

EDITOR'S NOTE

The Indian Law Institute is happy to present this volume on *Educational Planning : Its Legal and Constitutional Implications in India*. It contains the proceedings of the discussion sessions and the papers read at a seminar organized at Delhi under the joint auspices of the Institute and the Education Commission, Government of India, in January 1966.

The seminar was an inter-disciplinary venture. In addition to the judges, lawyers, and law teachers, economists, political scientists, educationists, Indologists, members of Planning Commission and Parliament participated in it. The main motivation for organizing this seminar was to provide an opportunity for a realistic assessment of the widely held feeling among intellectuals in India that the law and the Constitution presented obstacles to implementation of educational plans. It was felt that in the process of this assessment the disciplines represented would understand, in correct perspectives, the role of one another in helping to evolve the abiding values of the future Indian egalitarian society. The seminar was expected to be of particular benefit to the lawyers, judges and law teachers in re-thinking their traditional role as mere protectors of individual interests and look at it in terms of the social consequences its performance produces.

Another important question that the seminar discussed was the extent to which educational planning could be centrally guided. The two principal limitations on the centre's power—the mention of education in the state list and the prescriptions of the fundamental rights—were discussed in great detail.

The following tentative and illustrative break-up of the problems was suggested in one of the circular letters to the participants :

- (1) Legislative Relations between the Union and the States
- (2) Financial Relations between the Union and the States
- (3) Administrative Relations between the Union and the States
- (4) Protective Discrimination and Educational Planning
- (5) Equal Protection Clause, Selective Techniques and Educational Planning
- (6) Freedom of Expression and Educational Planning
- (7) Religious Freedom and Educational Planning
- (8) Cultural and Language Groups and Educational Planning

- (9) Directive Principles of State Policy and Educational Planning
- (10) Administrative Organization of Higher Education and Educational Planning
- (11) Legal Theory and Educational Planning

The general trend of discussions is indicated by the proceedings appended at the end of the volume. The nature of the subject was such that no consensus could be expected. I feel, however, that it brought desired results insofar as it provoked fruitful discussions and opened up new vistas of approach for those professionally concerned with the problem. As also emerged quite clearly from the discussions, what is needed is not merely a reorientation of the lawyer's outlook to constitutional law and fundamental rights but the emergence of a new understanding both at the educational as well as at the professional level of the need for a continuing dialogue between the law and the social sciences in India.

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