CHAPTER FOUR

UNIVERSAL SCHOOL EDUCATION:
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"Educated men are as much superior to uneducated men as the living to the dead."

ARISTOTLE

IMPORTANCE:

The Universal Declaration of Human Rights adopted and proclaimed by the United Nations on December 10, 1948 vide Article 26 (1) lays down:

"Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit."

As a member of the United Nations Organisation India is also committed to the establishment of a welfare state. One of the essentials of a welfare society is that all its members must be sufficiently educated so as to contribute their best to the common weal and to share the fruits of their collective efforts equitably and judiciously. In view of this, it becomes the first and foremost responsibility of the Welfare Government to provide for free, compulsory and universal education within the shortest possible period.

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On 25th February, 1956, Dr. Radhakrishnan said, "We have adopted universal adult suffrage. This demands universal education. Only then will the voters be able to comprehend national purpose and duty and use their vote not for selfish ends but for public welfare."\(^1\) Education is a long range investment which pays its dividends in the shape of happier, healthier and enlightened men and women. In the words of Lenin, "the liquidation of illiteracy is not a political problem; it is a condition without which it is impossible to speak of politics. An illiterate man is outside of politics and before he can be brought in, he must first be taught the alphabet.

Without this, there can be no politics — only rumours, gossip, tales and superstitions."\(^2\) The provision of good and effective school education, on a free and compulsory basis, is the foundation of democracy and national development. It should be given the highest priority and implemented at the earliest.

Without the education of the common little man, the establishment of Democracy is impossible and this point was emphasised by Winston S. Churchill when he said, "At the bottom of all the tributes paid to democracy is the little man, walking into the little booth, with a little pencil, making a little cross on a little bit of paper — no amount of rhetoric or voluminous discussion can possibly diminish the overwhelming importance of that point."\(^3\)

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\(^1\) S. Radhakrishnan: Occasional Speeches, Ministry of Information and Broadcasting, New Delhi.

\(^2\) Mikhail Prokofyev: Public Education In USSR, p. 11.

CENTRAL LEGISLATION ON UNIVERSAL SCHOOL EDUCATION:

The first bill for compulsory education in India was moved on March 16, 1911 by Cokhale who based it on the British Education Acts of 1870, 1876 and 1880. The objective of this bill was "to make better provision for the extension of elementary education." While moving the bill in the Assembly he said emphatically, "The whole thing hinges on whether the Government of India are prepared to find a good part of the cost. That is, in fact, the real crux of the question and whether the bill is accepted or thrown out, it is perfectly clear that no large extension of elementary education is possible in the country unless the Government of India come forward with generous financial assistance." According to Cokhale the ultimate solution of the problem of Universal Education lies in the acceptance of five basic principles namely:

1) that universal free and compulsory education is the most essential step for mass education;

2) that such education should be spread until the age of fourteen years;

3) that a definite phased programme for its realization should be prepared;

4) that the Government of India should accept full responsibility for the preparation and implementation for such a programme; and

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1 Cokhale's Speeches (1922 edition), pp. 615-16.
2 K.N. Desai: Compulsory Primary Education in India, pp. 89-90.
v) that a large part of the additional resources required for the purpose should be found by the Government.

At that time Gokhale had made a very strong observation saying:

"Of all the great National tasks which lie before the country and in which the Government and the people can cooperate to the advantages of both, none is greater than this task of promoting the universal diffusion of education in the land, bringing by its means a ray of light, a touch of refinement, a glow of hope into the lives that sadly need them all." ¹

Such like ideas of Gokhale came to dominate all the future thinking and subsequent legislation on compulsory education in India. The Founding Fathers of Indian Constitution vide Article 45 in Part IV have directed:

"The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years."

Like other Directive Principles of State Policy this Directive is not justiciable, but it enunciates in noble language, the entire philosophy of education upon which our Welfare State rests. Though it has not been possible to fulfil the Constitutional directive even during a period of twenty-nine years of Independence, programmes of elementary education

¹N.J. Desai: Compulsory Primary Education in India, pp. 31-32.
have received considerable attention of the Central Government and Parliament which perform the following important functions in the field of school education:

a) The Centre acts as a clearing house and a co-ordinating body in respect of elementary education.

b) It develops a programme of significant and fundamental research in elementary education to assist the State Governments in improving the quality of elementary education.

c) It conducts pilot projects in school education which are generalized by the States.

d) It tries to level out the differences between the different stages in respect of school education by trying to provide equality of educational opportunity to every child. It fixes the minimum targets to be reached by each State and Union Territory and assist the weaker States in achieving these targets.

e) It sanctions and provides financial assistance in such a way that the weaker or less advanced States will be able to catch up with the forward States or at least reduce the large discrepancies that exist at different times between them and the advanced States in respect of school education.

f) The Parliament has made a comparative study of all the existing compulsory school education laws in the country and has come to the conclusion that they have to be substantially amended and modernized. On the basis of the latest research in the problem of compulsory education, the Government of India has prepared a model act on compulsory education known as the Delhi Primary Education Act 1960 which serves as a model for the States.
THE DELHI PRIMARY EDUCATION ACT 1960 (No. 39 of 1960)

Dr. K.L. Shrimati, the Union Minister of Education moved the Delhi Primary Education Bill in the Lok Sabha in 1960. The Bill was discussed, debated and passed by both the Houses of Parliament and it received the assent of the President on September 29, 1960 and became the Delhi Primary Education Act 1960 (Act 39 of 1960). It came into force on October 2, 1960. The immediate and direct objective of the Act was to provide for free and compulsory primary education for children in the Union Territory of Delhi, but it also contained important up-to-date provisions with regard to the enforcement of universal attendance at the primary level of education. These provisions have been taken as a model guideline by the States for amending their own laws on compulsory education. Such laws on universal education have been passed by the State Legislatures of Punjab, Madhya Pradesh, Andhra Pradesh, Assam, Gujarat, Rajasthan and West Bengal, in their respective jurisdictions. The State Acts are identical in substance and content, though there are variations in language, here and there and at places certain allied matters have been also incorporated. The main features of the Delhi Primary Education Act 1960, are briefly as follows:

1. Permissive Character: In view of the Directive Principle of State Policy contained in Article 45, it is no longer desirable to retain the permissive character of the early laws on compulsory education. In the new Act it has been made a duty of the authority administering elementary education.

2. Initiative: The new legislation empowers the Government to take initiative with adequate powers to deal with a recalcitrant local body which may fail in its duty to introduce or enforce compulsory education.

3. Scope: The new legislation provides that compulsory education would be extended to all parts of the country as quickly as possible and that it should be applied simultaneously to all boys and girls. It also empowers the authorities concerned to extend compulsory education to the age of fourteen.

4. Grant-in-aid to Local Bodies: This legislation lays the provisions that the grant-in-aid to the local bodies on account of compulsory education will be statutory, adequate and elastic enough to meet the changing and varied situation.

5. Enforcement of Compulsory Attendance: This legislation prescribes a simple procedure for the introduction and enforcement of compulsory attendance which emphasizes the education rather than the penal aspects of the law. It is desired that children be
helped and encouraged to attend the school by the
development of socio-economic ameliorative measures
like provision of free school meals, milk, uniform,
text books etc.

With the enforcement of this Act a considerable progress
has been made in the field of compulsory primary education but
it is very unfortunate that during the last twenty-five years
of Republican era the Indian leaders have tried to serve the
cause of education by their failures and not by their successes
as was expected by Cobhale when his motion to refer his bill
to the Select Committee was rejected by thirty-eight votes
against thirteen. Cobhale had addressed the House with those
memorable words:

"My Lord, I know that my bill will be thrown out before
the day closes. I make no complaint. I shall not even
feel depressed. I know too well the story of the
preliminary efforts that were required even in England,
before the Act of 1870 was passed, either to complain or
to feel depressed. Moreover, I have always felt and have
often said that, we of the present generation in India,
can only hope to serve our country by our failures. The
men and women who will be privileged to serve her by their
successes will come later.... This bill, thrown out today,
will come back again and again till on the stepping stones
of its dead selves, a measure ultimately rises which will spread the light of knowledge throughout the land.1

According to G.K. Gokhale the primary purpose of mass education is to banish illiteracy from the land. The quality of education is a matter of importance that comes only after illiteracy has been banished. In India the literacy percentage is still disgracefully very small i.e. 29 percent. The men and women who are privileged to serve the nation as their representatives in the Parliament have not as yet passed a measure 'which will spread the light of knowledge throughout the land.'

The Delhi School Education Act, 1973 (No. 18 of 1973).2

The Delhi School Education Bill3 was introduced by the Education Minister in the Lok Sabha on September 2, 1972. It was amended by the Joint Committee of the Two Houses. The Joint Committee during its fifteen sittings had gone into various clauses of the Bill very thoroughly and both the Education Minister Prof. Hamid Hasan and Deputy Minister R.P. Yadav were closely associated with the discussions. The objectives of the Bill was "to provide for better organisation and development of School Education in the Union Territory of Delhi and for matters connected therewith or incidental thereto."

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1Gokhale's Speeches (1929 edition), pp. 615-16.
2D.R. Desai, Compulsory Primary Education in India, pp. 79-95.
3Lok Sabha Debates, March 27, 1973, cc. 239-350.
In this Bill a provision was included in order to safeguard the interests of such employees of privately managed schools, who had rendered at least one year's service in the School immediately before the introduction of this bill. The right of the Lt. Governor, Delhi to regulate school education has been subjected to provisions of the Act and the rules to be made under delegated powers.\textsuperscript{1} The Members had made a plea that the right of minorities guaranteed under Article 30(1) of the Constitution should not be made a pretext to deny or restrict the right of security of Service of teachers and other employees of the Schools run by minorities. Shri Frank Anthony strongly criticised the regulatory provisions of the Bill especially from the point of view of minorities. The Government, in fact the entire House had been keen to protect the right of minorities, all the more those enshrined in the Constitution.

Unaided minority run schools had been exempted from the provisions of Chapter IV with regard to the terms and conditions of service of employees and all the minority run schools were exempted from the provisions of Chapter VII relating to the taking over the management of schools. Chapter V was added to make provisions applicable to unaided minority schools.

LEGISLATORS' VIEWS ON SCHOOL EDUCATION:

While the resolution of Second Five Year Plan was under discussion in the Parliament, the Hon'ble Members expressed their views on education. Shri Shivmurthy Swami said, "it

\textsuperscript{1} Lok Sabha (5th) Committee on Petitions, 26th Report.
has been told in the Directive Principles of our Constitution that within ten years Primary education will be free and compulsory but there is no announcement in the Second Five Year Plan that we will make education free and compulsory. In this Plan no provisions have been made to provide education to the villagers.\textsuperscript{1}

Similarly Shri T.S. A. Chattiar said, "We are talking about the common people every day, but who cares for the education of the children of the common people? Larger amount must be allotted for basic education. To their great sorrow the people find that the allotment for elementary education of six crores of children is Rs. 89 crores while allotment for higher education of six lakhs of persons is Rs. 105 crores. Can there be any greater imbalance than this provision within education itself? Professors and teachers, politicians and administrators have become unashamed on the problem of universal education. It would be unrealistic to be angry with such persons. Anger should rather be directed at a social system which still allows most children to be penalized by the accident of birth and which fails to recruit or develop poor public life and industry by education of suitable talent, no matter where it may be found. In the words of George Peabody education is a debt due from the present generation to the future generation."\textsuperscript{2}

\textsuperscript{1}Lok Sabha Debate, Second Five Year Plan, May 25, 1956.

\textsuperscript{2}Ibid.
Shri H.N. Mukerjee said, "We all know also the distressful conditions of primary school teachers who get hardly Rs. 40 to Rs. 60 per month for whom the Education Ministry, inspite of a great deal of consternation can hardly find the necessary money. It is no good saying:

'Shehe pantha, Shehe Kantha,
Shehe parbat langhan, Shehe Vidya.'

How long we are going to move in this absolutely slow, Snail's pace, which will get us no where."¹

Shri Anand Chand was of the opinion that the allocation of Rs. 307 crores or 6.4 percent was very low. His feeling was that the Government were under-spending on educational facilities. During the First Five Year Plan, the result had been that there was a large scale illiteracy in the country. The mass of the people were illiterate and hence unable to understand the working of the Plan.

Pandit Jawahar Lal Nehru was himself not happy with the progress of education when he said, "The basic or the chronic difficulty is that the people are not educated enough to understand. As long as the literacy percentage remains low and enough money is not provided for education, we will have a mass of uneducated people in this country which will not be a good sign or a healthy sign for progress of the democracy."

According to Shri S.N. Dass, "It is through our educational system that we are to realise the ideals and goals of our socialist society of the sovereign Democratic Republic and

¹Lok Sabha Debates, May 25, 1956, c. 9937.
assure for all, justice-political, social and economic. It is very painful to find that out of thirty-six crores of population only six crores are literate. We are making the great social experiment to bring equality, liberty and fraternity in our country. In the International field also India must work for International brotherhood of man. We can never forget to make millions of persons literate at least to know three A's and to make them good citizens. Nation is not built just from the top. Nation-building begins from the bottom. When the foundations are weak and shabby, the great palace with all decorations of flowers, leaves etc. will not last long.¹

In the words of Kumari Annie Mascarone "Mass literacy and free and compulsory education for the children of India are essentials for our democratic population. University Education cannot be reformed unless we provide for compulsory primary education and re-form the secondary education system. It is futile to build the top structure and decorate it without strengthening the foundations because some day or the other, the whole structure is bound to collapse. If our Government is a progressive democratic Government it must nationalise education because education must be the first subject which a Republican Government has to handle. Even then there should be no centralisation under the totalitarian system of education. In the USSR, the Soviet Government spends more than 60 percent

¹Lok Sabha Debates, 22 February, 1935.
of their total national income on education. In other developed
countries like America and England also a good percentage of
the national income is invested in education but in India our
investment is only about two percent. It is just like crowning
a leper patient with a diadem.\textsuperscript{1} Shri N.M. Lingam said,
"Our nation cannot admire the glory of the sunset when millions
do not know the three R's. The lion's share of our revenues
must not be given to the universities when the Primary Education
and Secondary Education are being neglected without proper
coordination."\textsuperscript{2}

According to Altekar "Knowledge and education have been
held in very high esteem since time immemorial, particularly
in our country. It has been said - One who is devoid of
knowledge has been equated to low animal. By getting knowledge
a man is regenerated and gets a second birth. Education must
be spread in the very lower strata and every person must have
an opportunity for securing knowledge. Our Constitution has
guaranteed equality of status and opportunity and social
justice. According to Directive Principles, Primary Education
at any rate must be compulsory and introduced in ten years.\textsuperscript{3}

Shri T.S. Chettiar feels that "culture and knowledge of
the Country should not be confined to just a few people, but
they should filter down the millions of our masses."\textsuperscript{4}

\textsuperscript{1}Lok Sabha Debates, 22.2.1953.
\textsuperscript{2}Ibid.
\textsuperscript{3}Ibid.
\textsuperscript{4}Ibid.
Pleading for the education of the masses Shri C.K. Chandrasekhar said, "I refer to the state of affairs down below in relation to literacy, in relation to primary education which is still worse than what is depicted in this report (of U.C.C.). I know the Hon'ble Minister will say that it was a gigantic task the Government had undertaken. Millions and millions of people have been educated. But my point is not that. My point is that, this is not enough. You cannot say that you have advanced the country to a level with a heavy weight on the country of illiterate people. The illiterate population is nearly eight percent.... Always the planners of our country neglected education in a criminal manner, and there are expressions of that we are today faced with a situation where we have a lot of illiterates, our primary education is badly neglected. You may say there are eighty percent or sixty percent in schools. But there is the question of drop outs, the question of criminal wastage, the problem of examination. All these should be taken together."¹

Asking the Government Shri Mahavir Tyagi said, "In the Directive principles there is a clear mention of providing compulsory education for everybody. When did you take up this matter and what was the obstacle in your way?"²

Doubting the intentions of the Government Shri P.K. Deo said, "The other day, we had an acid test of the genuineness

¹Lok Sabha Debates, August 6, 1975, cc. 90-99.
of their intention. Two Bills based on the Directive Principles of State Policy were discussed. These Bills had been tabled by Dr. Karim Singh, to provide free and compulsory education to the children under Article 45 of the Directive Principles and to provide jobs or secure the right to work. They have been negatived by these high priests of socialism.¹

Speaking on the difficulties in the way of progress of compulsory education Pandit Jawahar Lal Nehru said, "An Hon'ble Member spoke of education. It is highly important, of course, and I deeply regret that we are not able to do what we should in the field of education. The Russian people and their leaders very rightly attached the greatest importance to compulsory education after the Revolution and yet, in spite of their enthusiasm, it took them thirteen years to make compulsory education available to every single individual in that great country. I know that in the early days after the Russian Revolution, it went through years of civil war and other difficulties, hostile forces from outside, had also to be dealt with. We are faced with similar difficulties."²

Defending the understanding of the Indian masses Shrimati Indira Gandhi said, "Sir, Anthony also spoke about literacy. All of us here, and specially my colleagues, are greatly concerned about this matter. Literacy has not progressed

as well as it should have been. But may I with due respect to the many educationists who are sitting here, say that literacy is important but not that important. I do believe that in our country, in these twenty-four years, an understanding of many things has grown amongst our people.... In no way is this understanding inferior to that of the literate people of the advanced countries. The illiterate people have suffered for this country. It is their blood and sweat that has helped this country to survive, whether in war or in peace.\(^1\)

Stressing the need of the change in the whole educational philosophy and structure Shri Shankar Dyal Singh said, "The educational system which has been continuing here since the British Rule is not suitable to our country. Gandhiji had made great efforts to bring basic changes in the educational system. In 1937 elucidating the conception of basic education Gandhiji had said that 'true education is that by which a man develops his body mind and soul and gets the light of knowledge. Literacy is neither the purpose of education nor the beginning of it. It is simply one of the means to make men and women educated. Therefore, I shall begin the education of a child by teaching him a useful handcraft.' ...So, the educational structure should not only be job-oriented but also based on character forming and social service."\(^2\)


Speaking in defence of the policies of the Government Prof. S. Nuzul Hasan, Union Education Minister said, "I am referring firstly to the fact that under the colonialist system the whole education was an education of the elite. Today, education has reached the masses and the latest figures show that in the school system there are 100 million children and this is a colossal figure. This is more than twice the population of Britain. This is not an ordinary achievement. I know that there is the problem of drop out. I know that we are intending to give a new direction. The Central Advisory Board of Education has taken a decision. This House itself has taken a decision and formulated what is called the National Policy on Education and that national policy is being implemented subject to such changes as are taking place. But this major change of bringing in 100 million children in this sphere of education is not an ordinary achievement. If you look at the facts by comparing with 1951, you would notice that there were only 26 million children in the school system, and in 1973 this is 100 million. If you look at the percentage of enrolment in the age group 6 to 11, it is now 86.2 percent as compared to 42.6 percent in the earlier period. If you take the age group 17 to 23, in 1950-51 it was 0.8 percent. In 1974-75 it has reached the figure of 4.4 percent. In terms of literacy percentage, the number of literates has increased between 1961 and 1971 from 105 millions to 160 millions which is an increase of 55 millions in 10 years. Percentage of literacy in 1971 in
all age groups leaving aside zero to four is 34 percent. In
the most crucial age group, that is to say 10 to 14 when
persons should become literate, it has already reached 50
percent which means that although the problem of drop out is
serious, nevertheless, we should not think that the entire
education system has been wasteful; otherwise in the age group
10 to 14 which is the crucial age group, the literacy
percentage would not have reached 50 percent during the last
four years, I have no doubt, the percentage must have improved.
In the age group 15 to 24 the literacy is 48 percent. This
figure could not have been reached but for the fact that the
enrolments in the schools were able to contribute to the
development of the educational resources of the population.\(^1\)

Laying stress on the importance of teachers Shri C.
Viswanathan said, "the entire future of the country depends
on the quality of the teachers. They are the people who are
going to mould the future citizens of India and I think they
have to set an example also. It is not only just teaching a
subject to the students; they have to inculcate a sense of
discipline among the students which will help them in their
later life and which will help the society and the country
also. Not only that; they have to expand the horizon of
knowledge of the students, they have to chisel the character
of the students. They say that 'if wealth is lost; nothing is
lost; if health is lost, something is lost; if character is
lost, everything is lost. After all, it is the teacher who is

\(^1\)Lok Sabha Debate, on U.G.C. Report (II), August 6,
1975, cc. 179-80.
going to chisel the character of the students and it is not only a question of teaching character, but he should set an example himself.... The teachers must be well paid and they must be looked after well. Apart from this, all the amenities and facilities which are required by the teachers and professors should also be provided to them. It is the students and the teachers put together and the provision of all the facilities which will make qualitative education in this country.1

COMMENTS:

By nature the people are individualistic, they resent coercion and compulsion. They want no legislation on compulsory school attendance. But the social change is both slow and sure and the people come to realize the need of having their children educated. They face the fact of the sorrowfully poor voluntary school attendance. At last the politicians, educators and legislators accept as necessary the passage of legislation on compulsory education. In India a phenomenal development is needed in the field of compulsory education. Age limits for compulsory education should be decreased at the lower level and raised at the upper level so that all the children are in the schools from nursery to the high school level. The Government should strengthen and extend the means for enforcing legislation on compulsory school education. Any exemption from school attendance must be reduced to much smaller proportions. Indian society is recognizing the necessity of giving its children an education

far more extensive than that has been provided, during the last twenty-nine years after Independence. The knowledge of 3 R's is no longer sufficient for the common man if we are to continue the type of parliamentary democracy in the country. A tremendous increase in population, urbanisation, industrialisation, mechanisation and modernisation have brought such intricate and great problems of food, clothing, housing and protecting the masses that our children must all be educated sufficiently to be able to solve their problems successfully.

The First law on compulsory school attendance was passed in 1852 in Massachusetts (U.S.A.) but it was ignored for about 20 years because most of the people were kept ignorant that there was any such law. A State constable in 1860 had remarked, "nobody looks after it, nobody thinks of obeying the school laws." Similarly in India the compulsory education law is practically a dead letter. This law does not require that the children must attend a specific school. Attendance at private or convent schools or public schools satisfies the compulsory attendance law. Parents who give their children at home substantially the same education which they would receive at a Government school do not violate compulsory education laws. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right which must be made
available to all on equal terms.¹

Equal educational opportunity is simply a question of social and economic justice. Just as in the U.S.A., there was an alarming gap in the educational performance between children educated in inner-city ghetto schools and children educated in suburban schools, there is in India a wide gulf between the performance in education between the children educated in the tribal and rural areas and the children educated in the urban and public schools. Equal educational opportunities are denied to most of the children in India because the power of purse and bank balance of the parents play a major part in education of the privileged children. The children coming from poor families, are under-fed, under-clothed and poorly housed. The Parliament must recognize the inter-dependence between health and education of the children. In a Welfare State health and education of all the children are the watch-words of the Government. They are the twins of the all-round development of the nation. Health is the first of children's needs. They must enjoy good health before they are educated and they must be properly educated in order that they may realize the common hygienic needs so indispensable for a happy and healthy life. The Parliament must make health and education the concern of a common Ministry under the same Minister for the welfare and

development of children in the right directions. The future fate of India depends upon the education of her children who are the real wealth and promise of peace and prosperity. Shri V.V. Giri had said, "My feeling is that we must go a step further and have quicker strides from a socialistic society to a socialist State and the Socialist State leading to a class-less society." How is it possible to create a class-less society when there are so many imbalances and inequalities in the educational development of different sections of the society? It is expected that education is being made a concurrent subject in the very near future and now it is for the Parliament to be responsible to give a lead to the States in the right earnest for the education of all children in the age group 2-14 years as desired by the Founding Fathers of the Constitution vide Article 45. The health and the education of the children in the age group 2-6 years must in no case be neglected if we are really sincere, honest and true lovers of socialism, secularism and democracy. Whatever the children learn during the most plastic period of life between two years to six years, will endure to the end. The virtues of purity, truth, service, sacrifices, cooperation and tolerance can best be inculcated in the minds of the children during this period by providing them socialistic education in common schools, common balwadis and common ashrams, completely controlled and maintained by the society as a whole.

1Lok Sabha Debate, May 26, 1956, c. 2617.
India has entered a place where people demand performance rather than promises. It is time that Parliament comes out with an educational policy that can really produce substantial results in the foreseeable future.