुका है। पहली बार जब कुछ सम्मानित मंत्री उससे बाहर गये थे, उस समय उनको यह बता दिया गया था कि मामला सुप्रीम कोर्ट के सामने विचाराधीन है और सुप्रीम कोर्ट के निर्णय के बाद हम उस पर पूरी कार्यवाही करेंगे। सुप्रीम कोर्ट ने यह स्थापित किया कि पाठ्यचर्या 2002 जिसका माननीय सदस्य उल्लेख कर रहे हैं, वह ठीक ढंग से परिचालित हुई है। उन्होंने उन तमाम रिट पैटीशंस को खारिज कर दिया। दूसरी बात उसमें यह उठायी गयी थी। जिस पर उन्होंने आग्रह किया था कि इस पाठ्यचर्या का विचार केब में होना चाहिए। सुप्रीम कोर्ट के अंदर इस प्रकार के संकेत थे कि केब यद्यपि एक संस्था है जो ऐक्जीक्यूटिव ऑर्डर्स से बनी है लेकिन फिर भी सरकार इसके लिए स्वतंत्र है कि वह उसको बनाए या उसके बारे में कुछ संशोधन करे। हमने जब पिछले रिकॉर्ड्स को देखा तो हमें यह पता लगा कि 1997 में जब इसके पुनर्निर्धारण का सवाल आया था, तब तात्कालिक प्रधानमंत्री ने कहा था कि यह संस्था बहुत अनवील्डी है, इसलिए इसके बारे में विचार किया जाए। हमने अब उसके लिए एक कमेटी श्री जे० सी० पंत की अध्यक्षता में बना दी है जो इसके नये स्ट्रक्चर पर अपनी अनुशंसा देगी और जैसे ही वह अनुशंसा देगी, हम उसके अनुसार केब का पुनर्गठन करेंगे।

SHRI EDUARDO FALEIRO : Sir, the hon. Minister has not replied to my pointed question. What disciplinary action had been taken against the officials for not having a meeting in 2001, and for misleading Parliament and the Supreme Court of India that the National Curriculum Framework had been approved by the General Body, when actually it was never approved? It was revealed one month earlier. That is supplementary number one. My second

supplementary now is as follows. 15 out of 21 States, that is a vast majority of the States in this country, have demanded a meeting of CABE, the Central Advisory Board for Education. No such meeting has been held. Now, I would like to point out that two Judges out of the three Judges of the Supreme Court, in its judgement in Aruna Roy's case, have held, and I quote: "the Union of India, is therefore directed to consider the filling of the vacancies of the nominated members of CABE, and convene a meeting of CABE for seeking its opinion on National Curriculum Framework for School Education, as expeditiously as possible in any case, before the next academic session." Now, why has this meeting not been held? When is the CABE being constituted? I must also ask the hon. Minister why he has not convened a meeting of the State Education Ministers at all since 1998. (*Interruptions*)

MR. CHAIRMAN : That is another question.

SHRI EDUARDO FALEIRO : What are you going to do about this? Education is in the Concurrent List. Get the States along with you. How are you going to do that?

डा० मुरली मनोहर जोशी : श्रीमान, ये मामले उसी एन.सी.ई.आर.टी. के बैठक में विस्तारित कर दिये गये थे। बैठक ने उन तमाम प्रतिवेदनों पर और उन तमाम प्रस्तावों पर जो इन सम्मानित सदस्यों द्वारा रखे गये थे, विचार किया, उन्हें निरस्त किया और कहा कि ये गलत हैं। इसलिए वह तो उस मीटिंग के मिनट्स में स्पष्ट हो गया। दूसरी बात यह है कि यह एन.सी.ई.आर.टी. का डायक्यूमेंट सबकी राय से बना है या नहीं, इस पर इसी सदन में कई बार चर्चा हो चुकी है और मैं इसको स्पष्ट कर चुका हूँ कि तीन हजार से अधिक लोगों के पास, सभी सम्मानित मुख्य मंत्रियों के पास, शिक्षा मंत्रियों के पास, सभी सम्मानित सदन की जितनी भी राजनैतिक पार्टियाँ हैं, उनके अध्यक्षों और नेताओं के पास, समाचार पत्रों के संपादकों के पास ये सारा डायक्यूमेंट घूम चुका है और जब उसके बाद कोई उसके बारे में किसी भी प्रकार की कोई टिप्पणी नहीं आयी, तब उस डायक्यूमेंट को हमने स्वीकार किया। इसलिए यह कहना कि इसमें किसी राज्य से राय नहीं ली गयी, यह सवाल उस समय किसी ने उठाया ही नहीं। यह तो बाद में राजनैतिक दृष्टिकोण से उठाया जा रहा है और मैं समझता हूँ कि अब इस राजनीति को बंद किया जाना चाहिए और शिक्षा को उसके रास्ते पर चलने देना चाहिए।

SHRI EDUARDO FALEIRO : Sir, the hon. Minister has not replied to my question. *(Interruptions)*

MR. CHAIRMAN: No, no. I will not permit. *(Interruptions)*

SHRI NILOTPAL BASU : Sir, I am really surprised after going through the written reply that Minister has given. Now, (b) part of question was, whether a number of Education Ministers walked out or withdrew from this meeting. The answer was : "Yes Sir". This pre-supposes that there were grievances. Now, (c) part of question was, if so, what steps the Government propose to take to redress the grievances of these Education Ministers? The reply to this part was, the issues raised by the State Education Ministers, relate to National Curriculum Framework for School Education, which has been subjected to a judicial review by a division bench of the hon'ble Supreme Court. "The Apex Court has, in its judgement, upheld the same in its totality." Now, there are grievances; and there is a judgement. Now, the judgement *per se* does not address the grievances. It is actually a question of federalism. A curriculum framework, which is to be implemented in the country as a whole, about which a lot of Education Ministers were having a misgiving, has to be addressed by the Central Government, and a judgement by the Apex Court, howsoever wise it may be, cannot be the forum for redressal of grievances of the State Education Ministers. Now, on that part, the hon. Minister has not stated anything; he has not replied to it in the statement.

SHRI B.P. SINGHAL : This is a statement, not a question.

DR. MURLI MANOHAR JOSHI : Sir, there were three judgements and judgement given by Justice Shah says—I am reading the last part—"in the result, this petition is dismissed with no order as to costs; interim relief granted by this court stands vacated as seeking intervention in this matter stand disposed of accordingly."

SHRI NILOTPAL BASU : Sir, we are not discussing the judgement. We are discussing the grievances of the Education Minister.

MR. CHAIRMAN: Please. let him speak. Please take your seat...*(interruption)*...

SHRI EDUARDO FALEIRO: Please, tell us about the judgement of Justice Sema and Justice Dharmadhikari.

DR. MURLI MANOHAR JOSHI : Even Justice Sema says, "with this view in favour, I concur with the view taken by brother Shah, J. in all other

respects." On CABE I have clarified the position; a Committee has been appointed, and as soon as the report comes, we will reconstitute it in the light of that report.

श्री नीलोत्पल बसु : सर, लेकिन जवाब नहीं आया है।

डा० मुरली मनोहर जोशी: यह जवाब ही है।

श्री सभापति : वे जवाब दे रहे हैं।... (व्यवधान)....

श्री नीलोत्पल बसु : यह जवाब नहीं है। अब कोर्ट ने क्या राय दी है, इससे हमारा कोई मतलब नहीं है।

डा० मुरली मनोहर जोशी : तो और किससे मतलब है।

श्री नीलोत्पल बसु : अगर grievances थे तो grievances को एड्रेस करने के लिए... (व्यवधान)...

डा० मुरली मनोहर जोशी : मैं बता रहा हूँ। ... (व्यवधान)....

श्री नीलोत्पल बसु : आप एजुकेशन मिनिस्टर्स की मीटिंग बुला सकते थे।

डा० मुरली मनोहर जोशी: आप जरा बैठकर मेरी बात सुनिए। I am not yielding. Please sit down.

SHRI NILOTPAL BASU : You cannot ask me to sit down. It is for the Chair to ask me to sit down. Whether you are yielding or not is a different matter altogether. You cannot give directions.

DR. MURLI MANOHAR JOSHI : As regards the question of grievances, I have said that the document which was presented to the meeting was discussed and was negated. All those grievances were considered in the NCERT meeting and were found to be not proper. Those grievances have no meaning, no base. Therefore, they were rejected by the Committee.

SHRI NILOTPAL BASU : Sir, this is very wrong absolutely wrong. Why has he not called a meeting of the Education Ministers and tried to put across his viewpoints, to appraise the grievances? The court cannot find out an answer to a question on the principle of federalism. When a number of States are having opposition to the policies, why is it that the Central Government is not calling a meeting?

श्री सभापति : बैठिए ...बैठिए। सिंहल जी, आप बोलिए।

SHRI B. P. SINGHAL : Sir, I wanted to ask the hon. Minister, after the Supreme Court Judgement, did any of the Ministers who walked out express regret for their rash action, and if not, does it not indicate a lack of respect for the Supreme Court by those Ministers? That is my question.

श्री नीलोत्पल बसु : यह जोशी जी का क्लासरूम नहीं है कि वे क्षमा मांगेंगे।

श्री भारतेन्दु प्रकाश सिंहल : गलत काम करने पर माफी मांगना बहुत अच्छी बात होती है।

डा० मुरली मनोहर जोशी : मैं इस संबंध में इतना ही निवेदन करना चाहता हूँ कि जब एन.सी.ई.आर.टी. की सामान्य सभा ने उस डॉक्यूमेंट को, उनके उस प्रस्ताव को निरस्त कर दिया तो उसके बाद कुछ कहने की आवश्यकता नहीं है।

SHRI SURESH KALMADI : Sir, there should be a half an hour discussion on this matter.

श्री सभापति : यह यूँ ही नहीं होता है। Half an hour discussion कॉल करने के लिए नियम बने हुए हैं।

SHRI B. P. SINGHAL : Sir, my question has not been answered. Did any Minister express regret?

MR. CHAIRMAN : Next question.

* 513. [The Questioner (Shri K. Kala Venkata Rao) was absent for answer *vide* pages 43-45 *infra*].

Gauge Conversion of Rangia-Murkongchek

*514. **DR. ARUN KUMAR SARMA :** Will the Minister of RAILWAYS be pleased to state :

(a) whether a declaration was made at Dibrugarh, Assam to take up the gauge conversion of Rangia-Murkongchek section of NF Railways alongwith Bogibeel Bridge construction ; and

(b) if so, implementation status thereof showing total outlay, date of sanction, source of funds and target set?

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) : (a) and (b) A Statement is laid on the Table of the Sabha.