

SKC/2H/3.00

SHRI TIRUCHI SIVA (contd.): In Bihar, it is 2,19,066; in West Bengal, it is 1,05,200.

SHRI SUKHENDU SEKHAR ROY: Sir, I would like to support him on this. That was so earlier, but recently, in this week, more than 50,000 Primary Teachers are being recruited.

SHRI TIRUCHI SIVA: It has to be appreciated that the State Government is taking the initiative.

MR. DEPUTY CHAIRMAN: But this is a serious matter.

SHRI TIRUCHI SIVA: In Jharkhand, it is 69,163.

MR. DEPUTY CHAIRMAN: Is there anybody from the HRD Ministry? Nobody is here from the HRD Ministry. Then who would help me? ... (Interruptions) ... The Parliamentary Affairs Minister is also not there. So, I would request Mr. M.J. Akbar to convey to the HRD Minister this very important point that in some States – if the numbers given here are correct – there are vacancies of more than a lakh teachers in Uttar Pradesh and a similar large number in Madhya Pradesh. If it is about the shortage of qualified teachers, there is no problem; we can have them from Kerala and Tamil Nadu that have enough number of qualified teachers. Fill up the

vacancies. Otherwise, what is the point of education? Please convey the concern.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI M.J. AKBAR): Sir, we shall do that.

SHRI TIRUCHI SIVA: Sir, I have doubts about that. Many students pass out with the necessary qualifications and they are well-trained to become teachers, but they are not being employed.

MR. DEPUTY CHAIRMAN: All right. You may proceed further.

SHRI TIRUCHI SIVA: So many people come to us who have completed M.Phil. and B.Ed. degrees. They say, "Give us a job paying Rs. 5,000; we are ready to do any work." So, it is not as if there is a lack of qualified teachers.

Mr. Deputy Chairman, Sir, on behalf of the teachers' community, I express my thanks to the Chair, as you have instructed the Minister to take note of the issue.

Sir, given the large number of vacant posts of teachers, the absence of teachers from their regular teaching duties is adding to the distress of students. It has a major impact on students as it leads to non-completion of syllabi on time as well as low levels of learning.

Sir, the hon. Supreme Court, in its 2001 judgement on *the Election Commission of India versus St. Mary School & Others*, stated that 'holding of an election is, no doubt, of paramount importance, but the education of children cannot be neglected for this purpose'. The Supreme Court has observed, "With the advent of technology, the requisitioning of a large number of people may not be necessary. We notice that the Election Commission has different roles to play. The Election Commission, in our opinion, can formulate an effective scheme to see that the service of a large number of teachers is not required."

Sir, this is an observation made by the Supreme Court, not me. Some of my colleagues here, when we had a discussion aside, said, "If teachers are not appointed, where else can we go?" There are alternate arrangements. There are retired teachers who are already trained. There are so many unemployed youth whom you could recruit, give training to and use for election duty, which is a short-term duty. As it is, these teachers are working for hours lesser than that prescribed under the RTE Act. In this situation, if they are taken away from their regular duty in schools and their strain distracts them from teaching the students in a proper manner, it is much worrisome.

Sir, the hon. Supreme Court further noted in its judgement, “The state of primary education in India is deplorable. There is a heavy dropout from the schools, particularly from amongst the girls.” Sir, it would be important to note here that there is a huge pool of non-teaching staff and retired teachers who have experience in discharging election duties. It has been learnt recently that the Democratic Teachers Front had made a complaint to the National Commission for Protection of Child Rights and asked them to take stringent action against officials who had deputed teachers for non-educational duties. According to the DTF, the State of Punjab has 3,65,473 employees other than teachers who can carry out non-educational duties. Further, under the current structure, teachers are already putting in less than 45 hours of work and teachers in the State of Punjab taught only for 167 days as against the minimum of 220 days required for Class VIII.

Sir, in another judgement given by the Rajasthan High Court in May, 2015, in the *Syed Shahid Ali versus Director, Secondary Education and others*, the Court ordered that assigning additional non-teaching responsibilities to teachers needs to be seriously considered as it affects the primary responsibility of teaching, and the students are the worst sufferers because of such diversion of responsibilities. The Board results of the school in question showed a sharp decline in its performance, with the

results of the students in Class X Mathematics Examination – Sir, this is, again, an alarming statistics – showing a decline from 77.41 per cent in 2010-11 to 41.17 per cent in 2011-12 and further, to a shocking low of 20.73 per cent in 2012-13.

(CONTD. BY HK/2J)

HK/2J/3.05

SHRI TIRUCHI SIVA (CONTD.): This is the result of the mathematics examination. When already much concentration has been diverted, it brings much worse situation when the teachers are diverted. This shows that teaching has been a casual duty when this additional responsibility is bestowed upon teachers. Sir, in the light of the Supreme Court's judgment, again I say, Sir, the Ministry of HRD issued guidelines on 13th of September, 2010. This clarified that Section 27 was placed to free teachers from deployment for non-educational duties other than those which are considered to be essential. Sadly, the guidelines given by the Ministry have failed to ensure that the Election Commission does not appoint teachers for election duty during teaching hours. This has not only resulted in students losing several days of classroom study, but also in their lower grades and

inadequate learning. This lack of attention not only hampers their learning, but, in the long run, might also result in their 'unemployability', not unemployment but 'unemployability'. Recently, the ISRO has given a statement that out of the passed-out engineering graduates in this country, Sir, only 26 per cent are employable. It is the ISRO's statement: "Out of the total number of passed-out engineering graduates, only 26 per cent are 'employable'. In this case when the students are deprived of this sort of lack of teaching by the teachers, for they are deputed for some other non-teaching duties, unemployability will increase. It is not 'unemployment', again I say 'unemployability'. In addition to affecting the performance of students, deployment of teachers on non-teaching duties such as elections further reflects in the schools. Schools are institutes where democratic ideals such as equality, freedom and justice are instilled in individuals. For democracy to continue to thrive, students must be taught to value it as a way of life. Qualities such as tolerance, acceptance, global awareness, etc., in addition to the academic skills of mathematics, science and social science, rest within the teachers, in all possible ways, to shape the child to face this competitive world that exists today. Teachers' beliefs, thoughts, decisions and determination and all these things should be communicated to students. Educational matters occupy a major part of the psychological

context of the teaching process. Sir, children, up to the age of 14, mostly at the time of working, are at school than at home. So, the responsibility of bringing up the children rests mostly with the teachers than the parents. In this case, when already there are a larger number of vacancies, the teachers who are already employed are diverted. This causes very serious and worrisome problem for the future. More educated and better educated citizens will also result in better governance and improved health outcome.

Sir, the report I am quoting is a very, very good answer to the question when some people raise a question who else will be deputed. In the United States of America, local citizens above the age of 18 may volunteer to serve as election officers at a local polling station. These volunteers are given special training which would enable them to discharge their duties efficiently. According to a report 'Innovations in Election Administration', released by the Federal Election Commission of USA, 'One of the most surprising aspects of the volunteer programme is that requesting volunteer support actually appeals to people who otherwise may not consider working at a polling place. This opens up a whole new population of potential election workers, far beyond the limited resource base of retired senior citizens.' In Australia, the Australian Election Commission employs around 80,000 Australians on a short-term temporary basis for electoral events and duties,

and they are remunerated accordingly. Citizens of Australia, above the age of 18, can register with the Election Commission, and are thus deployed on election duties. Why can't our country follow the same? I think this is not wrong. It is a very good precedent. Those who are willing to serve as election officers can enroll themselves in the nearby ... (Interruptions)...

MR. DEPUTY CHAIRMAN: What is the control over them if they misbehave? What will you do? What is the control over them if they do something hanky-panky? What will you do?

SHRI TIRUCHI SIVA: Sir, no one can be assured of that. No one can be assured how they will behave there. I don't want to degrade anyone.

(Contd. by GSP/2K)

GSP-PSV-2K-3.10

SHRI TIRUCHI SIVA (CONTD.): Whoever you may depute, we have only a trust on them that they will not act prejudicially. The same confidence or trust we have to have in the youth in this country. In fact, we should have more trust on them when they are offering their services themselves. Moreover, Sir, apart from the unemployed youth, the retired teachers also can be employed. Those who are already experienced in the election duties could be employed. This is the position, Sir.

Recently, in a press note, the Minister of State in the Ministry of Human Resource Development, Shri Katheria, said, "The Government is planning to relieve the teachers from the poll duties."

So, Sir, in my introductory speech, I would urge that keeping in view the interest of the nation, the future of the children who are in schools, and, the pain and suffering, which the teachers are undergoing while they are engaged in other non-teaching duties, this Bill should be passed. Due to these duties, teachers are not able to concentrate on teaching the students, thereby diminishing the already-declining standard of education in our nation. Apart from the vacancy position, which is very alarming, if this thing also continues, it will not help the education sector to grow. So, I urge the House to adopt this Bill.

Sir, since Mr. Katheria has already given a statement that the Government is planning to relieve the teachers from the poll duties, I sincerely hope that the Ministry will take necessary steps not to appoint teachers for election duties and it would suggest the Election Commission accordingly. For this, I have brought this Constitution (Amendment) Bill, 2015 (Amendment of Article 324). Sir, addition of "such step excluding the teachers may be..." is my Amendment, Sir.

With these words, I move the Bill for consideration. Thank you very much.

The question was proposed.

श्रीमती विप्लव ठाकुर (हिमाचल प्रदेश): माननीय उपसभापति जी, मैं आपका धन्यवाद करती हूँ कि आपने इस बिल पर मुझे बोलने का अवसर दिया है, जो प्राइवेट मेम्बर्स बिल तिरुची शिवा जी लेकर आए हैं।

महोदय, यह एक बहुत महत्वपूर्ण बिल है, जोकि अमेंडमेंट बिल है, क्योंकि जो शिक्षा है, वह हमारे बच्चों के फ्यूचर बनाने का, आने वाली पीढ़ियों का एक आधार है। अगर उसी में ही कमी है, अगर उसी में कमजोरी रह जाती है, तो हमारी जो आने वाली पीढ़ी है, आने वाली जो जेनरेशन है, वह आगे नहीं बढ़ सकती। यही नहीं, टीचर्स को केवल चुनाव के समय ही नहीं लगाया जाता, अध्यापकों की जमात ऐसी जमात है, जिसको आलू की तरह सब जगह फिट कर दिया जाता है। जैसे कहते हैं कि आलू को कहीं भी डाल दीजिए, किसी भी सब्जी में डाल दीजिए, वैसे ही यह अध्यापकों की जमात है। अगर आपको सेंसस का काम करवाना है, तब अध्यापकों को भेज दो, अगर आपको बिलो पॉवर्टी लाइन का सर्वे करवाना है, तब अध्यापकों को भेज दो, मतलब अध्यापक हो गये कि क्या हो गया! यह नहीं सोचा जाता कि जिन अध्यापकों के नीचे बच्चे पढ़ रहे हैं, उनका भविष्य क्या होगा? अभी जैसे इन्होंने बताया कि अध्यापकों की कितनी कमी है और विशेष करके जो प्राइमरी स्कूल्स हैं, जो पहली से पाँचवीं तक की क्लासेज़ होती हैं, जहाँ बच्चों को 'ए', 'बी', 'सी' सिखानी है, '1', '2', '3' सिखाना है और 'क', 'ख', 'ग' सिखाना है, अगर वहाँ ही अध्यापक नहीं रहेंगे, तो हम नींव कैसे डालेंगे?

हम इतने-इतने बड़े टेक्निकल कॉलेजेज़, मेडिकल कॉलेजेज़, आईआईएम्स, एमबीए आदि सब कुछ खोल रहे हैं, लेकिन उन बच्चों की नींव नहीं बन रही है, क्योंकि वहाँ पर अध्यापक नहीं हैं। चुनाव के समय, जिस तरह से सुप्रीम कोर्ट की observation है, खास करके गाँवों में ऐसा होता है कि जो टीचर है, वह पहले एक्सरसाइज़ के लिए जाएगा, उसको सिखाया जाएगा कि आपको किस तरह से वोटिंग मशीन हैंडल करनी है, वहाँ उसको तीन दिन लग जाते हैं। फिर चार दिन पहले वह पोलिंग बूथ पर पहुँच जाता है। अब बताइए कि बच्चों का कितना नुकसान होता है, उसकी भरपाई कौन करेगा और इसके लिए कौन जिम्मेदार है? इसलिए मैं कहना चाहूँगी कि इसमें अमेंडमेंट होना चाहिए।

(2एल/वीएनके पर जारी)

-PSV/VNK-YSR/3.15/2L

श्रीमती विप्लव ठाकुर (क्रमागत) : टीचर्स की ड्यूटी न केवल चुनाव के लिए बल्कि और किसी भी काम के लिए नहीं लगानी चाहिए, क्योंकि टीचर्स या अध्यापक हमारे बच्चों के कर्णधार हैं। अगर वे स्कूल में नहीं रहेंगे, तो बच्चे क्या पढ़ेंगे? विशेष करके गाँवों के स्कूलों में जहाँ पर टीचर्स का होना बहुत जरूरी है, जहाँ पर पांचवीं क्लास तक के स्कूल के लिए या दसवीं या बारहवीं तक के स्कूल के लिए वैसे ही बहुत मुश्किल से अध्यापक मिलते हैं। जिन स्कूलों में टीचर्स की कमी होती है, वहाँ से भी उन टीचर्स को ऐसे कामों में लगा दिया जाता है। आप यह बताइए कि अगर हम अपने बच्चों के लिए अध्यापकों की कमी को दूर नहीं करेंगे और जो अध्यापक हैं, उनको ऐसे कामों में लगाएंगे, तो ऐसे में किस तरह से शिक्षा के क्षेत्र में उन्नति हो सकती है या उसको आगे

बढ़ाया जा सकता है या उसमें इम्प्रूवमेंट हो सकती है? देश में ऐसे ही टीचर्स की कमी है और इस तरह के कामों में टीचर्स की ड्यूटी लगाने से इसमें और कमी आ जाती है। इस संबंध में चुनाव आयोग को भी चाहिए कि वह सरकार को ऐसी instructions दें कि माइनस टीचर किया जाए यानी टीचर्स को इस काम में नहीं लगाया जाए। इसके अलावा बहुत सारे स्टाफ हैं, गवर्नमेंट के सारे ऑफिसेज़ भरे पड़े हैं, वे employees से overburdened हैं, उनको क्यों नहीं ऐसे कामों के लिए इस्तेमाल किया जाता है? क्लर्क्स हैं, superintendents हैं, supervisors हैं, कई विभाग हैं, जहां पर employees हैं, उन्हें क्यों नहीं ऐसे कामों में लगाया जाता है? कहीं प्रिंसिपल जाएगा, कहीं हेडमास्टर जाएगा, कहीं कोई और टीचर जाएगा, ऐसा क्यों होता है? हम टीचर्स को इस तरह से क्यों देखते हैं? हम उनकी रिस्पेक्ट को क्यों नहीं देखते हैं कि वही हमारे बच्चों का भविष्य बनाने वाले हैं? इस संबंध में मैं चाहूंगी और कहूंगी कि इस अमेंडमेंट को माना जाना चाहिए और यह बिल्कुल किया जाना चाहिए ताकि अध्यापकों की ड्यूटी चुनाव में नहीं लगे। मैं तो यह भी कहना चाहती हूँ कि अध्यापकों की ड्यूटी किसी भी काम के लिए नहीं लगनी चाहिए। अंत में मैं तिरुची शिवा जी द्वारा प्रस्तुत किए गए इस बिल का समर्थन करती हूँ, बहुत-बहुत धन्यवाद।

(समाप्त)

SHRI LA. GANESAN (MADHYA PRADESH): Respected Mr. Deputy Chairman, I am very happy to have the opportunity to speak on this occasion. I have come here as a Member of the Rajya Sabha for the first time; as a Member of Parliament for the first time; and this is the first time

that I have got a chance to speak. If you permit me, it may be a maiden speech. इस विषय पर बोलने के लिए इतना समय भी नहीं चाहिए, फिर भी तिरुची शिवा जी द्वारा प्रस्तुत किए गए अमेंडमेंट पर मैं अपने मन में जो सोच रहा हूँ, उसको मैं संक्षेप में रखना चाहता हूँ। I just want to briefly make two or three points on this.

I support him and I agree with the concern expressed by my good friend, Shri Tiruchi Siva. Nobody can object to that. Everybody agrees that this kind of treatment or work cannot be given at the cost of education. But the alternative has not been mentioned specifically. The alternative suggested here is that you pick up some people from outside. It is more dangerous today because the political situation or politics is not that much clean in our country. I am very sorry to say this. The Government servants and teachers are afraid of the Ruling Party in the States. Something happens in the polling booth and they are not able to prevent it. In that case, what can we expect from the people who will be picked up from outside? That leaves a question mark on it. That is why I say that we have to think about the alternative. Otherwise, the remedy will be more dangerous than the disease. That is the only point that I want to make. My objection is only to that.

As far as the suggestion or the concern expressed by him for the teachers, who are given the election duty, is concerned, I agree with him.

But elections are a serious affair. Even hon. President of India mentioned in his speech about conducting the Lok Sabha and the Assembly elections simultaneously.

(Contd. by VKK/2M)

-YSR/VKK-NKR/2M/3.20

SHRI LA. GANESAN (CONTD.): So, that is also being considered on the other side. Instead of piecemeal amendments, holistic approach must be there. Let the Government at the Centre appoint a group of people or experts. Let them discuss. Let them even take into consideration the suggestion given by Mr. Siva and whatever laws and election rules we want to change. Once and for all, we will do it. This is the right time to do it. I have got my own suggestions. Where are the teachers employed in election work? In the beginning, they are employed for preparing the electoral list. Unfortunately, after Independence, even now, the Election Commission is not able to prepare a perfect voter list. It is not so even today. Many names are left; many dead people are somehow voting even today; photos are changed; male becomes female and female becomes male; addresses are changed. Even today, this is happening. Even then, I appreciate our Election Commission. In a country like India, where we have got a large population and the only country in the whole world where such a large

number of people is voting, we are efficiently conducting the elections. I accept it. But, even then, it is not perfect. That is why teachers are involved. My suggestion is this. Nowadays, people are not writing letters. Gradually the post office is losing its relevance because the *tapals* are not coming. Nobody is normally writing it. Everything has come into cell phone or internet. Fortunately, I have to really appreciate that our Government is making use of post office and now passport will be issued by post offices. Post office becomes a banking system. So, it is a good thing. They are engaged. But, my suggestion is, involve the post office and involve the postman. He is the only person who is visiting every house not only for one programme as a duty, but almost daily, he is visiting the houses. He knows each and everybody in the house. By name, he can recognise everybody. Involve the post office and involve the postmen. Then, you can prepare the voter list almost *pucca*. This is my suggestion. So, teachers need not be involved at that time. This is one aspect I want to put forward.

Sir, the second thing is that percentage of voting is not increasing in spite of our efforts. I was very happy about the Election Commission last time. Even from the Election Commission, they made a propaganda that 100 per cent or at least 80 to 90 per cent voting should be there. Even then, in a city like Chennai, moreover in a constituency like South Madras, where

more educated people are there, the percentage of voting is hardly 60 per cent. What is the reason for that? We have to take this into consideration. Whether we can give some incentives for voting or otherwise, negatively, we can award some punishment. That should also be thought of. While we are thinking about the whole election reforms, we have to take up all the aspects of it. These are all the aspects that we have to discuss in detail. Then, who will manage the election? There is a question mark. One small suggestion I can give. If it is a State election, naturally, the employees under the State Government are helping the State Government. I am sharing my experience of Tamil Nadu. This is the experience of Tamil Nadu. So, only Central Government employees should be involved in Assembly election. To a certain extent, that can solve the problem. ...(Interruptions)... Allow me to complete. ...(Interruptions)... Madam, I am not yielding to you. ...(Interruptions)... Allow me to continue. ...(Interruptions)...

SHRIMATI VIJILA SATHYANANTH: For both Parliamentary as well as Assembly elections, the same teachers are there. Why are they concerned about the State Government? Whether it is AIADMK or DMK, it has nothing to do with that. It is not of that sort. You only make teachers accountable. ...(Interruptions)...

SHRI TIRUCHI SIVA: Sir, I think his views are based on his experience.

...(Interruptions)...

MR. DEPUTY CHAIRMAN: He did not speak about any party.

...(Interruptions)... Vijilaji, he did not mention any party. ...(Interruptions)..

He didn't blame your party or any party. He only said it generally.

...(Interruptions)... All right. Now, you sit down. ...(Interruptions)... Your

name is next. At that time, you can speak. Sit down. ...(Interruptions)...

(Contd. by BHS/2N)

-VKK/BHS-DS/2N/3.25

MR. DEPUTY CHAIRMAN (CONTD.): Your name is next.

...(Interruptions)... Then, you can speak. ...(Interruptions)...

SHRI LA. GANESAN: Though I have not mentioned any political

party.....(Interruptions)... but dear friend, Mr. Siva, is silent.

...(Interruptions)... Madam has.....(Interruptions)...

MR. DEPUTY CHAIRMAN: She felt it. ...(Interruptions)... Even though

you did not mention any party, she felt it. ...(Interruptions)... Sit down.

...(Interruptions)... Sit down. ...(Interruptions)...

SHRI TIRUCHI SIVA: I align with the.....(Interruptions)... I support him.

...(Interruptions)...

MR. DEPUTY CHAIRMAN: All right. Sit down. ...(Interruptions)...

SHRI LA. GANESAN: Sir, you have well understood about what I have not told publically. ...(Interruptions)... As far as conducting simultaneous elections is concerned, I am one with that. There may be so many problems, as I already told you, experts should sit and discuss about it.

I would give you an example. Our very famous and able Chief Minister of Rajasthan, Shri Bhairon Singh Shekhawat, visited Tamil Nadu. I was State General Secretary, Organisation In-charge of Tamil Nadu, I accompanied him. That was the time when BJP failed in the elections. We lost the rule. Mr. Shekhawat was the Chief Minister. I asked him, as I was told that he was a very able and efficient Chief Minister of Rajasthan, as to how it is that he could not win the election. That was the time when the Central Government had dismissed some three or four State Governments over December 6th incident at Ayodhya. In the by-election, BJP got defeated in Rajasthan. So, Mr. Shekhawat told me his experience. This is a very interesting experience which is relevant about conducting the simultaneous elections of both Lok Sabha and Assemblies. He said, “You know what we will do. Just before the election, the State Government will announce all freebies and all concessions and no taxes. We will get elected. In the first year Budget, we will not tax the people. It will be very soft Budget. Anyhow, to run the Government we want money. The second year

of the Budget will be a little harsh. The third year, whatever money we want, we will be very harsh and we will tax more. Unfortunately, just when we presented the Budget in the third year, my Government got dismissed and the people were angry with me. Again, in the fourth year it would be less and in fifth year, practically, there will be no taxes. So, what happens you know, the problem is with the Central Government". Now, today, the Election Commission has said that in the Budget you should not say anything which is favourable to the election-facing States. During the next year Budget time what is the guarantee that there will be no elections in other States of India? Every year there are some elections somewhere in India. Then, what will the Central Government do? The same thing happens with the State Governments also. Every time, it is there somewhere or other. So, the Central Government, only to persuade the voters, thinking about getting more votes, will not prepare a realistic Budget. That is the problem. That is why once in five years only the election should be there. That will solve all the problems of the Government. Not only that, the people have given mandate for a party. Allow them to work for four or five years and let them face the election. So, these are all the things, especially, about the national parties like BJP and the Congress Party, they

may fail. And, so, everywhere, every year there will be some election in some State.

Yesterday, one of my colleagues has told about criticizing the Prime Minister going around on election campaigns. The Prime Minister does not want it. Allow him to work as Prime Minister. Allow the Ministers to work as Ministers. So, if it is once in five years, the Ministers can also concentrate on their respective responsibility. All these things should be put together.

Another point is about counting system nowadays. Why this much time? Recently, two years ago, there was an election in Sri Lanka. I was really surprised, the counting was over by the night and the results were declared early morning. Next day morning at 10 o' clock the Prime Minister took office. I was really surprised. Why can't we do it? So, all those things put together, I have mentioned only three-four points about the election. The points raised by Mr. Siva are very much relevant, but do not make amendment in the rules piecemeal. Let us all sit together. The entire election issue will be discussed by experts and then permanently there will be some solution about elections whatever it is. This is my point. Thank you very much for giving me the time.

(Ends)

MR. DEPUTY CHAIRMAN: Thank you very much, Shri Ganesh. Now, Shrimati Vijila Sathyananth.

(Followed by DC/20)

DC/3.30/20

SHRIMATI VIJILA SATHYANANTH: Sir, can I participate in both the discussions? ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Yes; you can participate in this and in the next also.

SHRIMATI VIJILA SATHYANANTH (TAMIL NADU): Sir, now I have taken up my career in politics but earlier as I had served as a teacher, I could get the views of the teachers. Now several teachers remain engaged in non-academic activities, which include works related to the school funds, Sarva Shiksha Abhiyan, Rashtriya Madhyam Shiksha Abhiyan, thereby impacting the studies at the schools and violating Section 27 of the Right to Education Act, 2009, which clearly prohibits such duties. That allows only three duties -- census, disaster and election duties, only on polling and counting days. But despite orders, I know that the teachers are made to do such other duties as the school heads don't relegate the work to the clerks. Now, in most of the schools, the Juniors/Assistants and the people who are used to do these jobs are very, very limited. It is a policy matter.

(THE VICE-CHAIRMAN, SHRI SUKHENDU SEKHAR ROY, in the Chair)

Even if they do, the clerks mostly refuse to carry out all the duties, thereby forcing the teachers to multitask. So the teachers have to teach as well as do all these works in addition. According to the document assessed by HT, the then DPI in 2007 had sent a letter to the then DEO, addressing some of the concerns which I read out in an article. The works not being done by the ministerial staff at the schools has been seriously noted by the officials. I would like to raise here many concerns including somewhere some teachers had very unfortunate happenings when they go to very remote villages for their election duties, for doing census and otherwise. But I also have another view in this. How could the Election Commission then conduct the elections? Who will be accountable for that? Only the teachers! The post office staff can also be involved. But how far can they be involved? We need a great volume of people. Every constituency needs about lakhs of people to be engaged in this task. So in this operation, the Election Commission of India needs accountable people. All the officials like the officials from the local bodies are involved in this duty. But they are not sufficient for this work. So, our Election Commission engages teachers in these three duties, i.e., census, disaster and election duties. The point

which I just want to add here is, just concentrate on academic work for teachers and bestow these activities during the vacation time. Likewise, we can have the Assembly elections and the Parliamentary elections together so that both will be conducted at the same time and at a stretch, these people can be engaged during their summer holidays where their normal work will not get interrupted. That is what I wanted to put forth here. As I have been an academician, I want to support my people, the teachers.

(Ends)

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Now, Dr. K.V.P. Ramachandra Rao.

DR. K.V.P. RAMACHANDRA RAO (TELANGANA): Thank you very much, Sir, for giving me an opportunity to support hon. Tiruchi Siva's Bill.

(Contd. by KR/2P)

KR/2P/3.35

DR. K.P.V. RAMACHANDRA RAO (CONTD.): In regard to deployment of teachers on election duties, recently the Election Commission has modernized the system of elections itself. Nowadays, it is not like olden days where you need to do a lot of paper work and need to do a lot of explaining to the voters. Sir, generation after generation, the voters are becoming wise. The teachers need not be there to teach them how to cast

their vote. Sir, in this regard the damage is being done to primary and secondary teachers by deploying them on election duties. Students who are supposed to have a good foundation are getting disturbed because of the absence of teachers, and because of the tensions that teachers go through and training that they go through during election time. If the teachers are not deployed, we have to look at what the alternatives are. After modernization of the election procedure, the Election Commission can find people from various other sectors to conduct elections peacefully. I am very sure that they can come out with the alternatives with the help of the experts.

Once again, I thank you very much for giving me this opportunity to support Mr. Siva's Bill. Though he belongs to a party which doesn't believe in God but his name is Siva, still, I wholeheartedly support his Bill. Thank you.

(Ends)

SHRI ANANDA BHASKAR RAPOLU (TELANGANA): Respected Vice-Chairman, Sir, by moving the Bill to highlight the issue of teachers' involvement in the electoral process, my elder hon. colleague, Mr. Tiruchi Siva is seeking to focus on the quality of education and to yield

psychologically to the teaching fraternity so that the foundations for the future generation would be safe in their hands.

In 2007, the Supreme Court had concretely observed that the primary and secondary school teachers should not be deployed on electoral assignments to save them from discharging their educational responsibilities.

My concern is two-fold. Though the Government has looked at the issue of electoral conduction, it has deployed the Union Minister of Law to take note of the debate and reply to the points raised by the hon. Members. Here the Minister of Human Resource Development is having a larger responsibility to hear the observations on this Bill because in schools we need to look at the non-teaching responsibilities of the teachers.

(Continued by 3Q/KS)

KS-GS/2Q/3.40

SHRI ANANDA BHASKAR RAPOLU (contd.): Their non-teaching assignments include not only elections duties, Census duties, canvassing duties on certain national events. Not only that, they are made to attend to certain clerical duties also. They also carry out sort of watch and ward duties in the mid-day meal programmes in their schools. And because of all this, their concentration on teaching becomes much less with the result that

ultimately the quality of education, particularly in Government schools, is rendered very poor, which is also one of the reasons why most of the parents do not show much interest in sending their children to Government schools. Teachers in Government schools are assigned duties to serve mid-day meals to school children. Everybody knows that each teacher foregoes at least a minimum of two periods of 45 minutes each daily for attending to mid-day meal duties and to ensure that the meals are prepared on time and served properly. In this backdrop of teachers attending to Census duties, election duties, and not only Lok Sabha elections but even Assembly elections, cooperative societies' elections, panchayat elections and so on, and also in the backdrop of school teachers being utilised as campaigners for certain national events, and keeping in mind the huge human resource available, with so huge unemployment, why should we not think on the lines the United States thinks, or on the lines the Australians think? In the United States, Sir, teachers are never deployed for election duties; they are never sent to polling booths or counting centres. In Australia, they have a practice of engaging volunteers for short periods for organising and conducting elections as and when they are held. This has to be the basis for our electoral reforms. I appreciate the initiatives taken by the Election Commission. Now, they give voter slips on their own to each and every

registered voter. They also give acknowledgement slips whenever certain doubts are expressed regarding the utility of EVMs and their functioning. Certain improvements are giving confidence to voters now that they can vote properly and the fairness of results is also ensured. When the Election Commission is taking extra interest, why should the Union Government not come forward and think of having a para-voluntary force comprising able, registered, unemployed, educated and even qualified retired persons? With this voluntary force, we can conduct free and fair elections; we can have them on Census duties, in rescue and rehabilitation work, etc. We can use these volunteers even to take care of the mid-day meal programmes in schools and similarly student-related and community-related programmes. These two aspects fall under two different Ministries. I hope the Union Minister of Law would communicate the concerns of this House over the deployment of teachers for electoral duties to the Election Commission.

(CONTD. BY RSS/2R)

RSS/2R/3.45

SHRI ANANDA BHASKAR RAPOLU (CONTD.): But also we expect that the Ministry of Human Resource Development will take note of the necessity of

keeping the teachers psychologically free to enhance the quality of education and to give them only teaching and learning practices and keeping them away from the non-teaching roles. With this, we can ensure the students to have the confidence in the educational system and the parents will definitely be happy to send their children to the Government schools in large numbers. This is the requirement of the day to improve the quality of education and to improve the electoral process, and for that, let us think of para voluntary force to utilize and achieve the targeted goal. Thank you very much.

(Ends)

SHRI A.NAVANEETHAKRISHNAN (TAMIL NADU): Thank you, hon. Vice-Chairman. This is a Constitutional Amendment based upon the decision of the hon. High Court, which has been moved by our hon. Member. In the Statement of Objects and Reasons also, it is very clearly mentioned that accordingly, teachers are supposed to be assigned election duties only on Sundays and other holidays. The Supreme Court has held that the election work should not be entrusted to the teachers for fourteen days, that is, their work shall not be affected because of the election work. I may be permitted

to read the relevant portion. I quote: "We, however, notice that Election Commission before us also categorically stated that as far as possible, teachers should be put on electoral rolls revision works on holidays, non-teaching days, non-teaching hours, whereas, non-teaching staff be put on duty any time. We, therefore, direct that all teaching staff shall be put on the duties of roll revisions and election works on holidays and non-teaching days. Teachers should not ordinarily be put on duty on teaching days and within teaching hours. Non-teaching staff, however, may be put on such duties on any day, at any time, if permissible in law." Again, for the sake of repetition, I read it. "We, therefore, direct all the teaching staff shall be put on duties of roll revisions and election works on holidays and non-teaching days." So, the direction of the hon. Supreme Court is that the teaching staff shall be put on duties of roll revisions and election works on holidays and non-teaching days. So, the entire teaching community is not excluded. This is my humble submission. So, they shall be put duties of roll revisions and election works on holidays and non-teaching days. This is what the Supreme Court judgment says. So, on working days, if it is affecting their classes, then, they shall not carry on with the work. My humble view is, subject to correction and approval by the hon. Members of this House, this Amendment is not at all required in pursuance of the directions of the hon.

Supreme Court judgment. Article 324 of the Constitution of India vests the power of superintendence, direction and control of elections on the Election Commission. But, two very vital enactments were passed by our Parliament, namely, Representation of the People Act, 1950 and Representation of the People Act, 1951.

(contd. by 2s/KGG)

KGG/2S/3.50

SHRI A. NAVANEETHAKRISHNAN (contd.): These two enactments deal with requisitioning of officers for the purpose of election duties. So, I think, Section 159 is most important—staff of certain authorities to be made available for election work, which include every local authority; every university established or incorporated by or under a Central, Provincial or State Act; a Government company defined; any other institution, concern or undertaking which is established by or under a Central, Provincial or State Act or which is controlled, or financed wholly or substantially by funds provided, directly or indirectly, by the Central Government or a State Government. So, if at all, the Government wants to take a policy-decision, the stakeholders may be consulted because now the people have more awareness. The law can't be passed without consulting the stakeholders. The persons going to be affected must be given an opportunity. So, the

teachers' community may be given an opportunity to express what their views are. My interpretation, subject to correction and approval, is that the teaching community can't be employed during the teaching hours.

The Supreme Court further says that the teachers should not ordinarily be put on duties when they are on teaching duties. They are not totally excluded. Also, I am of the humble opinion that the teaching community is still maintaining an impartial and clean image about itself. They are the group of officials available in our governance who are discharging their duties while maintaining their impartiality. They are the real role-models for the students. They are the future of India. Being role-models for students, they act independently, judiciously and impartially. There could be one or two complaints, which could be the subject-matter for inquiry.

My humble submission, first of all, would be that the Constitutional Amendment is not at all required. If at all required, it should be done only after consultation with all the stakeholders. Only the necessary amendments may be made in these two enactments.

I thank Mr. Vice-Chairman and conclude.

(Ends)

SHRI V. VIJAYASAI REDDY (ANDHRA PRADESH): Mr. Vice-Chairman, Sir, thank you for the opportunity given to me though I had not given my

name earlier. Sir, the Private Member's Bill introduced by Shri Tiruchi Siva has a rationale. In fact, the teachers, as of today, are all deployed not only during elections but also for census duties which are detrimental to the interests of students. It is a well-known fact. In fact, there is a Supreme Court judgment, though not directly on this. I can bring it to your notice the essence of the Supreme Court judgment. It has categorically stated that to engage teachers as personal assistants, for which they are entitled, by the Ministers or Members of Parliament or Members of Assemblies is prohibited under law. There is no way that the teachers can be deployed either for political purposes or for electoral purposes. For that matter, it is so even for calculation of the census. Therefore, the Private Member's Bill has got a rationale. There is no way that the apex court judgment can be deviated or violated.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Do you have the citation?

SHRI V. VIJAYASAI REDDY: I don't have the citation, but I can produce it to you tomorrow. If you permit me, I can take a copy of the Supreme Court judgment and I can produce it to you. There is a specific prohibition imposed by the Supreme Court; by its verdict the deployment of teachers is specifically prohibited in this case. Therefore, I request this august House to

adopt this Private Member's Bill and pass it so that the interests of the students are protected. Thank you very much, Sir.

(Ends)

(Followed by KLG/2T)

KLG-KLS/2T/3.55

डा. भूषण लाल जांगडे (छत्तीसगढ़): उपसभाध्यक्ष जी, जो चुनाव की प्रक्रिया है, उसमें काफी तादाद में हमारे कर्मचारियों की जरूरत पड़ती है। हमारे शिक्षक बंधुओं की इसमें बहुत संख्या रहती है और उनके माध्यम से ही चुनाव हो पाता है। शुरू से ही यह स्थिति हमारी चुनाव प्रक्रिया में रही है। हमारी चुनाव प्रक्रिया जब शुरू हुई थी, तो उस समय अलग-अलग पेटियां रहती थीं, उन अलग-अलग पेटियों में वोट डालना पड़ता था। उस समय जब हमारी यह चुनाव प्रक्रिया चली थी, तो उसमें केवल शिक्षक बंधु ही सहयोग दे पाते थे। अन्य कर्मचारियों की कमी के कारण से उस काम के लिए केवल शिक्षकों को ही लगाया जाता था, परन्तु धीरे-धीरे परिवर्तन होता रहा है। चूंकि आज मीडिया के कारण, इसके संचालन को लेकर बहुत सारे नए-नए उपकरण आने लगे हैं, इससे कुछ दिनों के बाद, जो हमारे तिरुची शिवा जी ने यह विधेयक रखा है, वह लागू हो सकता है, लेकिन अभी नहीं हो सकता है। उसका कारण यह है कि हमारे शिक्षकों की जो तादाद है, उसका उपयोग करना हमारे लिए जरूरी रहता है। यदि हम उसको अलग कर दें, तो आम नागरिकों से यह चुनाव की प्रक्रिया पूरी नहीं हो सकती है। दूसरी सबसे बड़ी बात यह है कि इन शिक्षकों के पास एक तरह से समय है, क्योंकि अन्य कर्मचारियों की ज्यूटी पूरे बारह के बारह महीने रहती है, शिक्षकों के शिक्षकीय कार्य में कम से कम कुछ

महीनों का गैप रहता है। अगर उस गैप में चुनाव की प्रक्रिया चले, तो आपत्ति नहीं होनी चाहिए। हमारा चुनाव का जो तरीका है, उसमें धीरे-धीरे परिवर्तन होने लगा है। जब चुनाव की प्रक्रिया में इस तरह सुधार होने लगेगा, तो निश्चित रूप से हमें चुनाव के कार्य में शिक्षकों की जरूरत नहीं पड़ेगी, ऐसा मैं महसूस करता हूँ।

महोदय, हम दूसरे देशों का अनुकरण करते हैं। दूसरे देशों में आम नागरिकों से इस तरह चुनाव की प्रक्रिया पूरी करने का मौका मिलता है, लेकिन हमारे यहां हम केवल सरकारी कर्मचारियों से ही चुनाव करवा सकते हैं और इसलिए सरकारी कर्मचारियों के नाम से हमें शिक्षकों का उपयोग करने के लिए बाध्य होना पड़ता है। आज हमारे देश में बहुत सी चीजों में सुधार होने की नौबत आई है। उस सुधार से मैं सोचता हूँ कि हमारे देश में जिस तरह से टेक्नीकल उपयोग बढ़ रहा है, उससे भविष्य में हमें इसका लाभ मिलेगा, ऐसा मैं महसूस करता हूँ। इसलिए मेरा खुद का और मेरे हिसाब से हमारे देश का मत है कि केवल शिक्षकों के द्वारा ही हमारे देश के चुनाव की प्रक्रिया पूरी हो सकेगी। इतना कहते हुए मैं अपनी बात समाप्त करता हूँ।

(समाप्त)

श्री शंकरभाई एन. वेगड़ (गुजरात): माननीय उपसभाध्यक्ष जी, हमारे यहां पहले बैलेट पेपर से चुनाव होता था और उस बैलेट पेपर से चुनाव होने के बाद जब उसकी गिनती होती थी, तब एक दिन, दो दिन, तीन-तीन दिन तक गिनती का काम चलता था, लेकिन जब से हमारे चुनाव आयोग ने वोटिंग मशीन से चुनाव कराना शुरू किया, तब से तो दोपहर से शाम तक रिजल्ट आ जाता है। इस काम में जितना समय पहले शिक्षकों का बरबाद होता था, अब वह कम बरबाद हो रहा है। यह बात सही है कि छुट्टियों के

दौरान बच्चों की पढ़ाई नहीं होती है, लेकिन पूरे विश्व में हमारा देश सबसे बड़ा लोकतांत्रिक देश है, इसलिए मेरे हिसाब से शिक्षकों का उपयोग अभी इसमें जरूरी है। इसका एक ही इलाज है, अगर समय बचाना है, टाइम बचाना है, हिंदुस्तान की धनराशि बचानी है, तो जैसा हमारे प्रधान मंत्री जी ने आह्वान किया है, एक ही साथ चुनाव हों, लोक सभा के और हर स्टेट की विधान सभा के चुनाव एक ही साथ हो जाएं। इससे हिंदुस्तान के सभी कर्मचारियों का समय भी बचेगा, धनराशि भी बचेगी और अच्छी तरह से चुनाव भी हो सकता है। इसलिए मेरा यह कहना है कि अभी ऐसा संशोधन, सुधार लाने की कोई जरूरत नहीं है। मैं इसको सपोर्ट नहीं करता हूँ, धन्यवाद।

(समाप्त)

(2यू/एसएसएस-एकेजी पर आगे)