

Bill No. 54 of 2024

THE ESTABLISHMENT OF SCHOOLS UPTO SENIOR
SECONDARY LEVEL BILL, 2024

By

ADV. CHANDRA SHEKHAR AZAD, M.P.

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BILL

*to establish schools imparting education upto senior secondary level free of cost to all
children in the country.*

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Establishment of Schools Upto Senior Secondary Level Act, 2024.

Short title, extent and commencement.

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(2) It extends to the whole of India.

(3) 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) “appropriate Government” means in case of a State, the Government of that State and in all other cases, the Central Government; and	
	(b) “child” means a boy or a girl who is below the age of eighteen years.	
Establishment of schools upto senior secondary level.	3. (1) The appropriate Government shall establish adequate number of schools upto senior secondary level to impart education to children from class first to senior secondary level.	5
	(2) For the purpose of sub-section (1), the appropriate Government may, if it deems necessary, upgrade any of the existing primary, middle or secondary school to senior secondary level.	10
	(3) Notwithstanding anything in sub-section (1), there shall be at least one senior secondary school per one thousand population in every area.	
Facilities to be provided to the students enrolled in schools.	4. The appropriate Government shall provide the following facilities to every child enrolled in a school established or upgraded under section 3:—	
	(i) cost of admission and all other expenditure including tuition fee;	15
	(ii) books, notebooks and all other stationary items free of cost;	
	(iii) free hostel facilities, whenever necessary; and	
	(iv) scholarship in deserving cases.	
Duty of parents to send their wards to schools.	5. (1) It shall be compulsory for every parent to admit their wards in school for the purpose of education upto senior secondary level.	20
	(2) No person shall employ any child in any job which prevents him from attending school.	
Penalty.	6. Whoever prevents any child from getting education upto senior secondary level shall be punished with simple imprisonment for a term which may extend to six months.	
Grants by the Central Government.	7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide to the State Governments by way of grants such sums of money as the Central Government may think fit for being utilized for the purposes of this Act.	25
Act not in derogation of other laws.	8. The provision of this Act shall be in addition to and not in derogation of any other law, for the time being in force in relation to any of the matters provided under this Act.	30

9 (1) The appropriate Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

5 (2) Every rule made under this Act by the Central Government 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 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
10 modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State legislature.

STATEMENT OF OBJECTS AND REASONS

While a large number of primary, middle and secondary schools have been established, the students, especially in big cities, have to face hardships in securing admission to senior secondary schools because, in most of the cases, the last attended school imparts education upto primary, middle or secondary level. Students are compelled to run to district education office, schools and other authorities to get recommendations or relevant certificates to fulfil the formalities for admission in senior secondary schools. In such a situation, it is quite natural that the children as well as parents have to suffer mental agony.

Therefore, it has become necessary in the public interest to provide for the establishment of schools imparting education from classes first to twelfth or upgrade the existing primary, middle or secondary level schools to senior secondary level.

Hence this Bill.

NEW DELHI;
June 26, 2024.

CHANDRA SHEKHAR AZAD

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for establishment of adequate number of schools or upgrade the existing primary, middle or secondary level schools upto senior secondary level. Clause 4 provides that the appropriate Government shall bear the cost of admission and all other expenditure including providing of free of cost books, notebooks, stationary item, hostel facility and scholarship to the students enrolled in schools. Clause 7 provides that the Central Government shall provide funds to the State Governments for establishment of schools. The Bill, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees fifty crore per annum.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the appropriate 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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(Adv. Chandra Shekhar Azad, M.P.)