As introduced in Lok Sabha

Bill No. 308 of 2019

THE COMPULSORY TEACHING OF CONSTITUTION IN EDUCATIONAL INSTITUTIONS BILL, 2019

By

Shri Vinod Kumar Sonkar, M.P.

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BILL

to provide for compulsory teaching of Constitution in all educational institutions and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Compulsory Teaching of Constitution in Educational Institutions Act, 2019. Short title and commencement.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "Advisory Council" means the Advisory Council for Teaching Constitution constituted under section 6;

(*b*) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government; 5

(*c*) "educational institution" means a primary or a middle or a secondary or a senior secondary level school or an University or college imparting education to student, by whatever name such institution is called but does not include a minority educational institution; and

(*d*) "prescribed" means prescribed by rules made under this Act. 10

Compulsory teaching of Constitution.

3. From such date, as the Central Government may, by notification in the Official Gazette specify, the Constitution shall be taught as a compulsory subject in all educational institutions from such class onwards as may be determined by the Central Government on the recommendation of the Advisory Council.

Appropriate Government to issue directions for compulsory teaching of Constitution in educational institutions.

4. The appropriate Government shall, immediately after issuance of the notification under section 3, issue directions for compulsory teaching of Constitution in educational institutions from such class onwards as it may determine, within its jurisdiction. 15

Appointment of teachers.

5. Subject to such rules, as may be prescribed, the appropriate Government shall ensure appointment of such number of teachers with such qualifications, as may be specified, for teaching constitution in all educational institutions. 20

Constitution of Advisory Council for Teaching Constitution.

6. (*1*) The Central Government shall, within three months of the coming into force of the Compulsory Teaching Constitution in Educational Institutions Act, 2019, by notification in the Official Gazette, constitute an Advisory Council for Teaching Constitution of India.

(*2*) The Advisory Council shall consist of such number of persons, having special knowledge or practical experience in the field of teaching, legal profession or administration, as the Central Government may deem fit. 25

Functions of Advisory Council for Teaching constitution.

7. The Advisory Council shall perform the following functions, namely:—

(*a*) recommend to the Central Government the class from which onwards the Constitution of India shall be taught in educational institutions;

(*b*) recommend to the appropriate Government the qualifications of teachers to be appointed in educational institutions for teaching Constitution of India; 30

(*c*) recommend to the appropriate Government the institutions which may be given recognition for training teachers in Constitution of India for the purpose of their appointment in educational institutions;

(*d*) co-ordinate with the appropriate Government and the school authorities with a view to ensuring effective implementation of the provisions of this Act. 35

De-recognition of educational institutions for non-compliance of the provisions of the Act.

8. The appropriate Government shall de-recognize educational institutions, which does not comply with the provisions of section 4, after giving such institution a reasonable opportunity of being heard.

Central Government to provide fund.

9. The Central Government shall, after due appropriation made by law by Parliament in this behalf, provide adequate funds to the State Governments for carrying out the purposes of this Act. 40

10. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Overriding effect of the Act.

11. (*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purpose of this Act.

Power to make rules.

5 (*2*) Every rule made under this Act shall be laid as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the 10 rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

It has been generally believed among different sections and groups of the society that the knowledge of the Constitution of India is only meant for the law students. Lawyers and politicians, etc. But no one ever thought that how important role can basic information about the Constitution play in our daily life. It is very necessary for every person to have certain basic knowledge of their own Constitution including his fundamental rights, duties and guarantees and protection available to him. There are certain provisions of the Constitution, basic knowledge of which is very necessary for a person, even if doesn't belong to a group which is related to legal field. Lack of knowledge is the main reason that certain rights of a person get violated so easily.

It has been said that "Knowledge is the Power", and indeed it is not wrong. It is responsibility of education system to make a common man aware of his constitutional rights and how these rights can be saved. Current education system in educational institutions lays emphasis on imparting quality education. However, it is missing out on imparting teaching of the Constitution and is, therefore, incomplete without it.

The Bill, therefore, seeks to provide for teaching Constitution compulsory in all educational institutions to make every students aware of basic values, ideals, feature and fundamental provisions of the Constitution.

Hence this Bill.

NEW DELHI;
November 6, 2019

VINOD KUMAR SONKAR

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides for appointment of teachers for teaching Constitution in all educational institutions. Clause 6 provides for Constitution of Advisory Council for Teaching Constitution by the Central Government. Clause 8 provides for payment of adequate funds to the States for carrying out the purposes of the Act. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. At this stage, it is not possible to give exact estimate of expenditure, both recurring and non-recurring, which will be involved from the Consolidated Fund of India, if the Bill is enacted into a law. However, it is estimated that a recurring expenditure of about rupees one hundred crore will be involved per annum from the Consolidated Fund of India.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(*Shri Vinod Kumar Sonkar, M.P.*)

MGIPMRND—3143LS(S3)—15-11-2019.