

RAJYA SABHA

***SYNOPSIS OF DEBATE**

(Proceedings other than Questions and Answers)

Tuesday, August 1, 2017/ Shravana 10, 1939 (Saka)

**CALLING ATTENTION TO THE MATTER OF URGENT
PUBLIC IMPORTANCE**

**Situation Arising Out of Violation of Prescribed Conditions of
Letter of Permit by Foreign Trawlers in Deep Sea Fishing in
Indian Seas**

SHRI K.K. RAGESH: I call the attention of the Agriculture and Farmers Welfare Minister to the situation arising out of violation of prescribed conditions of Letter of Permit by foreign trawlers in deep sea fishing in Indian seas.

THE MINISTER OF AGRICULTURE AND FARMERS WELFARE (SHRI RADHA MOHAN SINGH): Foreign trawlers are not allowed to fish in Indian waters as per the extant policy of the Government of India. Any foreign vessel if found illegally fishing within the Indian Exclusive Economic Zone (EEZ) is apprehended by the Indian Coast Guard under the provisions of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 i.e., MZI Act, 1981. As per report of the Indian Coast Guard, there is no information /report regarding fishing or mid-sea transshipment in Indian EEZ by foreign vessels. Foreign deep sea fishing trawlers have not been permitted to do fishing in the Indian Exclusive Economic

*This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.

Zone (EEZ) under the Letter of Permission (LOP) regime implemented by the Department of Animal Husbandry, Dairying & Fisheries (DADF), Ministry of Agriculture & Farmers Welfare. The LOPs had been granted only to the Indian owned resource-specific deep-sea fishing vessels. The LOP vessels were in operation since 2002 till 2015. No foreign deep sea trawlers with the LOP are operating in the Indian EEZ. It is informed that the Department of Animal Husbandry, Dairying & Fisheries has rescinded the previously issued Guidelines for operation of LOP vessels w.e.f. 30.01.2017 considering the recommendation of the Expert Committee headed by Dr. S. Ayyappan, former DG, ICAR. Subsequently, all LOPs issued have been cancelled in March, 2017 prior to the Judgment of the High Court of Kerala dated 14th June, 2017.

The Government had allowed 'mid-sea transshipment' in LOP vessels as per Reserve Bank of India (RBI) Regulations considering it an accepted international practice, as it eliminates transit time of fishing vessel from fishing ground to port and back, and cuts down the fuel costs enormously. Tuna fish is required to be beheaded, bled and de-gutted and frozen & stored on board at -60°C for 'sashimi grade' or at -20°C for other grades, and this procedure was followed on-board these resource specific DSFVs. Therefore, transfer of tuna catch to an Indian port for export was not necessarily required for any shore based processing & value addition. The allegations regarding illegal mid-sea transshipments by foreign trawlers are unfounded. The LOP vessels were required to comply with the conditions such as submission of quarterly voyage reports to Fishery Survey of India (FSI), Mumbai and adhering to mid-sea transshipment guidelines of the Reserve Bank of India (RBI). The LOP vessels were allowed to operate only after obtaining due security clearances from the Ministry of Home Affairs. Therefore, allegation regarding security threat is also incorrect. Moreover, there is no security related concern as there is no LOP vessel or foreign vessel operating in Indian Maritime Zone area. The LOP vessels were allowed to fish only in the EEZ, beyond territorial waters to tap unutilized Tuna and other deep-sea resources, which are beyond the reach of traditional fishers. Besides, the LOPs were granted only for resource specific deep-sea fishing vessels to

ensure selective, sustainable and eco-friendly fishing practices. Therefore, allegations of destroying the eco system in the Indian seas and destroying the livelihood of traditional fishermen by LOP vessels are incorrect. As informed, the preceding Guidelines allowing operation of LOP vessels have already been rescinded in January, 2017. Subsequently all the LOP have either been surrendered or cancelled by DADF. The Indian Coast Guard and other authorities/ Departments have also been informed about these decisions, with instructions that operation of any LOP vessels are not allowed in Indian EEZ. Besides, it is also informed that the DADF on 09.3.2017 has recently introduced a sub-component under Blue Revolution Scheme, namely, "Assistance for Deep Sea Fishing" which aims to promote the traditional fishers in Deep Sea Fishing. Under the said scheme, the Central Government is providing 50% assistance with ceiling of Rs.40 Lakh per vessel on procurement of Deep Sea Fishing Vessels by traditional fishers/ their Self Help Groups/ Associations, etc.

The Hon'ble Minister, replying to the points raised by the Members, said: I had informed earlier that a ban was imposed on foreign vessels in 1997 and no LOP was issued after that. Aircrafts and ships of Indian Coast Guard regularly monitor the indian water. LOP were being given prior to 1997. We had rejected the issue of giving permission to foreign vessels. LOP to indian vessels were also discontinued in 2016. Our nine states shares a coastal line of more than 8,000 kilometres. Our traditional fishermen catch fishes within 12 nautical miles. They do not have money to acquire deep sea vessels. Tuna fish is only available in deep sea. It is a costly fish. Prime Minister himself took interest in this and facilitated deep sea fishing. It is a new programme.

Under that guideline we will provide an aid of maximum 50 percent i.e. 40 lakh rupees to our traditional fishermen. An amount of 200 crore rupees has been given to Tamilnadu Government for this purpose. Under the "Deep Fishing Policy" prepared by us, 50 percent of the cost of the vessel will be borne by Government of India, while 30 percent will be borne by State Government and rest will be borne

by banks or self help groups. This scheme has already been launched by providing cheques to five fishermen in Tamilnadu when the Prime Minister visited Kanyakumari during last days. After that we are inviting trainers from Sri Lanka and other countries also for training our fishermen.

We are also making huge investment in in-land fisheries, besides Deep Fishing. We are making full investment in fisheries. Government of India is devoted with full strength to the empowerment of fishermen and fish production. I would like to assure the Hon'ble Members that we are working in this direction with full commitment.

GOVERNMENT BILLS

The Participation of Workers in Management Bill, 1990

The Bill was, by leave of the House, withdrawn.

The Right of Children to Free and Compulsory Education (Amendment) Bill, 2017

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI PRAKASH JAVADEKAR), moving the motion for consideration of the Bill, said: The expansion of education took place everywhere because of 'Sarv Shiksha Abhiyan' and 'Right to Education', but in that expansion the quality of training which the teachers should have got, was not provided. Today 11 lakh teachers are without D.El.Ed. or B.El.Ed. degrees. Therefore, this Bill has been brought forth so that they can do D.El.Ed. or B.El.Ed. within a period of two years. This is a very big facility. The courses of D.El.Ed. or B.El.Ed. will commence from this 2nd October itself. To meet this end the registration of these 11 lakh teachers will be completed from 15th August to 15th September. After registration, they will get free education. Afterwards, there will be an examination and they will be provided certificates.

Those who have online facility, they can do it on their computers, but those who have not got online facility, they can do it through their television sets. For this purpose, the programme which will be telecast on T.V. is named as 'SWAYAM Prabha'. There are 32 educational channels under 'SWAYAM Prabha'. We have done our tie-up with Doordarshan and 32 channels started functioning today. This is almost in all languages, because the training will be imparted in all languages. This programme will be telecast on T.V., but in order to view it free dish of Doordarshan needs to be installed. It costs 1,300 Rupees. Contents will be telecast twice or thrice daily. There will be separate channels for D.El.Ed. and B.El.Ed. Study materials and books will be provided separately. They will study themselves on its basis. By this method 11 lakh untrained teachers will be trained fully within two years. This will enhance the level of education as well as the level of teachers. Now they will not loose their jobs, but they will have to study. This Bill has been introduced before the House with this very objective. I feel that all the parties will extend their support here and it will be passed here also as it was passed unanimously in Lok Sabha.

SHRI SHAMSHER SINGH DULLO: This Bill has been brought with the objective that free education can be provided to all the children in Hindustan. Now, all those children who are helpless and poor will get compulsory education in entire country. Many of the teachers appointed in many states were not qualified. A provision to give them special training has been made in this Bill and I agree with that. This provision is for the benefit of all.

A provision has been made to train unqualified teachers through this Bill. I think that today we need quality education. It has many shortcomings. I think that there is a disparity between Government and Private Schools. The Private Schools have turned into business centers today. There is a huge gap between urban and rural schools. Although, schools have been opened, but there are no teachers. There is one teacher in a village while the number of children remains 500. School buildings are also not complete. There is a provision of Government Funds, there is Sarv Shiksha Abhiyan also,

Mid-day Meal is also provided, but all for attendance. Responsibility of teachers should be fixed in order to monitor it. The role of teacher is very important in education. We are providing facilities to private schools. But, has anybody ever checked that the schools are giving admissions in their schools to the children belonging to economically weaker sections as per the terms and conditions on which we provide facilities to them? Do they provide admissions to the children belonging to Scheduled Caste or do anything for them?

Javdekar Saheb has brought a good Bill. Government thinks of providing education to the children of entire Hindustan. I would like to ask the Hon'ble Minister as to what will be of those children who are vagabond? Please think about those people who have not seen the face of schools for centuries. What is the condition of tribals? There they have schools, they have buildings but they do not have teachers. The mentality of teachers is that they do not want to go to villages. In order to bring social change and equality there should be good teachers and they should get good salary also. The mode of their recruitment should be good and they should be provided better training. There is a need to pay heed to those who are child labours. The education should be nationalized. There is discrimination on the basis of castes in schools and this must be removed. The Government should restore the faith of poor in Government schools by making an appropriate education policy.

DR. VINAY P. SAHASRABUDDHE: I would say that UPA Government had implemented this act without doing proper homework and failed to show foresightedness. There are many reasons for shortage of teachers in the schools. We have to address the problems of drop-out of students admitted in B.Ed and D.Ed and unwillingness of the students to come in the profession of teaching. It is necessary to evaluate the Right to Education. We used to have informal schools for the children of labourers but, today such 13,000 schools are on the verge of closure as they are not recognised under the present Act. The School Management Committee has not been effective. The minorities have been exempted from the provisions of the Act and everyone claims to be from them and ultimately court had to step in. One of the

centre point of our education is the relation between a teacher and a student, which has been our healthy practice for centuries, whereas there is no such thing in foreign countries and resultantly, their school system has crumbled to some extent. A teacher has to be a mentor himself and there should be mentorship for a teacher. So, I think all these things needs to be taken care of.

SHRI JAVED ALI KHAN: I think this bill has been introduced with a limited purpose. We all should support this bill and refrain from making any politically motivated statement. We can achieve the real objective of this bill then only, when we are able to provide the quality education to the children at the primary level. Today, a primary teacher has to perform numerous duties like, election, ration card, census of livestock, etc. related work along with teaching. We are not doing justice with the primary education by putting extra burden on the teachers. I demand that these teachers be exclusively engaged in teaching. The previous Government of Uttar Pradesh had given the status of a full teacher to all 'Shiksha Mitras' who were teaching in the schools for the last 18-19 years, but they are out on the roads due to an order by Supreme Court. A protest is going on in this regard. Our Government had provided the necessary training to these 'Shiksha Mitras' before adjusting them as teachers. The situation in rural areas in the state was such that nearly 60 percent schools were without teachers and most of the schools were locked. It is a fact that they have not passed the so called TET of Uttar Pradesh, which was introduced two years ago only but, they were selected on the basis of merit. Total twenty three 'Shiksha Mitras' have committed suicide till date, so I appeal to the minister to intervene in this matter to find a solution in this regard.

SHRI A. K. SELVARAJ: This is an important Bill concerning the future of the millions of students of our country. This subject was very close to the heart of our beloved leader, Dr. Puratchi Thalaivi Amma. The objectives of the Bill are to provide an opportunity to untrained and unqualified teachers to acquire minimum qualification. It is very pity to note that out of total number of 66.41 lakh teachers at the elementary level, 11 lakhs are still untrained.

Quality improvement will not happen unless the foundation, principles, content, and pattern of pre and in-service training of teachers are relooked at and changed. Sir, school education for children aged between six and fourteen years is a fundamental right in India. Around 3.5 lakh schools have been opened in the last one decade. However, from 2010, after the Act was passed, it has faced severe challenges in its proper implementation. Low allocation is hampering the quality of education in Government schools, which have teachers vacancy of more than five lakh. Our State Government has been implementing Section 12(1)(c) of the Act in true letter and spirit. For the admissions made in private schools in 2013-14 and 2014-15, a reimbursement of Rs.97.05 crore has already been made to private schools by our State Government. Despite non-release of funds by the Government of India, the State Government continued implementation of the Act in the years 2015-16 and 2016-17, and additionally, 1,92,317 number of children have been admitted in private schools under the 25 per cent reservation.

Our beloved Amma had ensured the growth of education in the State by providing all grants and tools for the students. I would like to urge the Government to release a total grant under SSA and under Rashtriya Madyamik Shiksha Abhiyan and to link again the model school programme with Rashtriya Madyamik Shiksha Abhiyan. I support the Bill.

SHRI DEREK O'BRIEN: If the Minister had brought this Bill in 2015, it would have given a better chance. I hope we don't have to come back here in 2019. The Government should leave that option to State Governments. We have collectively failed. Class V student is actually at the level of class II student. In West Bengal, we have appointed eighty thousand teachers in the last six years. I hope that this Government is viewing education as originally in the State List, now it got slipped into the Concurrent List. The States sometimes need to have independence to take calls on RTE. My State's policy is very clear. We do not believe in automatic promotion. If the boys or girls are getting detained, we have to have special classes. The ICSE Board were trying to give examinations for class five students and

class eight students. This goes against the basic principles of this Act. This is where the States have a role to play. The minority schools, quite rightly have been kept away. To make this work we have to make it work together. As per the Act, the private schools take neighbourhood students. These are serious points beyond any level of politics. The private schools have to look at this as a Corporate Social Responsibility. I suggest humbly to the private schools to please go out pro-actively and look for students. Local officers are giving certificates, having children admitted to the schools and then taking plush money from the banks. I appeal to the private schools to please pay for those uniforms, make them look like the rest of you. I would appeal to the hon. Minister that if you can get these five stakeholders i.e schools, teachers, educationists, parliamentarians and parents on board, we can change the lives of children in India.

SHRIMATI JHARNA DAS BAIDYA: 11 lakhs elementary teachers are untrained. They should have got trained by 31st March, 2015. Their training is very important to raise the quality of teaching. The funds for SSA should be increased. School education has been totally neglected in the Budget. The Budget has ignored the effective implementation of the Right to Education Act. The literacy rate in the State of Tripura is among the highest in the country. Tripura has virtually universalized education up to secondary stage. It should be considered as an area where you contribute. The Government should also inform this House about unqualified teachers who were barred from teaching since 2015. Allow the respective States to take decisions, especially as this is the right-based law. I support the Bill.

SHRI ANUBHAV MOHANTY: The right of children to free and compulsory education not only entitles him to free and compulsory education, but also entitles him to compulsory admission, attendance, and completion of basic and elementary education. We should make basic and elementary education compulsory for everyone, barring age-line. Unless the Government takes a strong stand on mandatory school attendance of all children below the age group of 16, the dream of having a 100 per cent literate India can not come true. I request the Government to think over it. The

Government somehow make the children clear 8th standard for appearing in the Board. This will only increase the data of literate children in the Government records and there will be zero and minimal result of effective compulsory education. The Government should think over making free and compulsory education till the 12th standard. Alongwith encouraging the girl child in education, all the policies concerning education should be made compulsory for the minority institutions. This Bill deals only with one aspect of the shortage of qualified teachers. It has been two years since the deadline of March 31st, 2015 and there is some amount of churning that has happened in the education system. States must be given liberty and some powers to take this forward. The Union Government alone cannot do this properly. The Union Government should empower the respective State Governments, to come forward and be a part in making this Bill a successful one. Give us MPs such powers so that we can really help needy children in getting proper education in proper schools.

SHRI ASHOK SIDDHARTH: Mahatama Jyotiba Phule, Chatrapati Sahu Ji Maharaj and Baba Saheb Ambedkar struggled a lot to do away with social and educational inequality continuing in this country since ancient period. After 70 years of independence, we are talking about giving compulsory education to the children, while we all know that even today there are lakhs of schools in this country which are being run by only one teacher.

Currently, there are several schools where one teacher is there for 50-60 children. The teachers are engaged in other than teaching jobs. Whether we would only bring such kind of bills, or we will convert them into the reality. It essentially seems from the objective of this bill that emphasis has been given on the equality, quantity, quality and guarantee; however it is doubtful that by emphasis only whether we will be able to convert it into reality. The leader of the Bahujan Samaj Party i.e. Kumari Mayawati always emphasised on the primary and girl education, and for that she recruited the teachers in large number as well. Whether any provision will be made in this bill for providing separate reservation to the children belonging to SC/ST or

OBC and poor children, in all the primary and intermediate schools, which are being run by the large of number of industrial houses in this country, so that the education remains a medium of service and it should not become a business.

DR. NARENDRA JADHAV: The Right of Children to Free and Compulsory Education has been a part of the Directive Principles of State Policy. It took us as long as 60 years to translate this noble Directive Principle into an Act. Under the Right to Education Act, 2009, if a State does not have adequate teacher training institutions or sufficient number of qualified teachers, the provision to possess minimum qualifications could be relaxed for a period not exceeding five years. It is being sought through this bill that those teachers who do not possess the minimum qualifications as of March 31st, 2015, should acquire the minimum qualifications within a period of four more years. This extension is being given without any punitive action, not even a reprimand. Such delays are diluting the spirit of one of the finest and fundamental pieces of legislations. I strongly urge the Government not to be so relaxed and accommodative as far as the implementation of this great Act is concerned, in future.

SHRI V. VIJAYASAI REDDY: Various concerns like the need to enhance the teachers' training, are there. It is stated that three lakh teachers have already been trained and the remaining are being trained whose training will be completed shortly. This observation is factually incorrect. There are 4,730 diploma level teachers' training institutes in the country. It is impossible to train all the teachers from April to July. If it is believed that the Minister's statement is correct, it is impossible for the Government to impart the training to three lakh teachers from April to July. There is acute shortage of teachers. Approximately 17 per cent of total sanctioned posts are lying vacant. About 1,05,000 schools in the country are single-teacher schools. It is requested to fill the vacancies immediately and address the problem. There are large number of teachers, both in public and private schools, who are working on contractual basis. This phenomenon is prevailing at all levels be it primary schools, secondary school or professional institutes. They are low-paid and they are under-

qualified. The majority of the teachers in the country are all burdened not only with the teaching activity but non-teaching duties also which is not in accordance with the hon. Supreme Court judgment. I urge upon the Government to stop this practice of engaging the teachers for non-teaching duties. The Right to Education Act had promised primary education for 470 million children in our country. 4.3 million children in India are still child labours, thus excluded from education and school.

SHRI D. RAJA: It is a fact that the Bill is an admission of our failure. It is a collective failure. I have doubt whether within four years we will be able to achieve that target. What roadmap the Government is having to achieve this target. 92 per cent of the teacher training institutes are run by the private sector. 10 per cent of our schools are single-teacher schools even today. The States are recruiting low-paid, unqualified teachers. It is a violation of the RTE Act. The Central Government will have to spend more on education. The Education empowers the people. Education helps people to overcome the difficulties. This Act takes care of children in the age group of 6 to 14 years. It should include the children till secondary levels, like other countries of the world. We should think of providing free and compulsory education to our children up to secondary level, and child labour should be prohibited. 25 per cent seats in the schools are given to weaker sections of the society. This 25 per cent reservation to weaker sections does not help the SC, ST or OBC students to get admission. Teachers' training is an important aspect and modern techniques need to be practiced to train the teachers. The elementary teachers play a remarkable role in shaping the character of the children, the personality of the children. The Act speaks about the minimum working days. For 245 days, the children will have to go to school and remain in school from 8.00 a.m. to 4.00 p.m. Saturday and Sunday should be holiday for children. Home work is also an issue. Many burdens are there. We will have to create favourable conditions for our children so that they can go to school and learn adequately. Mid-day Meal workers and Anganwadi workers are treated as scheme workers. They should be treated regular workers. The children are the future of our nation. The Government should show some political will

that we will do everything possible for the children and ensure quality education for our children. The concept of free and compulsory education should not remain only in paper or words, it should be actually practiced.

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****Supplement covering rest of the proceedings is being issued separately.