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Monday, August 26, 1985

Bhadra 4, 1907 (Saka)

LOK SABHA DEBATES (English Version)

**Third Session
(Eighth Lok Sabha)**



(Vol. IX contains Nos. 21 to 26)

**LOK SABHA SECRETARIAT
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LOK SABHA DEBATES

1

LOK SABHA

*Monday, August 26, 1985/Bhadra 4,
1907. (SAKA)*

Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

11.00 hrs.

[English]

PROF. MADHU DANDAVATE (Rajapur) : Mr. Speaker, Sir, I am raising a very serious issue. Please give us patient hearing, Sir.

MR. SPEAKER : Have you given notice ?

PROF. MADHU DANDAVATE : Yes, I have given notice. Sir, I have with me the United Nations Convention. Kindly go through the Articles 32 and 33 of the United Nations Convention...

MR. SPEAKER : We have not signed it.

PROF. MADHU DANDAVATE : ... regarding the status of refugees.

Sir, two important Sri Lankan Tamil Leaders S. C. Chandrasaran and Dr. A. S. Balsingham have been deported; and they have been deported violating Articles 31, 32 and 33 of the UN Convention. Sir, for your information I have also got a copy of the UN convention. Sir, especially when you deport them without a consent to a country which is not a country of their origin, or original homeland, it is a double disfavour, it is a double violation of Articles 32 and 33.

MR. SPEAKER : Please listen.

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PROF. MADHU DANDAVATE : Therefore I would at least like the Minister to make a statement. The entire Tamil Nadu is on stir. Thousands of people have come on the streets and they have protested, Sir, I would like the Minister to make a statement.

MR. SPEAKER : I have heard you.

PROF. MADHU DANDAVATE : Otherwise, admit my adjournment motion, Sir.

SHRI N. V. N. SOMU (Madras North) : This thing is going on for the last 2 years. Government is a silent spectator.

MR. SPEAKER : It is not a silent spectator at all.

(Interruptions)

MR. SPEAKER : Let me answer him at least.

PROF. MADHU DANDAVATE : I have given a wide choice. Call Attention, Adjournment Motion, 184, 193.

(Interruptions)

MR. SPEAKER : Let me answer him at least. Why don't you listen ? Let me say something Munsiji. (Interruptions) Please for God's sake listen to me. I have to say something. Listen, Prof. Saheb. The first thing is, I have to get all the facts examined which you have stated. I have ascertained some facts. India has not yet signed that convention regarding the refugees. But still—the Home Minister is not here today—I tried to contact him as soon as I got your letter.

PROF. MADHU DANDAVATE : That is not correct. Sir, as far as the convention is concerned ..

MR. SPEAKER : Convention is there.

PROF. MADHU DANDAVATE : It is respected by the whole world.

MR. SPEAKER : It might be. But, you have to be a signatory to that.

And secondly, I have to see how they have been deported and why. -

All these things will come.

PROF. MADHU DANDAVATE : All these thing will take time. All these are in the Book, Sir.

MR. SPEAKER : I will see. I will see to it. That is why I have said, I will have to look into it. And I will get in touch with the Home Minister.

SHRI N. V. N. SOMU : Even today 22 Tamilians have been killed, Sir.

(Interruptions)

PROF. MADHU DANDAVATE : Please at least direct the Minister to make a statement.

MR. SPEAKER : Let me get in touch with him.

PROF. MADHU DANDAVATE : On such a live issue does he not feel that a *suo motu* statement should be made in the House ? Why is he so insensitive to what happens in the world ?

SHRI N. V. N. SOMU : Mr. Speaker, Sir, even today 22 Tamils had been killed, Sir. It is going on, Sir. For the last 2 years the Central Government is a silent spectator.

MR. SPEAKER : Mr. Somu, the Central Government is doing its best. We are all concerned and they are in dialogue. I will see. They are doing something.

SHRI N. V. N. SOMU : They have not only deported Tamil leaders; they have deported the hopes of Tamil people.

MR. SPEAKER : I know. Everybody's heart is hurt.

SHRI N. V. N. SOMU : Today it must be taken up, Sir.

MR. SPEAKER : It cannot be taken up today.

SHRI SURESH KURUP (Kottayam) : Sir, apart from this issue which Mr. Dandavate has raised, I have given a Calling Attention.

MR. SPEAKER : That is nothing. I will look into it.

SHRI N. V. N. SOMU : This is an urgent problem, Sir. For the last 2 years they are only silent spectators.

MR. SPEAKER : You give me. I will consider. Yes, Munsiji.

SHRI PRIYA RANJAN DAS MUNSI (Howrah) : Mr. Speaker, Sir, I gave notice also. The whole House will agree with it. There is a serious news in the newspapers.

MR. SPEAKER : Have you given any notice ?

SHRI PRIYA RANJAN DAS MUNSI : Yes.

MR. SPEAKER : What notice ?

SHRI PRIYA RANJAN DAS MUNSI : I have given Calling Attention and Special notice.

MR. SPEAKER : For what it is ?

SHRI PRIYA RANJAN DAS MUNSI : Boeing 737

MR. SPEAKER : I will see. We will find out.

SHRI PRIYA RANJAN DAS MUNSI : It has been grounded. People are in panic.

MR. SPEAKER : We will see.

PROF. K. K. TEWARY (Buxar) : Sir, what I had raised last time was about the Union of Civil Liberties.

MR. SPEAKER : I have only asked the Home Minister, I have not got the reply so far.

(Interruptions)

PROF. K. K. TEWARY : Sir, this book published by them lists important politicians and the people.

MR. SPEAKER : I can consider, I cannot do anything more.

PROF. K. K. TEWARY : This has become a hit list. They are going as agents of foreign countries.

MR. SPEAKER : I will see to it. I have already done whatever I could.

PROF. K. K. TEWARY : Sir, they are acting as agents of foreign countries. *(Interruptions)* There are some Naxalites there. All kinds of elements were included... *(Interruptions)*. Mr. Speaker, it is a very serious matter.

(Interruptions)

MR. SPEAKER : I have given, you see...

(Interruptions)

PROF. K. K. TEWARY : There are Naxalites there, They are trying to destabilise the country.

(Interruptions)

MR. SPEAKER : Mr. Tewary, won't you listen ?

(Interruptions)

MR. SPEAKER : What are you doing ? You won't listen. I said that I have taken whatever steps I could, I have asked the Home Minister to furnish something. I have given it long back and I have again reminded them. Let them come out with some information.

(Interruptions)

PROF. MADHU DANDAVATE : Are you giving a Ruling that no non-official body can conduct an inquiry ? Jallianwala Bagh inquiry was conducted by a non-official body...

(Interruptions)

MR. SPEAKER : I am not giving any Ruling.

(Interruptions)

MR. SPEAKER : There is something wrong.

(Interruptions)

MR. SPEAKER : One of you may speak.

(Interruptions)

MR. SPEAKER : Why don't you let others also speak now ? Mr. Minister, your Members are not behaving.

SHRI MULLAPALLY RAMACHANDRAN (Cannanore) : Sir, the entire telephone system in Kerala has been totally paralysed for the last two days due to...

(Interruptions)

MR. SPEAKER : I will find out. He has already said it. I will find out.

(Interruptions)

MR. SPEAKER : We shall find out.

(Interruptions)

MR. SPEAKER : I shall find out from the Minister. That is what I told him.

SHRI N. V. N. SOMU : For the last one week I have been giving...

(Interruptions)

MR. SPEAKER : I am with you.

SHRI N. V. N. SOMU : Our feelings are not respected.

MR. SPEAKER : Why don't you realise that something is being done ?

SHRI N. V. N. SOMU : The Tamils have desired that...

MR. SPEAKER : That is all right, we are doing much more.

SHRI S. SINGARAVADIVEL : Sir, it has appeared in the press that two Lankan ships have entered our territorial waters and attacked our...

(Interruptions)

MR. SPEAKER : We will find out. Now, Papers Laid on the Table. Mr. Buta Singh.

SHRI N. V. N. SOMU : Sir, I am walking out.

At this stage, Shri N. V. N. Somu left the House

— — —

PAPERS LAID ON THE TABLE

[English]

Annual Report of the Indian Council of Agricultural Research for 1983-84 and statement for delay in laying these papers, Annual Reports, Annual Accounts and Reviews on the working of the National Cooperative Union of India, the National Council for Cooperative Training, National Federation of Urban Cooperative Banks and Credit Societies Limited of 1983-84 and statements for delay in laying these papers.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI H. K. L. BHAGAT) : Sir, on behalf of Shri Buta Singh,

I beg to lay on the Table—

1. A copy of the Annual Report (Hindi and English versions) of the Indian Council of Agricultural Research, New Delhi, for the year 1983-84 (Part II Administration and Finance).
2. A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library. See No. L.T. 1400/85]

3. (i) A copy of the Annual Report (Hindi and English versions) of the National Cooperative Union of India, New Delhi, for the year 1983-84,
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the National Cooperative Union of India, New Delhi, for the year 1983-84 together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Cooperative Union of India, New Delhi, for the year 1983-84.

4. A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library. See No. L.T. 1401/85]

5. (i) A copy of the Annual Report (Hindi and English versions) of the National Council for Cooperative Training, New Delhi, for the year 1983-84.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the National Council for Cooperative Training, New Delhi, for the year 1983-84 together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Council for Cooperative Training, New Delhi, for the year 1983-84.

[Placed in Library. See No. L.T. 1402/85]

6. A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above.

[Placed in Library. See No. L.T. 1402/85]

7. (i) A copy of the Annual Report (Hindi and English versions) of the National Federation of Urban Cooperative Banks and Credit Societies Limited, New Delhi, for the year 1983-84.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the National Federation of Urban Cooperative Banks and Credit Societies Limited, New Delhi, for the year 1983-84 together with Audit Report thereon.

(iii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Federation of Urban Cooperative Banks and Credit Societies Limited, New Delhi, for the year 1983-84.

8. A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (7) above.

[Placed in Library. See No. L.T. 1403/85]

SHRI S. SINGARAVADIVEL (Thanjour) : Sir, it is a serious matter. The Home Minister should take serious action.

(Interruptions)

SHRI SAIFUDDIN CHOWDHARY (Katwa) : ...on Bhopal gas distaster, One Inquiry Commission has been appointed.

MR. SPEAKER : By whom ?

SHRI SAIFUDDIN CHOWDHARY : By the Government.

MR. SPEAKER : Then it is all right.

SHRI SAIFUDDIN CHOWDHARY : Now, the State Government of Madhya Pradesh and other Central Government agencies are not cooperating with them.

(Interruptions)

MR. SPEAKER : I do not know, give me something.

(Interruptions)

MR. SPEAKER : Mr. Chowdhary, I cannot reply off hand. I do not know.

SHRI SAIFUDDIN CHOWDHARY : I have given the Calling Attention.

MR. SPEAKER : Then, let me find out.

SHRI SAIFUDDIN CHOWDHARY : You tell the Minister to cooperate with them.

(Interruptions)

MR. SPEAKER : I will find out and then let you know. Now, Rao Birendra Singh.

(Interruptions)

PROF. MADHU DANDAVATE : Sir, do it only...(Interruptions)...Give us the Ruling on the.

(Interruptions)

MR. SPEAKER ; Let us see, Sir.

PAPERS LAID ON THE TABLE—Contd.

[English]

Rice-Milling Industry (Regulation and licensing) Amendment Rules, 1985 and Annual Reports and Reviews on the working of the National Cooperative Consumers Federation of India Ltd. New Delhi, the Super Bazar Co-operative Store Ltd. New Delhi for 1983-84 and statement for delay in laying these Papers

THE MINISTER OF FOOD AND CIVIL SUPPLIES (RAO BIRENDRA SINGH) : I beg to lay on the Table—

- (1) A copy of the Rice-Milling Industry (Regulation and Licensing Amendment Rules, 1985 (Hindi and English Versions) published in Notification No. G.S.R. 635(E) in Gazette of India dated the 5th August, 1985 under sub-section (4) of Section 22 of the Rice-Milling Industry (Regulation) Act, 1958.

[Placed in Library. See No. L.T. 1404/85]

- (2) (i) A copy of the Annual Report (Hindi and English Versions) of the National Cooperative Consumers Federation of India Limited, New Delhi, for the year 1983-84 along with Audited Accounts.

- (ii) A copy of the Review (Hindi and English Versions) by the Government on the working of the National

Cooperative Consumers
Federation of India Limited,
New Delhi, for the year
1983-84.

- (3) A statement (Hindi and English Versions) showing reasons for delay in laying the papers mentioned at (2) above.

[Placed in Library. See No. L.T. 1405/85]

- (4) (i) A copy of the Annual Report (Hindi and English Versions) of the Super Bazar, the Cooperative Store Limited, New Delhi, for the year 1983-84 along with Audited Accounts.

- (ii) A copy of the Review (Hindi and English Versions) by the Government on the working of the Super Bazar, the Cooperative Store Limited, New Delhi, for the year 1983-84.

- (5) A statement (Hindi and English Versions) showing reasons for delay in laying the papers mentioned at (4) above.

[Placed in Library. See No. L.T. 1406/85]

Annual Report and Review on the Working of Bridge and Roof Co. Ltd. Calcutta for 1983-84 and Statement for delay in laying these papers

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM (SHRI NAWAL KISHORE SHARMA) : I beg to lay on the Table—

- (1) A copy each of the following papers (Hindi and English Versions) under sub-section(1) of section 619A of the Companies Act, 1956 :—

- (i) Review by the Government on the working of the Bridge and Roof Company Limited, Calcutta, for the year 1983-84.

- (ii) Annual Report of the Bridge and Roof Company Limited, Calcutta, for the year 1983-84 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon.

- (2) A statement (Hindi and English Versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library See No. L.T. 1407/85]

Annual Report and Review on the Working of the Children; Film Society India, Bombay for 1983-84 and Statement for delay in laying these papers

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD) : Sir, on behalf of Shri V.N. Gadgil, I beg to lay on the Table —

- (1) (i) A copy of the Annual Report (Hindi and English Versions) of the Children's Film Society, India, Bombay, for the year 1983-84 along with Audited Accounts.

- (ii) A statement (Hindi and English Versions) regarding Review by the Government on the working of the Children's Film Society, India, Bombay, for the year 1983-84.

- (2) A statement (Hindi and English Versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library See No. L.T. 1408/85]

Notification under Customs Act, 1962

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY) : I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 :—

- (1) G.S.R. 658(E) published in Gazette of India dated the 16th August, 1985 together with an explanatory memorandum regarding exemption to goods specified in the notification on importation into India for use inside the Falta Export Processing Zone at Calcutta for the purpose of being used in connection with the manufacture of export goods from the whole of the duty of customs leviable thereon.

11.17 hrs.

PUBLIC ACCOUNTS COMMITTEE

[English]

Fifth Report

SHRI E. AYYAPU REDDY (Kurnool) : Sir, I beg to present the Fifth Report (Hindi and English versions) of Public Accounts Committee on Action Taken by Government on the recommendations contained in the 196th Report of the Committee (7th Lok Sabha) regarding delay in the installation of continuous channel testing bays (CCTB) and their unsatisfactory performance, irregular purchase of telephones, inventory control and research, development and production.

- (2) G.S.R. 659(E) published in Gazette of India dated the 16th August, 1985 together with an explanatory memorandum regarding exemption to goods specified in the notification on importation into India for use inside the Madras Export Processing Zone for the purpose of being used in connection with the manufacture of export goods from the whole of the duty of customs leviable thereon.

[Placed in Library. See No. L.T. 1409/85]

LOKPAL BILL*

[English]

MR. SPEAKER : Now, Mr. Asoke Sen may move for leave to introduce the Bill.

(Interruptions)

11.15 hrs.

MESSAGE FROM RAJYA SABHA

[English]

SECRETARY-GENERAL : Sir, I have to report the following message received from the Secretary-General of Rajya Sabha :—

"In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 23rd August, 1985, agreed without any amendment to the Government Savings Laws (Amendment) Bill, 1985, which was passed by the Lok Sabha at its sitting held on the 20th August, 1985."

PROF. MADHU DANDAVATE (Rajapur) : They have diluted the Bill. The Prime Minister has gone, Members of Parliament have gone, the Chief Minister has gone, the Governors have gone.

AN HON. MEMBER : Then who is remaining ?

MR. SPEAKER : Lots of them.

(Interruptions)

THE MINISTER OF LAW AND JUSTICE (SHRI A.K. SEN) : Sir, I beg to move for leave to introduce a Bill to provide for the appointment of a Lokpal to inquire into allegations of corruption against Union Ministers and for matters connected therewith.

*Published in the Gazette of India extra ordinary, Pt. II 2, Section 2 dated 26-8-85.

MR. SPEAKER : The question is :

"That leaves be granted to introduce a Bill to provide for the appointment of a Lokpal to inquire into allegations of corruption against Union Ministers and for matters connected therewith."

The motion was adopted

SHRI A.K. SEN : Sir, I introduce** the Bill.

MR. SPEAKER : Give the amendments to the Lok Pal Bill by 5.00 PM today.

SHRI S. JAIPAL REDDY (Mahbubnagar) : It may be taken up day after tomorrow. When can the amendments be given ?

MR. SPEAKER : The amendments can be given by 5.00 PM today.

SHRI E. AYYAPU REDDY (Kurnool) : How can we give the ammendments so early ?

SHRI S. JAIPAL REDDY : We protest against the time given for giving the amendments. How can we prepare the amendments within this short time ?

MR. SPEAKER : Tomorrow is a holiday.

SHRI SURESH KURUP (Kottayam) : Make it 10 O'Clock day after tomorrow.

SHRI S. JAIPAL REDDY : How can you wring down an important Bill our throats ?

PROF. MADHU DANDAVATE : I think it is an eye wash as well as white wash.

[Translation]

MR. SPEAKER : Should it be extended till tomorrow ?

SHRI A.K. SEN : I am agreeable for tomorrow.

MR. SPEAKER : I am talking of amendment ?

**Introduced with the recommendations of the President.

SHRI A.K. SEN : You may decide for tomorrow. If office opens, Members can send their amendments.

[English]

PROF. MADHU DANDAVATE : Tomorrow is a holiday, for your information. Can it be given day after tomorrow after 11.00 AM ?

SHRI SURESH KURUP : If the office accepts, we can give day after tomorrow.

SHRI A.K. SEN : The amendment should be given by 11.00 O'Clock day after tomorrow

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI H.K.L. BHAGAT) : Even though tomorrow is a holiday, the office can be kept open for the purpose of receiving amendments from 10.00 AM. The Bill can be taken up day after tomorrow.

MR. SPEAKER : Give the amendments tomorrow by 5.00 P.M.

— — —

[English]

MATTERS UNDER RULE 377

- (i) Need to check large scale dropout of scheduled Tribe students in the country during the Seventh Plan.

KUMARI PUSHPA DEVI (Raigarh) : Sir, it is a matter of great concern that the rate of drop outs among the Scheduled Tribes in the country is increasing every year. The rate of drop outs at the primary level is as high as 90 per cent in respect of ST children. The rate of drop outs is increasing every year particularly in Madhya Pradesh, Bihar and Orissa. Unless immediate measures are taken to check the large-scale drop outs among ST children from schools and colleges, the idea of spreading education among them will not be possible. Therefore, I suggest to the Government that measures like providing adequate hostel facilities, creation of more residential schools, hostels and enhancement of the stipend for the ST students should be taken up during the 7th plan period. At the same time, I request the Government to introduce mid-day meal schemes in the

schools, particularly those located in tribal areas. I request that the above measure be taken to check the large-scale drop outs of ST children without any further delay.

[Translation]

(ii) Scientific Research Centre for coconut in Karnataka.

SHRI G.S. BASAVARAJU (Tumkur)* : Sir, in Karnataka State, Tumkur district is very famous for coconut production. Coconuts are sent from here to all parts of the country. Copra of Tiptur is very popular. In spite of this, there is not even a single scientific Research Centre of coconut in the entire Karnataka State. In Karnataka, coconut is one of the very important commercial crops. Even then there are no facilities of research and information to the farmer about the diseases of coconut plants. This has resulted in the reduction of coconut production in the entire State and the condition of the poor coconut grower has become miserable.

Therefore, a research centre has to be opened in Karnataka State to give all information to the farmers about coconut cultivation. A plan has to be prepared in this regard to help the poor farmers. The State Government has come forward to sanction 1000 acres of land near Gubbi Taluk for the said purpose.

(iii) Allocation of sufficient funds for completion of 2nd and 3rd phases of Banspani-Jakhpura railway line during 7th Plan

SHRI HARIHAR SOREN (Keonjhar)** : Sir, the construction of the first phase of the Banspani Jakhpura railway line between Jakhpura and Daitari was completed and opened for traffic in the year 1979. After that, the Government of India decided to take up the construction of second and third phases of this railway line. The second phase of the above rail link was accorded sanction for construction during the Sixth Plan. But it is a matter of great regret that the

construction of the second phase has not been started so far. The State Government of Orissa has completed the land acquisition work. But the Government of India has been neglecting the construction of this line on the plea of financial stringency. I demand that the second and third phases of Banspani Jakhpura railway line should be given priority in construction during the Seventh Plan and necessary funds should be allocated accordingly.

[English]

(iv) Declaration of inland Waterways of Kerala as National waterways

DR. K.G. ADIYODI (Calicut) : Sir, Kerala enjoys regular inland navigation system because of several west-flowing rivers and a coast-line interspread with canals and back-waters. The total navigable route length is 1995 kms. These waterways constituted the main means of transport before the development of roads and the advent of motor vehicles. The centre of this inland water system is the 83 km. Vembanad lake, and the main waterway is the west coast canal of 558 kms. The waterways enable the distribution of agricultural products and serves the needs of merchants such as coir, timber, brick tiles, fertiliser, rubber, etc. They provide access to several minor ports and to the major port at Cochin.

The waterway is shallow in certain regions and is not navigable even with vessels in use at present due to lack of maintenance, and deepening of the shallow portions has not been carried out as required due to paucity of funds. The inland water transport system carries an average of four million tons of freight traffic and 26 million passengers every year. The State Government requested the Central Government to declare the west coast canal as a national waterway and to provide assistance for its development.

The cost of transport by water is cheaper, i.e., one-fifth when compared by road and 1/20th when compared by rail. By developing the inland waterways, consumption of petrol/diesel can be reduced and the cost of transport in general reduced. For preventing floods, widening and deepening of the canal system is the essential aspect of the system.

*The speech originally delivered in Kannada.

**The speech was originally delivered in Oriya.

Kerala is famous for the natural beauty of the land and by providing facilities for the tourists, the entire State will be benefited by increased tourist traffic. I, therefore, request the Union Government to take necessary action to declare the inland waterways of Kerala as a national waterway and assist by providing necessary funds.

[Translation]

(v) Setting up of a Doordarshan Relay Centre at Hanumangarh in Rajasthan

SHRI BIRBAL (Ganganagar) : Mr. Speaker, Sir, I want to raise a matter of urgent public importance that in Hanumangarh (Rajasthan), which is on the Indo-Pak border, a TV Relay Centre should be set up.

The Central Government's resolve to make available the National Programmes of Doordarshan to the maximum people and its implementation is laudable.

Recently, in Srigangangar a low power Doordarshan Relay Centre has been commissioned. Hanumangarh being out of the range of Srigangangar and Suratgarh in East, the people of the area cannot view the programmes of these Centres. The programmes of Amritsar and Jalandhar Centres can be seen occasionally depending on the climate. Lahore (Pakistan) station's programmes, of course, are received with clarity and are, therefore, very popular in this area.

It is very necessary to stop cultural infiltration by Pakistan. Some 6 lakh people of this area, which consists of one Municipal Corporation area, four Municipality areas and one Tehsil Headquarter, including many big villages in 2 thousand square kms. of area are forced to watch these programmes as they are deprived of the National Programmes. I, therefore, submit to the Communications Minister of the Central Government that in the above circumstances to avoid Pakistan programmes it has become a national necessity to set up a Doordarshan Relay Centre in Hanumangarh.

It is, therefore, humbly requested that in the national interest, a Doordarshan Relay Centre should be set up immediately in Hanumangarh.

[English]

(vi) Taking up the matter with Bangladesh for ensuring proper treatment of waste water of Darshana Sugar Mills being discharged into the Churni river to prevent pollution

SHRIMATI BIBHA GHOSH GOSWAMI (Nabadwip) : Sir, The waste waters of Darshana Sugar Mills and Brewery in Bangladesh pollute the river Churni in the district of Nadia in West Bengal throughout the year. In the past this problem had been taken up with the then East Pakistan authorities and afterwards with the Bangladesh authorities, but with very temporary results. The pollution is deadly for fish and fowl and most of the time the river water is unfit even for bathing cattle not to speak of any human use. Besides having deprived the fishermen of their traditional livelihood, the pollution has been creating health hazards of an alarming dimension directly to tens of thousands of our citizens.

Government should take up the matter immediately and urgently with the Bangladesh Government and ensure that the waste waters of Darshana Mill are properly treated before being poured into the river Churni (Mathablanga in Bangladesh) and thus relieve the people from constant fear.

(vii) Remunerative price for sugarcane

SHRI V. SOBHANADREESWARA RAO (Vijayawada) : Sir, sugarcane crushing season is fast approaching. Sugar is being sold at very high prices in the country. The country is importing lakhs of tonnes of sugar spending very huge foreign exchange. Cane area reduced due to the unremunerative price for cane for the last few years. The cane grower is very much disappointed with the policy of the Government which is showing more attention to the sugar industry by increasing levy sugar price after the end of previous sugarcane crushing season while denying the just price to growers. So, to induce the grower to go for more cane area there is urgent need to announce remunerative price of Rs. 25 per quintal linked to 9 per cent recovery for the ensuring season. This will help in supply of most of the cane to the vacuum pan sugar factories and discourage diversion of cane to Gur and Khandasari sectors. This will also have definite bearing

on the growers to plant more sugar cane in more area.

(viii) Need to prepare a twin city development project on both sides of the Ganges to join Howrah with Calcutta and to set up a Howrah Industrial city Development Authority for the purpose

SHRI PRIYA RANJAN DAS MUNSI (Howrah) : Sir, the Seventh Plan proposals are taking a final shape and the Prime Minister has expressed his deep concern both for rural development as well as for metropolitan city development keeping ecological balance and purification of the environment from pollution.

Patna city of Bihar and Calcutta have an unique advantage of being at the Bank of Ganges and the development of both sides of the Ganges in terms of city development could generate the idea of twin city programme with satellite counter magnets. After the completion at the 2nd Hooghly Bridge, Calcutta will be directly linked with Howrah which industrially the biggest and otherwise the 2nd biggest in the Eastern India. If in the third phase, the Calcutta Metropolitan Railway (Tube Rail), as sanctioned by 7th Plan, connects Salt Lake with Ramrajatala having underground tunnel through the Ganges and if the 2nd Hooghly Bridge is completed expeditiously, then Calcutta can have satellite cities and counter magnets upto Baruipur, Canning and Diamond Harbour in the south 24 Parganas and upto Uluberia of Howrah. The Kona Express Highway and the link of the Delhi Highway and Bombay Highway, which pass through Howrah, can carry the burden of road transport and goods traffic to the trade centres and commercial centres in both sides.

The South Eastern Railway and Eastern Railway are operating from Howrah and the two major national highways are also connected through Howrah. The industrial burden from the major complexes and other projects and the development burden of Calcutta city can, therefore, be shifted to these areas. This will only be possible after having a twin city development idea on both sides of the Ganges so that Howrah can be expanded and the present Howrah city can be further developed with all modern civic amenities and Calcutta and Howrah can be connected having a complete city character.

Like CMA, an exclusive Howrah Industrial City Development authority should be formed to look into this project.

11.33 hrs.

RAILWAY PROTECTION FORCE (AMENDMENT) BILL—Contd.

[English]

MR. SPEAKER : The House will now take up further consideration of the Bill to amend the Railway Protection Force Act, 1957. Shri R. Jeevarathinam to continue with his speech.

[Translation]

*SHRI R. JEEVARATHINAM (Arakkonam) : Hon. Mr. Speaker, Sir, On Friday, the 23rd instant I was talking about the compulsions of the Government to increase the passenger fare and the freight rate because of the recurring losses in the pilferage of railway materials and fittings and the consignments in transit. When the Railways lose annually several hundreds of crores of rupees in such pilferage, there is no alternative but to raise the freight rates and passenger fares. This adversely affects the common commuters of the Railways. By converting the Railway Protection Force into an Armed Force of the Union, this kind of pilferage should be stopped. I am happy that this Bill provides for the achievement of this objective. I welcome this Bill and by referring to a few more issues I will continue my unfinished speech.

At the outset I demand that the Director-General of the Armed Forces should be made a Member of the Railway Board. Then only the day to day administrative problems of the Armed Force can be solved expeditiously. The Member in charge of the Armed Forces should also be made responsible for the recovery of pilfered goods. Last year the Railway Board had paid Rs. 30 crores as compensation for the loss of goods in transit. Unless the pilferage of consignments is stopped and unless the drain of railway resources in the form of compensation is stopped, the Railways will not be able

*The speech was originally delivered in Tamil.

to serve the nation in a better manner. The Member in charge of Armed Forces, i.e. the Director-General should be fully empowered to tackle all these issues effectively.

There are 67,000 personnel in the Railway Protection Force. This includes 8 battalions of the Railway Protection Security force also. I hope that the Railway Protection Security Force also would be a part and parcel of this proposed Armed Force. There is no reference to the R.P.S.F. in the provisions of this Bill. I request the Hon. Minister of Railways to clarify this point in his reply to the debate.

Presently, the maintenance of law and order and the prevention of thefts and crimes are under the charge of the Government Railway Police Force. The Government Railway Force is functioning under the directions of the State Governments. The Railway Board meets 50 per cent of the administrative expenditure of the Government Railway Force. Besides, 2000 members of the Railway Protection Force are also earmarked for the assistance of Government Railway Force. Consequently the R.P.F. is not able to concentrate on its duties.

In addition to Railway stations and other adjoining railway property there are 2 lakh acres of Railway land all over the country. Out of this, 60 per cent of railway land has been encroached upon by the vested interests. This inhibits the allotment of railway land to the railway employees for constructing houses. The Government Railway Force is not able to prevent encroachment of railway land.

Hence I demand that the Government Railway Force should also be included in the proposed Armed Forces. Since already the Railway Board is meeting 50 per cent of the administrative expenditure of this Force, there is not going to be any additional financial burden on Railways. Then only, all the railway properties, fittings, materials, wagons, coaches, consignments in transit, railway stations and railway land etc. can be protected from pilferage and encroachment effectively. The Government Railway Force must be merged with the Railway Protection Force.

The salary scales given to the soldiers of the Army along with other benefits must be

extended to the personnel of this Armed Force also. The soldiers are protecting the freedom of the country. The personnel of Railway Armed Forces are protecting the important economic activity of the nation. Hence they should be on par with soldiers of the Army. The trained youngsters from National Cadet Corps should be recruited for this Force. Similarly, the Army Recruitment Board should be entrusted with the responsibility of recruiting personnel to this Force. I am sure that our Hon. Railway Minister will look into these suggestions I have made and initiate appropriate action to implement them.

With these words I conclude my speech.

[English]

SHRI A. J. V. B. MAHESWARA RAO (Amalapuram): Sir, the Government has taken a very long time to amend this Bill which is more than a quarter century old and was not suited to the prevalent Indian conditions.

The main drawback of this Act was that the Railway Protection Force could not make any arrests and were meant strictly for protection of Railway property only. Even this duty they are not performing honestly and dutifully.

According to me, the Railway Protection Forces have a number of duties to perform. The major ones being :

1. To ensure uninterrupted and secure movement of goods and essential commodities.
2. To ensure protection of Rolling stock and fitting in the compartments.
3. To ensure safe movement of passengers.
4. To ensure safe and secure movement of passengers belongings.
5. To prevent entry of unsocial elements on the platforms such as beggars etc.,
6. To prevent ticketless travelling and to apprehend culprits.

7. To prevent robberies on trains, etc.,

8. To prevent thefts from wagons and parcel offices.

I would like to know from the Railway Minister as to whether this amendment of Railway Protection Force Act does really suitably arm the Railway Protection Force to check all the crimes on the Railways effectively. I have got my doubts about it because there are cases where the R. P. F. personnel collude with culprits and take a share in the stolen goods.

The recent amendment in the Railway Act, has enabled the Railways to take stringent action against persons who in any way hinder smooth running of Railways. The amendment to this Act would no doubt further strengthen the hands of Railways to ensure better service to passengers, but the pity is that implementation aspect is very poor.

I would like to point out that this Act ensures safe movement of passengers but does not say anything about the belongings of passengers carried by them inside the compartments without booking it with the Railways. Many instances have happened when the luggage of passengers is stolen and there is nobody to register a complaint. Such passengers have to get down from the train to register their complaint with Government Railway Police and the train also will not wait for them to enable them to lodge a complaint. They suffer a double loss, that is, lose their valuables and also miss the train. I would like to know from the Railway Minister whether RPF will now register such complaints and prevent much hardships to the passengers who are victims of pick-pockets and thieves on the running trains. I would like to know whether in case of such incidents the train will be detained to enable the passenger to lodge the complaint and strict and deterrent action taken against Railway staff who refuse to cooperate.

The condition of the coaches is horrible. Fans are missing, bulbs and electrical fittings are stolen, seat covers are torn due to the fact that the RPF are not protecting the coaches stationed in yards and in fact collude with the thieves and unsocial element. I

would like to know whether this amendment provides any stringent punishment also to ensure that RPF do their duty sincerely and diligently.

Beggar nuisance on the railway platforms is on the increase. These beggars also steal the belongings of unwary passengers. How is the railway protection force better equipped with this legislation and is going to check this evil on the platforms?

Then thefts from wagons are a common affair. We have so many times booked coconuts, but the quantity booked never reaches the destination. Always, the coconuts are stolen.

Then, the dog squad is not worth its salt, because of corruption in the ranks of the railway protection force so much so that even the food meant for the dogs is eaten by the railway protection force personnel with the result that because of hunger, dogs go to sleep and railway protection force take it easy. Unless the Act adequately provides for suitable and deterrent punishment, all these amendments are of no use and are only an eyewash. Much remains to be done and unless the railways really mean to improve and are serious, nothing can be done.

In view of these drawbacks, I strongly oppose this amendment.

SHRI K. PRADHANI (Nowrangpur) : Mr. Chairman, Sir I support the Bill moved by the Hon. Railway Minister to amend the Railway Protection Force Act to empower them with special powers to make the department function effectively and efficiently.

Clause 11 of this Bill deals with amendment of Section 12 of the principal Act. Here, some more clauses have been added to give them special powers. Sub-clause (1) is that any member of the Force may, without an order from a Magistrate and without a warrant arrest any person who voluntarily causes hurt to any person on duty etc. to obstruct the railway protection force in the discharge of their duties, and sub-clause (iv) is with regard to the arrest of any person who commits or attempts to commit a cognizable offence which is likely to involve imminent danger to the life of any person engaged on any work relating to railway

property. The Force can arrest persons without warrant, those persons who commit crime against the property and persons employed in the railways. But there is no provision here in this section to arrest a person who has a design to commit any crime against the property or person. I, would, therefore, suggest that another clause or sub-clause be added in this clause, just like Section 151 of the Criminal Procedure Code which authorises the police to arrest a person who has a design to commit any cognizable offence. If that is done, the railway protection force will be in a position to prevent more crimes than at present.

Then clause 15 of the Bill proposes to amend Section 17 of the Act. In sub-clause (1), the punishment has been increased from six months to one year. I welcome this idea. But, again sub-clause (3) says that the Central Government may invest Assistant Inspector General, Senior Commandant or Commandant with magisterial powers to deal with offences under this Section. Then, sub-clause (3) of proviso says :

“when it is a petty offence even if connected with the offender’s duties as an enrolled member or the force, the offence may, if the prescribed authority within the limits of whose jurisdiction the offence has been committed so requires, be inquired into or tried by an ordinary criminal court having jurisdiction in the matter.

Here, there is two-way traffic. One is that this Bill seeks to make some of the offences triable by the courts by Assistant Inspector-General, Senior Commandant or Commandant and the other is that it seeks to leave some of the departmental cases to the criminal courts. I admit that it would be harmful in both the ways if departmental cases are tried by criminal courts.

In Criminal Courts, a large number of cases are pending. The departmental cases will be lingering and it will take a lot of time for disposal. Moreover, in criminal courts, these cases can be thrown out for technical objections and the percentage of acquittal will be more. Therefore, I would leave it to the Minister of Railways to consider about this and to examine this point.

Lastly, I would like to say something about the GRP and the RPF. The RPF is mainly meant for the protection of the railway property and the GRP is meant for detection and investigation. RPF people are recruited by the Railways whereas the GRP are drawn from the neighbouring States to conduct the investigation and submit the final report. The crimes which are committed in the running trains are very difficult cases because the offenders always try to escape by the running trains and leave the jurisdiction of the railway police. Therefore, it becomes very difficult on the part of the investigation officers to investigate into the cases. Generally, these officers, who come from various States, do not take much interest because they are not attached to the Railway Department. They are temporarily brought on deputation and after some time they leave the Department. I would draw the attention of the Railway Minister to see that officers of very high standard are brought to this Department from various States so that the investigation work of our GRP will be more successful in this field.

Sir, I would like to quote a sentence from the *Hindustan Times* of yesterday. This is regarding a report of the *London Times*, and quote :

“The most immediate need, the *Times* said in an editorial was to restore the confidence in Indian police force, which has been reduced in stature by indiscipline, low salaries and poor training.”

I draw the attention of the Railway Minister to these three points regarding strict discipline better salaries and training. The police are lacking in training and they should be trained in a better way to give a better performance.

SHRI AJIT KUMAR SAHA (Vishnupur) : I stand to oppose this Bill. I have no objection if the Government can ensure better protection of the railway property and its security by declaring the Railway Protection Force, as an Armed Force. But Sir, our experience is otherwise. Those who have been assigned this work of protection of railway property are in collusion with the criminals.

The Railway Protection Force was constituted. I am quoting from the ‘Indian

'Railway Yearbook, 1984' under the RPF Act, 1957. The RPF has a strength of about 67,000 men at present, comprising 38 battalions. There are also Dog Squads in the Railways, which are utilised for patrolling the yards and tracking down the criminals.

Sir, what is the performance of the RPF all these years ? Here also I am quoting from the Indian Railways Year Book :

**Properties stolen and recovered from
1979 to 1984**

<i>Year</i>	<i>Properties stolen</i>	<i>Properties recovered</i>
1979-81	92.79 crores	37.30 crores
1980-81	150 crores	54.30 crores
1983	174.07 crores	71.67 crores

According to 1983-84 figures, the number of persons arrested were 21,327 and the cases registered were 80,825.

The consignment stolen in 1984 was 63.21 crores and recovered only 40.77 crores. The number of persons arrested were 5015 and the cases registered were 50,010. Sir, this is the performance of the RPF. How much are you spending for this force ? According to Railway Demands for Grants, during 1984-85, are spending 58.64 crores for this Railway Protection Force. But in the Objects and Reasons, you have said so many things. Sir, all these are contradictory. On the one hand you are giving more power to the RPF, declaring them as outmoded; on the other hand you are taking away all their facilities which they are enjoying as RPF. According to the statement of objects and reasons, you will find, the restrictions have been imposed on their right to form an association on the lines of the similar restrictions on other armed forces of the Union. But, as the RPF, they were enjoying some privileges; they could have formed their unions and enjoyed the railway rights which the railwaymen are enjoying now. But you are taking away all these things. So, I oppose this Bill.

SHRI CHINTAMANI JENA (Balasore) : Mr. Chairman, Sir, I rise to give my whole-hearted support to this Railway Protection Force (Amendment) Bill. This Bill should

have been brought much more earlier. But we have noticed that in case of thefts, burglary, losses to Railway properties, which are taking place in our country, the Railway have to depend only on the RPF and the GRP. GRP is meant to maintain law and order in railway stations, trains etc. But the RPF is there to give protection to railway property. But in the field, we notice that the GRP personnel who are brought in from the State Government services on deputation, are not bothered about the benefits to the Railways or commuters, or about railway property. The RPF personnel present at railway stations and to protect the railway property are so meagre in number that they cannot cope with the anti-social acts which are going on in railway stations.

You might have noticed that at 90 per cent of the railway stations, there is not a single GRP of RPF personnel.

11.52 hrs.

**[SHRIMATI BASAVA RAJESWARI
in the Chair]**

My Hon. friends in the Opposition were opposing the Bill. Mr. Choubey specially, while opposing the Bill said that RPF was in collusion, and they were connected with these acts of theft and burglary of railway property. But when the Minister came forward to take some strict measures to make the punishments deterrent, my Hon. friends opposed them also.

SHRI NARAYAN CHOUBEY (Midnapore) : What is your experience at Halasore ?

SHRI CHINTAMANI JENA : I suggest that RPF be deployed in all the trains running in our country. I had requested for this during my speech on the Railway (Amendment) Bill also.

Recently, the Hon. Minister of State of Railways has said, during June or July, at a Press Conference that about 10,000 RPF personnel would be employed. But a week back, the Hon. Minister has written a letter to me, saying that due to a ban, the RPF personnel cannot be recruited. I would say that just as the Minister of State has said, a minimum of 10,000 RPF personnel are necessary to give protection to trains, commuters and railway property.

We notice that the Railways are dependent only on GRP to meet the law and order problems. But we have noticed in the field that GRP personnel are deputed by the State Governments to Railways only as a sort of punishment. It means that an officer who is not capable of doing his duty in other fields, is sent on deputation to GRP. Such officers have no interest in work. So, the railway property and the users are the worst sufferers. The GRP personnel do not bother, because they are in the Railways only for 2 or 3 years. They are not part of the regular forces of the Railways.

In my humble opinion, RPF should be given more powers. The Hon. Minister has brought in this Bill. I suggest that more powers should be given to RPF, and without depending on GRP...

I would suggest that the RPF should be entrusted with the law and order problem, giving protection to the commuters as well as railway property.

Whatever cases are pending in the courts—they are going on for years together—for them there should be camp courts and the summary trial, and the cases should be disposed of as early as possible.

On the question of safety, the Comptroller and Auditor General has expressed annoyance and dissatisfaction. Though in 1964, the railways has agreed to adopt railway safety measures in certain sections, it has not been completed in one section. For Southern Railway, about Rs. 1.18 crores has been lying idle and no work is being done. I would request that the question of safety in the railways should be given the top priority than any thing else. I am grateful to the Hon. Minister for deputing one officer in mail and express trains for maintaining punctuality in trains. I suggest that practice should be extended to all other trains also. They should not only look to the punctuality of trains but also railway safety as well as protection to the railway property and also safety of the passengers. My humble submission is that they should deploy RPF personnel in all the trains.

While supporting the Bill wholeheartedly, I would like to quote one sentence from the *Patriot*, dated 17th July, 1985. The heading is : "Avoidable disasters" I only quote the last sentence. It reads as follows :

"The hopes raised by the recent pledge^a of the Union Government to show results on the railway front—and by the choice of a person with such a reputation of dynamism as Mr. Bansi Lal to head the Railway Ministry—must not be allowed to belie."

With these words, I support the Bill.

[Translation]

SHRI MOOL CHAND DAGA (Pali) :
Madam Chairman, I rise to support the Railway Protection Force (Amendment) Bill. When the Railway Minister was introducing the Bill, I was listening to the reaction of some of the Opposition leaders. I observed that Prof. Madhu Dandavate, our former Railway Minister, was also objecting to the introduction of the Bill. Along with him, another leader, Shri Choubey, was also objecting. I want to say something to them today. They must have read the Supreme Court's judgement of 11th July 1985. I want to draw their attention to an extract from that judgement.

In addition to this judgement I would also draw your attention towards the fact that if you allow the paramilitary forces to form unions, then what will happen to the country. Mr. Choubey, you also agree that pilferage takes place but it takes place with the political protection. In all these incidents of theft and pilferage I have read in the newspapers, big shots are behind them. They form a gang and commit dacoities. This you also know. I want to say to you this also that it is not for the first time that this discussion is taking place in the House. Earlier also this subject has been discussed in the House repeatedly. These pilferages take place with the assistance of the people who are in politics. Therefore, Railway Protection Force remains a silent spectator because they have not been vested with adequate powers to act. If someone removes the hose-pipe the Force cannot do anything. Now, I shall read out the judgement;

[English]

"In this respect the Police Force stands very much on the same footing as a military or a para-military force for it is charged with the duty of

sureing and maintaining law and order and public order, and breaches of discipline and acts of disobedience and insubordination on the part of the members of the Police Force cannot be viewed with less gravity than similar acts on the part of the members of the military of para-military Forces. How important the proper discharge of their duties by members of these Forces and the maintenance of discipline among them is considered can be seen from Article 33 of the Constitution. Prior to the Constitution (Fiftieth Amendment) Act, 1984, Article provided..."

I need not read that part.

[Translation]

After this judgement what Shri Madhu Dandavate did during the Janata Party rule if you listen to that you will enjoy that. It is good that Shri Dandavate is not present at the moment and has left in time because he has come to know that it is not good to be present here today. During their rule a bulletin was issued by RPF. I would read certain portions from that bulletin from which you would come to know the position prevailing at that time—"Our deaf and dumb Government, in the name of socialism, is sleeping like Kumbhkaran". You all may be knowing about Kumbhkaran's sleep. You too would have slept like him. I would not repeat Shri Madhu Dandavate's name time and again. The bulletin was released during their rule—"Deaf and dumb Government... March forward, demonstrating like steel." This bulletin from which I have read out certain portions was issued during their strike period. Due to paucity of time I would not read it fully. Shri Reddy, you may also listen. Such an impressive bulletin was issued during the Janata Party's regime. Shri Morarji said that what have you done? If socialist leaders form a union, how will we function? Therefore, what will be the position of the country if a Military Force in which there are 65,000 people, form a union. They had at that time taken out a procession with *safas* tied on their mouths. Atrocities were being perpetrated on them at that time and they had appealed that they would face the Government with firmness and they had given a clarion call. Bulge for struggle was

blown and Shri Morarji's position became shaky.

The importance of the Railway Protection Force is being recognised today through this Bill and it will prevent theft of crores of rupees and the anti-social elements who indulge in activities like removal of hosepipes will be dealt with severely. In 1983, they dealt with the anti-social elements severely but now they cannot do that in the same way as they do not have the requisite powers. These powers, in the Bill have been provided as follows :-

[English]

"The following are the principal features of the Bill :-

- (a) Declaring the Railway Protection Force an Armed Force of the Union and consequential changes in the nomenclature of different ranks in the Force in consonance with its changed character as an Armed Force.
- (b) Conferment of additional powers on the members of the Force such as to arrest without warrant . "

[Translation]

Today thefts are taking place, there is goondaism, hosepipes are being removed, railway property is being damaged but Railway Protection Force remains a silent spectator because they do not have the requisite powers to act. This Bill will vest them with powers and they will be able to protect the railway property.

This Bill has been brought here after the judgement of the Supreme Court keeping in view the spirit of Article 33. I think this will get support not only from the treasury benches but from the Opposition Members also and they will definitely agree that the Railway Protection Force should get these facilities. The question is to get work from them after the formation of a Union. Therefore, I welcome this Bill and urge that it should be passed with one voice and the Opposition Parties should support it.

***SHRI P. APPALANARASIMHAM** (Anankapalli) : Madam Chairperson, the present Railway Protection Force needs many changes. There is no security to the life and property of the people who travel by trains. Especially so in the South Central and South Eastern Railways. There are no amenities for the passengers alright but at least security should be provided for the passengers during the train journeys. Even the goods trains by which valuable goods are transported are not being spared. Pilferage is taking place everywhere. The goods trains are being looted on the way. A regular business of pilferage is going on. No protection is being offered to the goods trains. Our Railway Protection Force has failed miserably to bring all those who are engaged in pilferage to book. This pilferage has been going on for the past 15 to 20 years. Many unwanted things are taking place. But nowhere did the R P F succeed in controlling them. In fact, Railways have practically done nothing to protect the life and property of the people who travel by train. Under these circumstances whether it is advisable to rely on the R P F any more by further strengthening it or is it better to constitute a new force to give protection to Railways, passengers, and goods etc. ? We should think about this question seriously. There is nothing in this Bill to answer this question. What I feel is that the way we have a separate budget, it is better to have a separate Railway protection force. This new force would serve our needs properly.

A murder took place at Elamenchali which is in my constituency. The Railway Police took 3 months just to say that the case do not come under its jurisdiction. This is the efficiency of our Railway Police. You can well imagine the sort of protection they can provide to our passengers. At a marshalling yard some Railway Police personnel have killed their own sentry. They could not catch the persons who are involved in pilferage. Due to the inefficiency of Railway Protection Force, property, both private and public worth hundreds of crores of rupees is being lost every day. They are not in a position to offer any sort of protection. So we should think of how we can improve the quality of our Railway

Protection Force. No thought seems to have been given in this Bill regarding the improvement of Railway Police. Passengers are being robbed openly during broad day light in Rayagadha-Raipur Railway Section. Murders are taking place every day. We hear these news on All India Radio. We read such news every day in our newspapers. But not even a single report speaks about the steps the Railways have taken to control these incidents. No report speaks of the progress made in this direction.

Sir, in this connection I ask the Government to introduce insurance in Railways as is being in the case of air journeys. Irrespective of whether the property is public or private, it should be insured. Unless this facility is provided to the passengers, they continue to suffer. There are thousands of persons who have lost everything during their journeys. These people should have to be recompensated. Insurance is the best way to protect the property of passengers as well as the property of Railways itself. I hope, the Government would soon introduce insurance for the protection of every body. If this is done the Railways will be a success.

Now the Railway Police instead of protecting the passengers are creating many troubles for them. So their function should be well defined. They must have a definite programme to protect the passengers. For that purpose, we must have a separate protection force for Railway. These personnel must be given a good training. Then only, they can do their job well. Now the arrangements made to protect goods in a goods train are not sufficient. There will be only one Guard for the entire train, and he will be sitting in the last wagon. These people are remaining as helpless spectator as the goods are being stolen from the goods train before their eyes. Hence at least there should be protection force personnel present at least in 3 bogies of the train so that they can effectively check the pilferage. If this arrangement is made, every goods train can reach its destination without its contents being pilfered. I hope the Government will take this step.

I hope the Government will take steps to improve the quality of Railway Protection force so that they can discharge their duties

*The speech was originally delivered in Telugu.

effectively and protect the life and property of the passengers. They will also be in a better position to guard precious railway property.

I conclude thanking you for giving this opportunity.

[English]

THE MINISTER OF RAILWAYS (SHRI BANSI LAL) : Madam Chairman, I am grateful to the Hon. Members who have participated in this debate. Prior to 1957, the RPF was known as Watch and Ward Department of the Railways, and after 1957, when the Bill was passed, it became a disciplined force. But in the 1957 Act not much protection was given to the Railway Protection Force and because of that many vexatious prosecutions took place against the members of the Railway Protection Force. Now we have brought forward this Bill to give them protection from malicious prosecutions. This Bill will practically enable raising the standard of training, efficiency and discipline of the Force, as also restructuring of this organisation for ensuring better command and control. The members of the Force would have adequate legal power, and protection for ensuring better security of Railway property. In the absence of a magistrate or local police officer, the Railway Protection Force officers would be able to deal, on their own, with unlawful assemblies in grave situations where public security is manifestly endangered. The RPF personnel will get protection against arrest and vexatious prosecution for acts done in the discharge of their official duties under the Cr.P.C. So, we have brought forward this Amendment simply to give more protection to the Members of the Railway Protection Force.

Prof. Thomas pointed out that RPF cannot get protection to the passengers. Madam, the RPF's duty is not to protect the passengers. It is the duty of the Railway Police to give protection to the passengers. For that we have been persuading the Chief Ministers of the States to make the police more effective than it is at present.

Shri Narayan Choubey pointed out that there is corruption at high level in the RPF. It is not so. The charge is baseless.

SHRI AMAL DATTA (Diamond Harbour) : At which level is the corruption ? Are you saying that there is no corruption at all or the corruption is not at the high level ? What is your contention ?

SHRI BANSI LAL : It is at the Marxist level.

Then he said that the right of union and association should not be taken away. The right of union cannot be given to an armed force. And since we are making it an armed force of the Union, we cannot give them the right of the Union and associations.

Shri Ratnam wanted that the Director General of the Railway Protection Force should be a Member of the Railway Board. It is not possible at all, because if we make the Director-General of the Railway Protection Force a member of the Railway Board, then some other Branch will also come forward and demand that its Head of Department should also be a Member of the Railway Board. So, we cannot do it.

Shri Ratnam also wanted a clarification from me saying since the RPSF is a force, whether it will be merged into the RPF or not. That is already a part of the RPF. RPSF is not formed as a result of an enactment. That is our internal arrangement. So, RPSF will also be a part of the RPF.

Then Shri K. Pradhani referred to the training of the force. The training will be much more better than it had been earlier.

Shri Saha spoke about the Unions. When he says about this, I may refer here to Prof. Madhu Dandavate. That day when I introduced the Bill, he opposed it on the ground that the Union and Association rights should not be taken away from the Railway Protection Force. In July 1979, there was a protest and almost a rebellion in the Railway Protection Force, simply because they had a right to union. I would remind Prof. Madhu Dandavate that an *Ishtihar* was printed, published and was also distributed. It reads like :

[Translation]

"The Historic Decision

of

The All India Railway Protection Force Association. Remember the zero hour on 12 July 1979.

March forward. Remain firm.

Do not be misled.

Comrades,

Remember the zero hour on 12 July 1979 to wake up the socialist Railway Minister of the deaf and the dumb Government from his Kumbh-karan like sleep and we should continue to march forward demonstrating firmly our steel like unity."

This is being said by the Railway Protection Force.

"Remember that the representatives and you can be harassed in many ways by the administration and wrong publicity can be made through radio etc.

But unless your sector committee gives its signal, you have to unflinchingly do your duty to get your demands accepted and have to wait for the next programme.

Please demonstrate your strength by remaining united and be victorious.

Action Committee,
Delhi Division."

[English]

Madam Chairman, can you imagine that a disciplined force, an armed force, which has got arms in its possession, should resort to all these things? Should we allow them to resort to these things? Should we allow them to continue such things? Should we allow them to spread indiscipline among the force? Should we allow it?

Professor Saheb was very emphatic. There are many other things also. During the same period by name the pamphlet was issued.

Hamari jeet nischit hai

And then there are names of the office bearers of the R P. F. So we cannot allow all these things to go on like that.

SHRI AMAL DATTA : 1980 is the last time this happened.

SHRI BANSI LAL : 1979, 12th July.

SHRI AMAL DATTA : After that this kind of rebellion did not take place. You are bringing the Bill in 1985.

SHRI BANSI LAL : No. It did not take place. And now we are putting an end to it.

Then Shri Chintamani Jena went to the extent of saying that GRP does not bother for Railway property and passengers. I do not agree with him. GRP is discharging its duty. We are trying our level best to active the GRP. Then he said that 90 per cent of the stations are there which do not have GRP or RPF. On every station they are not required. They are required only at particular stations, wherever sensitive areas are there. Then he said that more power should be given to RPF. We are already giving more powers to RPF. That is why this Amending Bill has come.

With these words I request the august House to pass the Bill.

MR. CHAIRMAN : The question is :

"That the Bill to amend the Railway Protection Force Act, 1957, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN : We now take up Clause-by-Clause.

The question is :

"That clauses 2 to 19 and Schedule stand part of the Bill."

The motion was adopted.

Clauses 2 to 19 and Schedule were added to the Bill.

MR. CHAIRMAN : Now the question is :

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

THE MINISTER OF RAILWAYS
(SHRI BANSI LAL) : I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted.

INDIRA GANDHI NATIONAL OPEN UNIVERSITY BILL

[English]

THE MINISTER OF EDUCATION
(SHRI K. C. PANT) : I beg to move* :

"That the Bill to establish and incorporate an Open University at the national level for the introduction and promotion of the Open University and distance education systems in the educational pattern of the country and for the co-ordination and determination of standards in such systems, as passed by Rajya Sabha, be taken into consideration."

Sir, this Bill before the House has, as its background, the educational needs of contemporary society. There is today an unprecedented explosion of knowledge, the frontiers of which are rapidly expanding. The application of communication technology in the field of education promises to open up new possibilities. New methods of teaching-learning are being advocated, which would replace the teacher-centred education. We are awakening at the dawn of a new educational order. The old system of education has become rigid and over-centralised, mainly because of its increasing magnitude. We are, therefore, in search of a system that would be capable of resilience, responsive to the changing needs of today

and tomorrow. There is today an increasing stress on education for all as also on life-long education. As a consequence, there is a sharp focus on education. As a consequence, there is a sharp focus on educating those sections of society which have remained for long neglected or ignored. It is being increasingly realised that in the long run it would cost society heavily if we do not attend to the needs of the weaker sections and of the disadvantages. The contemporary tide of education demands of us special efforts to break new grounds. The present Bill is an expression of such an effort.

Madam, the purpose of this Bill which provides for the establishment of a National Open University, is to promote and foster a learning society in which there would be no barriers to vertical and horizontal mobility which is essential for the expansion of the horizons and enhancement of the general and professional capability for all those who have the ambition and the will to do so. Any egalitarian and democratic society demands that opportunities for such mobility are provided and are available to all. There is a vast number of people in our country who are denied the opportunities to pursue higher education mainly because the compulsions of economic factors made them to drop out of the formal system of education. This is particularly important in the case of the poor and the disadvantaged, especially in the rural areas.

Education has so far remained confined to people who can pursue it on a whole-time basis. An open learning system which provides access to systematic education to housewives, to workers in factories and farmers in the rural areas gives a new meaning to the concept of democratisation of educational opportunity. By endorsing this Bill the House would establish an institution which would make it possible to provide continuing education to the workforce, who can avail of learning opportunities during leisure time and contribute to overall modernisation of the socio-economic system.

We all now that the present structure denies the benefit of education to many people, who are knowledgeable but have no formal education, or who cannot, for economic or other reasons, afford the pursuit of higher education on a full-time basis, or who are interested in learning a

*Moved with the recommendation of the President.

wide variety of subjects which do not fit into the formal system.

12.27 hrs.

[MR. DEPUTY-SPEAKER *in the
Chair*].

Many of them may not be interested in securing degrees or diplomas, but may be keen to deepen their acquaintance with certain specific fields, at their own unhurried pace. The formal system, and the general run of Universities as they are functioning, do not, and cannot, cater to these variable characteristics of learners which are clearly relevant to the process of education. It is to fill this critical gap in our system of education, by providing an alternate approach to learning, that we are establishing the National Open University. The proposal before the House to establish a National Open University has the advantage of developing a flexible and open-ended system involving basically dissemination of knowledge and promotion of expertise.

An important criticism of our education system is the courses and programmes offered by it have no relevance to knowledge and skills required for jobs available in the employment market. A determined effort at restructuring the courses presently offered by our Universities and Colleges might, in the future, reduce the mismatch between education and employment. A large number of people who have already come out of our Universities and Colleges, however, will continue to face the problem of lack of opportunities for upgrading their knowledge and skills. We believe that a special mechanism like the Open University would provide to those of them who have the initiative and the motivation, another chance in life to reduce their disabilities.

One of the most crucial problems that our Universities and Colleges are facing today is the ever-increasing pressure of numbers. This pressure has in no small measure contributed to a perceptible decline in the standards of our higher education. Such efforts as have been made in the past to absorb a part of this pressure through non-formal channels like correspondence courses have not yet made any significant impact. Obviously, the reason is that the correspondence courses offered at present are

not in any manner different from the formal programmes. Their effectiveness in comparison with formal education has, therefore, suffered seriously. The Open University system of distance education would, on the other hand, be vastly superior to correspondence courses and, in some cases, even to formal programmes offered by regular Colleges. The multi-media delivery system that the Open University would adopt would make for greater efficiency and a package of services like counselling, guidance, summer schools, contact programmes and laboratory facilities it can offer, could ensure more effective inter-action between the system and the learners. Above all, the flexibility in its processes which transcends the limitation of time of time-bound and space-bound education would provide the Open University system an advantage even over the formal programmes.

The Open University concept is not entirely new. The first Open University was established in the United Kingdom in 1969. Since then, it has been tried out with considerable success in many developed and developing countries. There are Open Universities in Canada, the Netherlands, Spain and West Germany in the West, and in China, Japan, Indonesia, Pakistan, Sri Lanka and Thailand in Asia. In India also, the first Open University was established in 1983 in Andhra Pradesh. This University has about 28,000 students on its rolls today. Some other States are also planning the establishment of Open Universities.

The proposal before the House seeks not only to establish an Open University to offer a variety of programmes, but also to assume a leadership role in promoting a distance education system in the country. The Bill provides that the National Open University will coordinate the functioning of various distance learning institutions in the country and ensure that they maintain a standard that commands respect and establishes a high level of credibility for this system in India. In achieving this objective, the National Open University would initiate programmes which have definite relevance to learners' needs through carefully designed curricula and textual material with supporting media and contact programmes. The University will also endeavour to establish

a highly efficient and reliable system of evaluation. Besides, the National Open University will provide resource support to other institutions of distance learning through documentation, training, methodological back-up, and so on.

The approach of the National Open University will be significantly different from that of the conventional Universities. Unlike the latter, the Open University does not have to rely on its own faculties. It can draw upon the best minds in the country and utilise expertise, wherever it is available, in preparing its educational material. It can also commission individuals and organisations to prepare and produce textual and supporting material and can exercise greater freedom in the choice of tutors, guides and summer course Directors without depending entirely on the inhouse faculty. To the extent necessary this University can also draw upon the expertise and experience of people outside the University system.

We believe that the National Open University will have a positive impact on the total education system in the country. Materials and media programmes produced by the Open University will be available also to those enrolled in the formal programmes. The teaching-learning formal programmes in the formal system will also be enriched in several ways. Besides providing a frame of reference for evaluation of the formal programmes, the Open University will provide a stimulus to the reorientation of the formal system through diversification of courses, curricula and educational materials. What is more important, the Open University will usher in a new era in educational technology by providing not only models but also generating manpower trained in the application of such technologies.

We have made a provision in the Bill for the affiliation of Colleges with the National Open University. This provision will offer an institution a choice that would transcend its immediate environs. The availability of such a choice would provide a challenge to the system which, we hope, will strengthen the thrust for excellence in the conventional affiliating Universities. It is my hope that this challenge would lead to the development of a creative partnership of shared objectives and responsibilities between

Universities and Colleges in place of the patron-client attitude that at present seems to dominate their relationship.

The University will enrol students living anywhere in the country. The eligibility criteria for enrolment will be evolved keeping in view the need for flexibility in respect of formal qualification and age and through a careful consideration of alternatives. The University will, if it so considers, establish regional centres to give practical shape to its national character. We hope that through its programmes the National Open University can contribute substantially to national integration.

The National Open University will offer a large variety of courses leading to degrees, diplomas and certificates. The programmes will be structured in modules and the system of earning credits will enable learners to continue their programmes of education at their convenience. This University will have to function in competition with others, and it will not be able to compromise on the quality of its programmes without losing its clientele. Indeed, the advantage that the Open University has over others is that the students enrolled with it would mostly be motivated learners.

I am sure the House will agree that it is befitting that the National Open University should be named after Shrimati Indira Gandhi who, besides being our Prime Minister and a towering world leader, was also a person whose life was characterised by a concern for the poor and the disadvantaged and the continuing search for excellence. The manner in which she continued to grow in stature from day to day constantly developing and refining her formidable resources of mind and spirit and ever ready to learn from experience, epitomises the concept of continuing education. She was faced with tremendous challenges throughout her life, but she was able to meet them all and maintain the honour, integrity and unity of India mainly because she combined an intuitive understanding of the forces underlying the course of events with great courage and intellectual agility, which enabled her to innovate and adapt, without losing her direction or vision. The idea of establishing a National Open University took shape under her guidance and leadership.

It is, therefore, appropriate that this University is named after her and every effort is made to see that this institution achieves a level of performance worthy of her name.

With these words, Sir, I commend the Bill for the consideration of the House.

MR. DEPUTY SPEAKER : Motion moved :

“That the Bill to establish and incorporate an Open University at the national level for the introduction and promotion of the open University and distance education systems in the educational pattern of the country and for the coordination and determination of standards in such systems, as passed by Rajya Sabha, be taken into consideration.”

Mr. Saifuddin Chowdhary to move his amendment.

SHRI SAIFUDDIN CHOWDHARY (Katwa) : Sir, I beg to move :

That the Bill to establish and incorporate an open University at the national level for the introduction and promotion of the open University and distance education systems in the educational pattern of the country and for the coordination and determination of standards in such systems, be referred to a Select Committee consisting of 14 members, namely :

- (1) Shrimati Akbar Jahan Abdullah
- (2) Shri Amal Datta
- (3) Shri Jagjivan Ram
- (4) Dr. Kalpana Devi
- (5) Shri Suresh Kurup
- (6) Shrimati Geeta Mukherjee
- (7) Shri K. C. Pant
- (8) Shri C Janga Reddy
- (9) Shri S. Jaipal Reddy
- (10) Dr. Sudhir Roy
- (11) Shri Amar Roypradhan
- (12) Shri N. V. N. Somu
- (13) Shri Piyus Tiraky, and
- (14) Shri Saifuddin Chowdhary

with instructions to report by the first day of the next Session. (86)

SHRI ANAND GAJAPATHI RAJU (Bobbili) : Mr. Deputy-Speaker, Sir, starting of an Open University is definitely a welcome development. But I would like to bring to the notice of this august House that the Andhra Pradesh Government, in 1983, had taken the initiative to start an Open University. Today the Centre has also taken some talent from Andhra Pradesh in terms of starting an Open University in the Centre. So, it is a welcome development. I am happy that the State of Andhra Pradesh has also participated in the starting of the Open University at the Centre. Sir, educational development of the formalistic type is what is being practised today. This is a system which is non-egalitarian, elitist and also a system which does not allow the entry of all. Therefore, in an effort to involve all sections of the public, build up human skills and to include non-formal approach in education, the Open University is definitely a milestone in the development of educational skills.

We find today in the system there are a lot of drop-outs. Young children who come from poor background yet talented and energetic are unable to find a place in the formalistic set-up. Therefore, the Open University system by which talent is tapped, developed and utilised is welcome. The non-formal approach to education is not necessary or useful in the higher education alone. It would be useful at all levels of education. Therefore, there is need to widen the ambit of the Open University not only to colleges and higher education but also at the school level where young unfortunate children may be brought into the formalistic system.

The genesis of the Open University definitely is the Correspondence Course which used to go on right from the beginning of the Twentieth Century.

The entry of the media after the communication revolution that is there today is definitely a welcome development. Besides in a process of building up human skills there is need to achieve also the economics of scale and proportion and the Open University is a system by which these concepts can be utilised and put to proper use and care.

Therefore, what we lack today in India

is the socio-economic approach to education and to some extent I would say the Open University fills up this gap. So far the philosophy behind the Open University is definitely enthralling but what is more important is the steps necessary to improve the efficiency and effectiveness of the Open University. Equipment which is marshelled for the purpose must be first class. If defective equipment is used in the process of communicating certain skills then the very purpose of the open University would be lost.

Then again we had only a quantitative jump in the educational system ever since Independence. What is more required is qualitative effort to see that standards are raised. This can come about when qualitative aspects are kept in mind and one must draw talent not only from the educational field but also from all sections of the public which will help in formulating and developing human skills.

Again the ambit of the Open University has to be increased. Its role must be further emphasised. I would like to suggest having handled education in the Andhra Pradesh Government for about two years—that there should be a total ban on starting of fresh colleges and fresh institutions. We had suggested this because the standards are deteriorating very fast and if any new institutions have to be opened in the state, they should be within the framework of Open Universities so that students get the advantage of being in the Open University getting education and, at the same time, not reducing the standards which perhaps deteriorated very badly over the last several years. I would like to suggest at this moment that the old 'gurukul' system which was followed in ancient India could also be included in the Open University because there are lots of advantages in the system and the foremost advantage was the search for excellence, search for talent and the search for combining this in an effort to better human conditions. Therefore, the system of masters in China and Japan, the Open University and the 'gurukul' system should be formalised so that we have a system which is excellent and not in any way inferior to any other system followed in the other countries because the Open University was first started in 1969 in Great Britain and now it has spread to a

number of countries and we would wish that our system to be the best not in this country but throughout the world. Therefore, the Open University should also attempt at doing away that functional illiteracy. Today, in this country, even though we have so many graduates and post-graduates and students who have gone through the educational system, we find that there is a lot of functional illiteracy and people are not able to cope up with the strains of society of the demands that it makes upon them.

In the end, I would like to draw the attention of this august House to the 'Panch Tantra' which are old tales relating to India in B. C. In the 'Panch Tantra', the five tales related to the Kings' sons who were supposed to be educated in a few months about the realities of life and these realities of life are revealed to them in five stories. Therefore, if the Open University can be short and sweet and conclude its programme in five stories and still develop skills, then we would definitely support this system and it will definitely contribute to the development of skills in the country. Thank you.

PROF. N. G. RANGA (Guntur) : Mr. Deputy Speaker, Sir, I think our Education Minister is extremely fortunate in having this opportunity of introducing this Bill and in making such a felicitous speech. I wish to congratulate also Mr. Raju, the spokesman of the Telugu Desam for his very useful and constructive speech. I agree with him that Andhra Pradesh has won laurels in taking the initiative in the whole of India in starting the Open Air University. But then there is a big and long history behind the idea which is the source of inspiration for this Open University. In India, it is under the auspices of the then Congress in which almost all the leaders of the present day political parties, all-India parties, had their training and political initiative, that we all have understood the need for such an educational approach. Therefore, we started a number of institutions. Some of them were known as citizenship colleges. Some others were mazdoor colleges. I myself was responsible for starting a number of Kisan colleges, Kisan Institutes and Kisan schools. We also ran summer schools, week-end schools. And in that manner, we made it possible for a large

number of youngmen, who were drop-outs from high schools and colleges to gain the required training, inspiration and scholarship in regard to political role to be played by them and others through them in our national movement. Thus, we trained thousands and thousands of people in every area. Earlier than all these efforts, there was the great *Visva Bharati* started by Gurudev Tagore. It was from that so many of us have gained our inspiration for starting these open educational institutions. England has also taken the lead, but only recently in starting these open universities. But, now it is Indiraji who made the biggest practical contribution as a beginning for such an institution by developing the TV during the last one and a half years of her career. I do not know, how she found it, she persuaded all the administrative bosses in different associated departments and made it possible for the TV to spend more than Rs. 25 crores in addition to what was provided in the annual Budget in order to develop so many TV centres on a large scale in such a dynamic manner. Why did she do it? What was the idea? She wanted to make use of the satellite in order to make it possible for lakhs and lakhs of our people, all over India, not only in town, but in villages also, who could not be reached otherwise by educational institutions, to gain scientific knowledge, as well as historical knowledge and information. We have got this equipment. While all the universities have got their big buildings at college and University levels, the open Universities have got the satellite equipment, the TV apparatus established as its initial capital, as it were,

When the British rulers accused Mahatma Gandhi and other national leaders in our country that they were only trying to play on the ignorance of the large masses of our country in order to gain support for themselves, it was Mahatma Gandhi who turned round and said that our people were not ignorant; they might be functionally illiterate, but they had been educated, they had received our cultural heritage through various traditional means of developing and propagating education and cultural education in our country like Kathakali, Hari Katha Jangam Katha and so many other popular performances that we have been having, religiously oriented and culturally oriented. Through all this, our people, men and women, have gained so much knowledge

of our ancient culture, history and traditional lore. In addition to that, they were gaining their knowledge and capacity for dialects through what are known *Purana Kalakshepas*, and in our villages, we had them. I do not know whether we may exclude the vast recesses of hills, where tribal people were obliged to live without so many of these equipments. In the rest of India, we have all these equipment, through which our mothers and fathers were able to gain the necessary knowledge about nature, natural forces, about our history and about the world as a whole and it is on the basis of these that the Open University would be working. The satellite system, the TV and other equipment which are being developed by our Government can contribute and all this would be an advantage. In addition, we have the traditional lore also. Recently, the cinema has come to help. But unfortunately, it has not been as great a help as one would have expected and in the last 15 or 20 years, they have been somehow or the other competing among themselves to ape the West, especially the American West and helping our people to pay greater attention to violent ways of dealing with each other than for other constructive deeds.

PROF. MADHU DANDAVATE (Rajapur) : And the maximum crime is contributed by Amitabh Bachchan.

MR. DEPUTY SPEAKER : In cinema only?

PROF. N. G. RANGA : The cinema can and should play a constructive role and we have to make use of it. These are the equipment, but they are not enough. The traditional universities and their colleges have not been able to serve more than five or ten per cent of our young people who really deserve university education, but at the same time who are not able to join colleges or universities, either because they are too poor to pay the fees or they have to earn their livelihood at too early an age. For these people, this open university would be making a great appeal. It would throw open not its portals, but its avenues of teaching to all these people.

Recently, we have been paying special attention to the need for providing technical

education to our young people and preparing them for various avocations and employment. We have the polytechnic institutions, but they too have become too costly and they are too few. Nevertheless, there are thousands and thousands of people who are being educated in these polytechnics and after finishing their education, they are being given a diploma. Such people have got to be helped to overcome their sense of inferiority *vis-a-vis* the degree holders, with training, educational facilities and opportunities that this open university would be able to provide to them when they are studying in the polytechnic institutions and after getting their technical degree or diploma, also while earning their livelihood in various professions, immediately within about five or ten years, we would be able to provide this additional facility to these lakhs and lakhs of our technically oriented and technically trained young men to gain cultural education, non-technical education, traditional as well as non-traditional education. In this way, this is an avenue which has got tremendous possibilities and especially for a country like ours where we have failed till now, to our shame, to assure universal elementary education and to abolish complete illiteracy; and where we are not yet able to visualise the possibility of providing compulsory elementary education even by the end of this century, a university like this is especially necessary. Not only one University like this, but a number of Universities like this all over India. I would like all the States to take up this, just as Andhra Pradesh Government has taken it up, and headed by this national university. Why should there be a national university?

Why should not we be contend with these State level universities like open universities? It is because at the Centre, there are sufficient funds—funds far larger than what are available for the State Governments.

13.00 hrs

Then, here is also Parliament. Parliament thinks for the whole of India and Parliament functions for the whole of India. Parliament is an institution to persuade the Central Government to set apart large enough funds also for this. That is why we need this national university as well as the State level open Universities. I am very glad

that for the Andhra Open University, Andhra Government has found a very competent men as its Vice-Chancellor and the Centre has found him to be good enough for their university. In that way, it is a contribution of which Andhra can be proud and the contribution for which Government of India also is grateful to Andhra Open University.

I wish all success to this university and I hope that as one who has initiated the earliest possible movements in this direction under the inspiration of Mahatma Gandhi, who has found the All India Adult Education, which in December, 1933, has made a great contribution.

I welcome this Bill and I bless this institution and congratulate my Hon. friend the son of my very great friend and very great leader Shri Govindballabh Pantji.

MR. DEPUTY SPEAKER : He has already blessed you.

SHRI HARDWARI LAL (Rohtak) : Mr. Deputy Speaker, Sir, the Bill before the House which I heartily support represents the fulfilment of yet another promise made by the Prime Minister in his first broadcast to the nation in January last.

As pointed out by the Hon. Education Minister, the Bill connects the University with the immortal name of Indiraji. It would be recalled that the very idea of the open university for the country originated with her in 1976. Very aptly, this open university will be a visible memorial to Indiraji. I think the Education Minister would regard it his privilege, that it has fallen to him to translate Indiraji's idea into practical shape. He and his principal assistants have done their job remarkably well in preparing the Bill and for this he deserves the thanks of the House.

I notice Sir, that there are numerous Amendments tabled by Hon. Members, I mean no disrespect to any of them, if I choose to mention only two at the outset. There, the suggestion is that the Bill should be referred to a Select Committee of the House. I would oppose this suggestion. Excepting a few minor flaws which relate to the powers of the Vice-Chancellors, the provisions of the Bill are quite all right and

they do conform to basic and time tested principles of university administration.

The second Amendment, relates to the composition of the Board of Management. I shall express my agreement with that Amendment, when I come to the provision relating to the board.

Then, I would start by submitting that this Open University is not exactly an alternative system of higher education. In my view, it will be a good supplement, an important brick of our educational pattern, with innovations of course, which even the existing universities can adopt with immense profit.

The Education Minister has rightly pointed out that the pressure on the existing universities and colleges is very excessive and the Open University of the size and nature envisaged in the Bill will certainly reduce this pressure to the undoubted benefit higher education in the country. We must also grant that if the Open University succeeds in putting up in adequate number regional study centres and in different parts of the country, if it is able to secure the cooperation of the existing universities, private universities and colleges, if it can take up various other activities mentioned in Clause 5 of the Bill, it will enable the disadvantaged section of the society to go in for higher education of a fairly good quality. But this "if" Sir, is a big "if". We are setting for the Open University, a task which is really stupendous and I really do not agree that the funds mentioned in the Financial Memorandum to the Bill will really suffice to give us the kind of Open University which we want. We should be quite clear on this point.

I seem to think that the financial needs of the Open University have been underestimated and unless we give to this University larger funds—much larger than with its annual meagre grant the Education Ministry can spare, unless we arrange for adequate funds the Open University will not be the kind of institution which we are planning for. In fact, I speak from knowledge and experience. I myself have organised two universities from a scratch. I am familiar with the Open University of the United Kingdom. The need for funds for the open

University is very much more than has been anticipated by the Education Minister. And since our financial resources are severely limited.—that we know—and since we need larger funds, I shall suggest that we should cut expenditure in certain directions and also wind up certain projects.

I shall make a few suggestions in this connection.

The Open University can take up the Continuing and Adult Education and in turn it might get all that we are spending on adult education at present.

PROF. N. G. RANGA : That is right.

SHRI HARDWARI LAL : Secondly, the States can be persuaded to make over to the Open University all their unviable Government and aided institutions and colleges so that the Open University can start its regional centres and study centres without spending much on the buildings and equipment.

PROF. N. G. RANGA : That is right

SHRI HARDWARI LAL : Thirdly, about two thousand universities run correspondence courses of sorts and they can easily be wound up and the staff working there and the buildings can be given to the Open University.

I may also suggest that we should not put up any more general universities except those which the Government may think, highly expedient to be put up in the national interests.

The Prime Minister, for example, has also promised one and a half universities to Assam, one Central University and a campus of the North-Eastern Hill University at Kachar.

PROF. N.G. RANGA : That is right.

SHRI HARDWARI LAL : There is also the suggestion that the Calcutta University also should be taken over by the Centre. And then in the agenda for the session there is also the Bill for the Pondicherry University. I strongly suggest to the Education Minister that all these should be taken together and

he should not be in a hurry to get the Pondicherry University Bill passed. Then we have this Open University. This will also need large funds.

In addition, there is another hurdle to be crossed. We all tend to have our separate shops. Unless there is total coordination among different Ministries the Open University is bound to come to grief. I seem to think that there is no difficulty on the top, but difficulty will certainly be there when we go down below unless, of course, we evolve and strictly enforce a set of rules.

The Open University, as pointed out by Prof. Ranga, will depend largely for its success on the mass media—radio and television—on their efficiency and cooperation. Not only are their efficiency and cooperation to be ensured but we have to undertake massive expansion of television. As pointed out by the Prime Minister the other day, we have so far completed only the first phase of expansion of television. In any case, properly implemented and I may be allowed to repeat properly implemented, the Bill will certainly give us an Open University which will render very useful service to the people, both to those who are unable to go in for higher education in traditional Universities and also to those who want to keep abreast with the knowledge which is constantly increasing, as pointed out by the Hon. Education Minister, with every year that passes. I also seem to think that the Open University will generate in the countryside a kind of movement which will impel the people to acquire knowledge for self improvement. And the programmes, if imaginatively worked out and properly presented in regional languages, will also help us in the matter of national integration.

But I will not go lyrical in praise of the Open University. I am sorry, I cannot do that and for definite reasons. We must not over-rate an Open University as an institution for imparting education. Significantly missing from this will be the pets and frowns of the teacher so necessary for encouraging and frightening students into putting forth their best. Also missing from it will be the competitive spirit among the unseen body of students, the most potent incentive for attainment of excellence in education. Television, of course, will enable the Open University to function, but it is not a substi-

tute for the class room and the hostel. Also we must not forget that even in the 21st century proper education will remain a matter of clash of minds between teachers and students and between students and students and also a matter of common habitation. Therefore, I say that the Open University is not a substitute for the class room and the hostel. I agree that it will certainly render a very useful service to the people in its own way. Also we should not suppose that it will help in equalising educational opportunities. We can equalise educational opportunities only if we improve the village schools and if we arrange for subsidised remedial education in a really big way. Merely by starting this University, it will not be possible for us really to equalise educational opportunities.

Now a word about the Vice Chancellor's powers as given in this Bill. I know that in our conditions, a Vice-Chancellor has to have very wide powers to manage his difficult charge but then the powers envisaged in this Bill are really excessive. One provision of the Bill makes the Vice Chancellor the appointing authority in case of teachers, of course, with the approval of the Board of Management. But in every University that exists, the Vice-Chancellor is not the appointing authority with regard to professors, readers and lecturers. It is always the highest decision-making body which is the appointing authority.

Next I come to the Vice-Chancellor's emergency powers. The Vice-Chancellor has to have emergency powers. But when he exercises the emergency powers, he must seek the approval of the University Body on behalf of which he exercises those powers. In this Bill, the provision is that if the University Body in question disagrees with the Vice-Chancellor's action, then the matter will go to the Visitor whose decision will be final. I will not agree with this. In fact, the Vice-Chancellor will use his powers more cautiously if he knows that the body on behalf of which he is exercising the power is the final authority in the matter. The final say should rest with the relevant body, and if that is the position, then the Vice-Chancellor will be very cautious in exercising his emergency powers.

Then, I come to the composition of the Board. I am very happy that the Bill

eschews the method of election. But I shall make a few suggestions. For example, in relation to ex-officio members, there should be only four ex-officio members—The Education Secretary, the Finance Secretary, Chairman of the UGC, who is a must, and Secretary, Information and Broadcasting. As mentioned in one of the amendments, four or five members should be the nominees of the two Presiding Officers of the two Houses of Parliament who should be on the Board of Management. The remaining six or seven should be nominated by the Visitor in his discretion. Of course, out of the panel prepared separately by the UGC, the Education Ministry and also the Academic Council of the University.

The provision of annual report in the Bill is highly salutary, but I only hope that the report will come to us punctually, not like the UPSC Report. I remember, the other day we were asked to discuss the UPSC Reports relating to the years 1982-83 and 1983-84. Where such is the position, the whole thing becomes unrealistic.

More important than anything else is the monitoring of programme and performance of the university. I shall certainly say that unless the university comes into being with a ban, and unless its performance during the first few years is really good, it will meet the fate which the correspondence courses being run by some universities have met. There the admissions have sharply fallen. Therefore, the first few years of the university should witness the university to be up and doing a very proper way.

With these words I heartily support the Bill.

DR. SUDHIR ROY (Burdwan) : Sir, this Bill to set up a new open university is always welcome for we do not subscribe to the view that India has reached a saturation point in the sphere of higher education. From the days of Lord Curzen we have been listening to the same story that universities and colleges have become hot-bed of politics and therefore, no new university or college should be set up. In fact, this is also the suggestion of the UGC authorities that no university or college should be set up at present. But if we compare India's position

with other developed countries of the West, we shall find that India is lagging far behind even in the sphere of higher education. I am not mentioning here about the situation of primary education or secondary education, but even in the sphere of higher education, India is lagging far behind.

Anyway, we welcome the establishment of a new open university because it will bring learning to the door-steps of the people who live in remote places, who are engaged in different professions and who due to financial stringency were forced to give up their studies. So it is rightly hoped that the establishment of a new university will bring to learning to their door-steps.

But we think that the Government is following a dual policy in this respect. On the one hand they argue that there should be centre of excellence where the elite, people belonging to the upper income bracket, will send their children—hence there should be modern schools, there should be more central universities, there should be more institutions of excellence and for the poor people, for the people belonging to the low income groups there should be institutions like Open Universities, and non formal centres. They think that they will almost be a substitute to a regular formal university as one Hon. Member has mentioned. But we find that in this open university there will be no inter-action between the teachers and the students; there will be no inter-action between the students themselves. We should remember that education is not merely information. Education means that there should be regular contact between the teachers and the students between the students themselves. Hence there is a saying in Sanskrit.

*Tit Biddhi Pranipatina,
Pariprasnena Sebaya*

It means the students must question the teachers. They must show them respect; they must be sincere. Only by dint of their sincerity, by questioning, they may acquire true knowledge.

What is our experience in India? We find in India that nearly 23 universities now offer correspondence courses. But these

correspondent courses have turned into educational Ghettos, because students do not get study materials in time; their answer sheets are not properly evaluated and there is no provision of opening regular study centres. Therefore, these courses have turned into cheap diploma mills.

Now what is the experience in Great Britain in regard to the Open University system? There it has achieved a considerable success. This Open University System in Great Britain was the brain-child of Sir Harold Wilson, who became the Labour Prime Minister afterwards. Sir, Harold Wilson went to Soviet Russia frequently and was highly impressed by the Soviet experiment in education. He found that in Soviet Russia nearly 60 per cent of the engineers got their degrees from correspondent courses. That is why in order to create more social mobility, in order to throw more educational opportunities to the working people he devised the idea of an Open University, because the old Universities were the preserves of the elites and the upper classes. Lord Walter Perry, who is now in our capital, was the first Vice-Chancellor of the British Open University. He said that open university cannot be a substitute for formal regular university because in open university there cannot be regular classes. He said therefore that the degrees offered by open university would be the second best. But because in Great Britain most of the students are professionals it could succeed there.

Sir, it is almost a *fait accompli* as this Bill has been already passed by Rajya Sabha and it has come here.

I would like to point out a few things in this connection :

1. Whenever the open university is founded we must see that standards should not be diluted. It must not turn into second grade university for third grade students. The syllabus should be upto date and modernised and they must be prepared by responsible academicians.

2. Teachers must be recruited only on grounds of merit and experience. University gets recognition not because of its buildings or equipments but because of its teachers. Calcutta University could reach to dizzy

heights because of its illustrious Vice Chancellors like Ashutosh Mukherjee and his successors could recruit best teachers. It had reputed teachers like Sarvapalli Radhakrishnan, Sir C.V. Raman, Acharya B. N. Seal and others. Therefore, at the time of recruiting teachers emphasis should be laid only on merit.

Sir, we hear cries from some Vice Chancellors that there should be police verification of teachers and that there political antecedents must be looked into. In this connection I remind you that in Bengal in 1961 the Chief Minister Dr. B.C. Roy assured a deputation of college and university teachers that no police verification should take place. You know that in our part of the country there is no police verification at all for teachers even now. We think that if there is police verification there will be political witch hunting. My point is that teachers should be recruited only on the basis of merit and experience.

3. There should be emphasis on democratic management of educational institutions. The Kothari Commission, the Gajendra-gadkar Committee and many other important committees have emphasised that there should be democratic management of educational institutions. Sir Ashutosh Mukherjee fought battle against Lord Corzon on this issue. He tried his best to maintain university autonomy. What do we mean by democratic management? It means that in the University teachers, non-teaching employees and students should have an effective say in the management of the affairs of the university. Elected representatives should form the majority in the University bodies. Unfortunately the Union Government thinks otherwise. In the model Act of Visva-Bharati, in the University bodies, there is no elected representative. The university bodies consist only of nominated and ex officio members. Hence my contention is that the open university should have democratic bodies which will reflect the opinion of the teachers, non-teachers and the students.

Then, regional centres and study centres should be set up in all parts of the country. Regional centres and study centres should enjoy equal opportunities. Some of them should not be more than equal. All of them should have equal rights. Regional language should be the 'medium of instruction' in all

these centres. Regional centres should be set up in all parts of the country. This is my request.

Then, I would suggest that this Open University system should lay emphasis only on the courses which help students vocationally, such as B.Ed. course, Library Science, Business Management, Hotel Management, Foreign Trade, Interior Decoration, Geology, Biology etc., that is, subjects which require low technology because subjects which require higher technology require regular University teaching. So, instead of laying emphasis on traditional subjects, this Open University system should mainly try to help people who are already engaged in different vocations and who want to brush up their knowledge.

Finally, I want to say that there should be regular flow of funds from the Union Government. We find that only one per cent of the Central Government Budget is spent for education, but at least 10 per cent of the Union Budget should be allocated for this purpose. Because of the financial stringency, the State Universities are suffering much. Hence, I would request the Hon. Minister to look into this. Otherwise, all talk on this seems to be a pious platitude on the part of the Government.

With these words, I conclude.

[Translation]

SHRI AZIZ QURESHI (Satna) : Mr. Deputy Speaker, Sir, I rise to support the Indira Gandhi Open University Bill and while doing this I would say that our Education Minister has a handsome personality and he has presented this Bill here in an equally handsome and graceful manner.

Mr. Deputy Speaker, Sir, the idea of an Open University is not new to us. Before this, Open University in the world was established first in Britain. After that in 1974 in our neighbouring country, Pakistan the second university was opened and now during the last ten to twelve years Open Universities have been set up in Canada, America, Russia, China, Philipines and at other places. Today when I rise to support this Bill, I recollect the words of the late Prime Minister Shrimati Indira Gandhi which she had once

uttered indicating towards crores of the poor, hungry and illiterate people of the world :

[English]

"They too have a right to live and also be heard."

[Translation]

I think we will be able to fulfil this dream of hers through this Open University.

Mr. Deputy Speaker, Sir, it is surprising that in the independent India for the first time the Indian Cabinet passed the resolution for a National Education Policy on 17th July 1968. Before that in India, the proposal for National Education Policy was passed by the Britishers in 1913. In 1968 when we had formulated the proposal of a National Education Policy, we had finalised those points on the basis of which we were to frame India's education structure. After that in 1980 we had appointed a Working Group and this Working Group in its report had stated that :-

[English]

"(a) To guarantee to all equality of opportunity in their education for improving quality of life and their participation in the tasks of promoting the general well-being of the society;

(b) To afford to all young people and adults, irrespective of age, the means for model self-fulfilment within the frame-work of a harmonious development which reflects the needs of the community to which they belong;

** ** *

(c) To promote values of integration, secularism, democracy and dignity of labour;"

[Translation]

Mr. Deputy Speaker, Sir, I hope that we will be able to achieve our objects and ideals through this open university. As has been stated by the speakers prior to me that the

Open University will give really an opportunity to those persons of weaker sections of society, who unfortunately could not attend any college or university and who could not achieve their ambitions and aspirations due to their economic condition and were compelled to enter their business, to come at par with the people of other sections of society and they would have more opportunities to march forward in their lives.

In this connection, I would like to quote the views expressed by the Director General of UNESCO, Mr. M'Bow in respect of Open University.

[English]

As Mr. M'Bow, the Director-General of UNESCO remarks :

"Educators on the look-out for alternative models which could reduce the physical, social and psychological distance that spreads knowledge and the learner have, in particular, turned their attention to the possibility of using communication media to extend education in both space and time and to diversify its objectives, content and form. The resulting multi-media system is further characterised by immensely wide scope, non-restrictive admission requirements, relatively flexible study procedures and low educational costs. It requires little or no face-to-face instruction. In this system, to state the obvious, the students do not have to go to the institution; contrarily, the institution itself, as it were, identifies and reaches its widely scattered student body."

[Translation]

Mr. Deputy Speaker, Sir, I would like to say that when the Open University starts functioning, the Hon. Education Minister should give a guarantee to the effect that there will be no interference with its working. Unfortunately, mushroom growth of universities has taken place at certain places in India. In certain universities there is political interference to such an extent that it has become very difficult for them to function according

to their ideals. I would like to say that first of all a guarantee should be given to the effect that neither the Central Government nor any State Government will make any sort of interference in its working.

Secondly, when the Indira Gandhi-National Open University starts functioning, I suggest that the education system should be divided into four sections. The methods being suggested by me are not new. These methods already exist in Canada, Pakistan and many other countries. These are as under :

[English]

- (1) General education,
- (2) Functional education,
- (3) Teacher education, Research and Development.

[Translation]

So far as functional education is concerned, no qualifications have been prescribed for entry into any class and the following subjects can be taught in it :

[English]

Poultry farming, plant protection tractor maintenance and repair, electrical wiring, vegetable growing, marketing management etc.

[Translation]

Any person, having a little capability can receive education in these subjects. After that attention should be paid towards general education, teacher's education and research and development.

Mr. Deputy Speaker, Sir, I would like to say this much only that this open university should play its full role in the building of a new society which is yet to be born.

[English]

It is a fact that the old Order is dead, but a new Order is not yet born : it is struggling to be born. I hope and trust that this Indira Gandhi Open University will make a power-

ful contribution for the birth of this new Social Order in this country.

With these words, I support the Bill, and I congratulate the Hon. Minister for piloting this Bill.

PROF. NARAIN CHAND PARASHAR (Hamirpur) : Mr. Deputy-Speaker, Sir, I welcome this Bill which has been introduced here after having been passed by the Rajya Sabha on 5th August, 1985.

The Indira Gandhi National Open University Bill goes a long way in fulfilling the aspirations outlined in article 41 of our Constitution which recognises the right to education to every citizen. It will be worthwhile reading out this article. Article 41 reads :

“The State shall, within the limits of its economic capacity and development, make effective provision for securing the rights to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.”

Here the Constitution gives the guarantee; the Constitution recognises the right to education in article 41. There were some unfortunate people who were not fortunate enough to get education or to be born in the precincts or near about the precincts of University or College and thus they were not able to have college education in their life. The Indira Gandhi Open University Bill seeks to remove that lacuna and afford them an opportunity to be fortunate enough to get education through telecast and other systems which the University may introduce. As some Hon. Members have apprehended and pleaded,—I would also like to plead—this should not be regarded as a substitute for other Universities, this should not be regarded as the final Act and that hereafter no University will be opened, all Universities which were to be opened would be stopped, Pondicherry would not be given a University or any other State would not be given a University. I would criticise and oppose if it is so. I would like to point out that every State has a right to have a University of its own and every Union Territory too has a right to have a University of its own.

The Indira Gandhi Open University should not negate opening of any other University or college in the country in the formal system of education. Let this be categorically stated, so that the apprehension in the minds of the people is dispelled once and for all.

The Hon. Minister of Education has done well in bringing before Parliament a Status Paper on education a few days back which throws a flood of light on the present state of education in the country. One of the startling aspects of this is that the number of educational institutions has increased from 2.3 lakhs to 6.9 lakhs and the number of teachers has increased from 7.5 lakhs to 32 lakhs. It is a big growth, it is a big expansion, in this country. And the expenditure which was Rs. 114.3 crores in 1951 has increased to Rs. 5,185.9 crores in the Budget for 1982-83—both of the States and of the Centre. Yet, it is still short of the requirement, because the Education Commission of 1964 had envisaged that six per cent of out GNP should be spent on education. Only three per cent is being spent at present. So, this is one area to which the Hon. Minister should give immediate attention and approach the Planning Commission.

The Indira Gandhi Open University should be a University to which all Indians should have access. It is being provided in the Bill itself that its jurisdiction is the whole country. So, in order to make it effective in its scope in implementation, I would make one suggestion. In answer to one of my Questions, the Hon. Minister for Information and Broadcasting has stated that two new States have been added for telecast programmes from INSAT-B, that is, Madhya Pradesh and Rajasthan, bringing the total number to eight. Only eight States in the country are being covered by these programmes. The remaining 14 States and a number of Union Territories are still to be covered. So, these centres will have to be provided in other States and Union Territories also for receiving telecast programmes through Satellite. So, in fact, this University requires such a big fund of resource that it will require the Planning Commission to give first priority for this if they want to make it a success. And now that Indira Gandhi's name has been associated with this Bill and this University, it is all the more important that there should be no lack of resources.

If you are sincere—I hope you are sincere—in implementing in letter and spirit Article 41 and in providing the fullest opportunities to all the disadvantaged groups to get education through the open University, then Planning Commission should give its approval and the lack of resources should not be an excuse.

On the other hand, it should not lead to negligence to the qualitative improvement in education in other sectors and at least in universities and colleges. Therefore, they should go hand in hand. In the 6th Five Year Plan, a lot of expansion in distance education programme has been experienced. As has been stated, two dozen universities are carrying on correspondence courses at present in the country. One of the universities has started MSc. course in correspondence. You can think of this as almost a revolutionary step. But it is a far more revolutionary step that the Hon. Minister is promising us today. With the open university, it will open a new vistas of hopes, new horizons to the disadvantaged groups scattered in far away corners of India and in the border states. It is a new challenge on the horizon and I hope that the Hon. Minister will be able to convince the Planning Commission and the Ministry of Finance not to insist on the constraint of resources and be liberal in their approach.

Sir, I would like to read out one of the objects which has been stated in the I Schedule. Object (d) says :

“That the university will provide an innovative system of University level education, flexible and open, in regard to methods and pace of learning, combination of courses, eligibility for enrolment, age of entry, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in the fields of knowledge”.

The last object, to promote national integration and the integrated development of the human personalities through its policies and programmes. So, for the first time the task of a university has been linked to national integrity on the one hand and the development of integral personality of the student on the other.

Since some grey area has been pointed out by some of the speakers that in the absence of teachers there will be no live contact with the student, extra care has to be taken. I would suggest that as an innovation if you can think of one uniform nomenclature for teachers that would be a new direction to the teaching profession. Some graduates employed all over the country have the labels as supervisors etc We have Junior Engineers, Senior Engineers, Assistant Engineers and all that. In the same way why can't we have Assistant Professors, Associate Professors and Professors, so that the category of Lecturers, Readers and Professors can be done away with ? This will be a new innovation if we have a uniform nomenclature for the teachers who are employed in universities and colleges.

Something has been said about the power of the Vice Chancellor. It is a good thing that the vice chancellors should be given only one term. I would like to suggest one interesting thing that at present the role of the Visitor and the role of the Governor as the Chancellors of the Universities in the country is subject to many controversies. The Governor's conduct cannot be discussed in a House, in a Legislature. Similarly the President's conduct also cannot be discussed here. But when the annual reports are presented, they are open to discussion. The role of the Governor as the Chancellor and the role of the President as the Visitor would be subject to criticism and discussion in State Assemblies. The advisability of appointing the President as the Visitors of the University and giving all powers to nominate people would enter into an area of controversy. Therefore, enough precaution has to be exercised there. I agree with the suggestion that only one term should be given to Vice Chancellors. As in other universities, Vice Chancellor should not be the sole appointing authority, it should be the executive council or the Board of Management which should have the power of making appointment so that at the time of violence, Vice Chancellor does not become the sole target and the authority is well disbursed and well scattered on all people. Who are academicians and who are the representatives of universities.

Sir, I hope that this University, coming on the eve of the new educational policy, will

open not only new horizons for the future generations, but also bring into its way the qualitative improvement not only in its own programmes, it will also make up the quantitative improvement in other educational institutions of the country. With these words I congratulate the Hon. Minister for bringing this will before the House which is not only a bureau of hope, but it is also a university for national integration and integral development of the personality as also of a new innovated system in the country. Thank you Sir.

SHRI P. KOLANDAIVELU (Gobichettipalayam) : Mr. Deputy Speaker, Sir, the Government of India is on the right path in naming the open University after the name of late Shrimati Indira Gandhi who sacrificed her life for the sake of the nation. She died as a martyr to the cause of national integration. The guidance of Mahatma Gandhi and the tireless efforts of Shri Jawahar Lal Nehru and other national leaders made secularism an inalienable part of the national polity. Shrimati Indira Gandhi inheriting this tradition strove consistently to uphold India's unity amidst diversity. Her love for India knew no bounds and the people of India whole-heartedly reciprocated her dedication with an unresolved avowel of love, faith and confidence in her. Shrimati Indira Gandhi observed that :

"Nation is a mosaic like a work of art, it takes many elements many textures, many colours to give the total effect of strength and beauty. The Indian nation is such a rich mosaic of people, of dress and diet, of culture, of language, of faith yet this diversity is encompassed within an intangible quality of Indianness. Our heritage is the mingling of numerous streams, great and small, which have joined the river of India's progress at different times. Together all, these different parts make up the whole. To deny or ignore any, even the smallest or the most insignificant, would be to diminish India."

This is what she had observed. Sir, we know fully well what is the asset of the poor. The asset of the poor is education. So, you have come forward with an Open University in order to promote distance

education to those who are away from Delhi. They can make use of this opportunity.

Sir, I would like now to draw the attention of the House to some of the drawbacks in the Bill. In Clause 2, you have not defined as to who is the Visitor. In the definition, Clause it ought to have found a place as to who is the Visitor. Do you mean to say that Visitor is infinity? Do you mean to say that Visitor is indivisible, and that is why you have not defined it. You have vested more powers in the Visitor and becomes the last word of the University. This kind of making him a superhuman in the University may lead to the worst things.

I would like to ask the Hon. Minister what is the constitution of this University? I have found in so many universities that the university will be having Chancellor, Vice Chancellor and the pro-Chancellor. Here I find only the Vice Chancellor and the pro-Vice Chancellor. How can it be.

AN HON. MEMBER : In place of the Chancellor there is Visitor.

SHRI P. KOLANDAIVELU : In Madras university Kamaraj university and Bharathiar university there is only Chancellor, pro Chancellor and the Vice Chancellor. Here I find there is a Vice Chancellor and a pro-Vice Chancellor. What is the role of pro Vice Chancellor? Actually even when I was a Minister in Tamil Nadu, I was pro Chancellor in the Agriculture University and my status was next to the Governor. But here the Vice-Chancellor becomes more powerful than the Pro-Vice-Chancellor. So, automatically, if you say that the Pro-Vice-Chancellor's status is equivalent to that of a Minister, the Vice-Chancellor gets more powers than the Minister himself. I feel that it should not be so.

THE MINISTER OF EDUCATION (SHRI K. C. PANT) : There is no question of a Minister being Vice-Chancellor. What he said was that in place of the Chancellor, there was a Visitor. That is what he said.

SHRI P. KOLANDAIVELU : But that has not been explained in the Bill. Vice-Chancellor and Pro-Vice-Chancellor respectively mean Vice-Chancellor and Pro-Vice-Chancellor of the University. The next

point is that no mention has been made in the Bill with regard to the medium of instruction. So, I take it that all the languages which have been approved under the Constitution become the medium of instruction. It should be like that. Now, these heads of the University cannot go to the court of law for redressal of their grievances. Suppose his rights are infringed, he cannot go to the court of law and there is a prohibition on that. Then in that case, what are the remedial measures suggested in the Bill? Nothing is mentioned in that regard. So, I would say that even the fundamental right of a man is being infringed by this Bill.

Sir, in the Bill, you have not stated clearly about the number of students to be admitted in the Open University. In China, there is an Open University and in that University, about one million, that is, about 10 lakh students are studying. In Thailand also, there is an Open University where about 4 lakh students are studying. In the present Bill, you have not even stated how many students you are going to accommodate in the Open University. In the Rajya Sabha also, you have not mentioned about the number of students to be admitted in this University.

SHRI K. C. PANT : Would you like me to speculate on this ?

SHRI P. KOLANDAIVELU : If you are introducing an Open University you must know the limits. Does it mean that you are going to admit crores and crores of students in this University. What is the limit that you are going to suggest ?

MR. DEPUTY SPEAKER : In due course, they will come to know about it. They cannot speculate it now. That is the problem.

SHRI P. KOLANDAIVELU : Now, under Article 30 (1) and (2) of the Constitution, you have given the right to the minority concerned to open educational institutions. Now, do the educational institutions become the religious branches for them? I would suggest to the Hon. Minister to take action for deletion of Article 30 sub-clauses (1) and (2) from the Constitution. Otherwise, communalism and religion would dominate educational institutions.

Sir, another thing is that in education, you have to make the physical education compulsory from the First Class onwards. The children must grow with good physique and sound health. So, physical education must be made compulsory. Moreover, vocational studies should not only confine to the discipline concerning industry but it should also include agriculture and other allied subjects. If a student gets degree or Diploma certificate he can seek employment or he can be a self-employed person. Sir, this Open University is in memory of Shrimati Indira Gandhi and therefore it is going to be called Indira Gandhi National Open University. Sir, in Tamil Nadu, the Assembly passed a legislation that no names of those who are living should be used, even though they may be political leaders.

14.00 hrs.

The names of persons who are alive should not find a place in the public bodies and buildings. Here, you have brought an open university in the name of martyr, Shrimati Indira Gandhi. I like it and I welcome it.

SHRI S. JAIPAL REDDY (Mahboob-nagar) : What about leaders who are physically alive, but politically dead ?

MR. DEPUTY SPEAKER : Politically dead.

DR. PHULRENU GUHA (Contai) : Mr. Deputy Speaker, Sir, it is the first time that a Bill of this type is coming before us. I welcome the Indira Gandhi National Open University Bill, 1985 most heartily and I congratulate the Minister for bringing forward this Bill before us. Of course, there has been an Open University in Hyderabad since 1982.

I would like to quote the remarks of late Shrimati Indira Gandhi :

"The real purpose of education is to enlarge intellectual horizon, emotional responsibilities and aesthetic sensibilities."

I hope, the open university will not only bear her name, but will also be an embodiment of her beliefs.

The Open University concept is new to our country, but this system has tried out very successfully in many developed and developing countries. This Bill will benefit mostly, I hope, the poor and disadvantaged people of rural areas particularly. The open university system will provide opportunities to those who have the initiative and motivation. The open university will coordinate the functioning of many institutions of remote areas and will ensure that those will maintain a standard, will establish a high level of credibility. Anyone, living anywhere in India will be able to enrol himself or herself with this university. It is a new experiment that is being thought of in the educational field of our country.

I believe that social change and economic development can only be brought about by appropriate education. There is a link between education and development; both go together. The quality of education in many places in India is far from satisfactory at the moment. Whenever we talk of education, we should bear in mind the value which we have lost in many places. I would like to mention that India is the third largest country in the world which has produced a large number of scientists and technologists anywhere in the world, but I must say at the same time that a large number of people in our country are not able to go even to schools, leave aside the higher education. I hope that the cost of this education in the open university will not be high and the poorest of the poor will be able to take advantage of this system.

14.03 hrs.

[SHRIMATI BASAVA RAJESWARI
in the Chair]

We have 24 universities offering correspondence course, but unfortunately, they have not reached the desired level. The students of educational courses will be better motivated because they take up the course voluntarily for improving their knowledge. The authorities of open university must judiciously prepare the course material. This material must include national integration, love for the country, dignity of labour, understanding of peace not only of the country but of the world. All these must be included. In this connection, I would like to say that

to prepare the course material, the university should take the help of knowledgeable people of not one State, but of the whole of India and if it is necessary, we may even consult persons outside India. I say this because course material, according to me is the real basis of this type of education. Unless the course is properly drawn up from the very beginning, I think, we will lose the very purpose of having this university.

I would like to ask one thing. Why cannot a person, who will like to devote himself or herself to only one subject get an opportunity of studying that subject alone?

THE MINISTER OF EDUCATION
(SHRI K. C. PANT) : That is possible.

DR. PHULRENU GUHA : As far as I can understand, it is not included in this Bill and that is why I am suggesting that it should be included, so that a person can pursue studies in one subject only. It may not be possible to give him or her a degree, but a certificate or a diploma can be given and I request the Minister to consider this suggestion.

SHRI K. C. PANT : It is there.

DR. PHULRENU GUHA : Madam, contrary to popular belief, scientific and technological subjects can be taught through this Open University. We have no time, otherwise it could be discussed at length. I have had a talk with many friends and they have a suspicion that scientific and technological education could not be conducted by the open university. But it is possible and if necessary, I would request the Minister to arrange for a discussion with those people who have doubts, in due course.

The university will provide a chance to those who did not get any opportunity till now in their life to study and so this is a very welcome step. In true sense, Open University opens the door to the vast number of people who otherwise are denied the opportunity of education.

I suggest that there is need to have institutions in places where there is a concentration of workers and agriculturists. This Open University should go to such places where a large number of workers, manual labourers

and agriculturists live. In this connection, I would like to suggest that the housewives also should get the opportunity. Many of the women as all of you know, are very intelligent, but they are denied the opportunity to pursue their studies. This will give them an opportunity and so I welcome it.

SHRI K. C. PANT : They are all intelligent.

SHRI PRIYA RANJAN DAS MUNSI : Then we shall have our food outside.

DR. PHULRENU GUHA : They feel that if women go on pursuing their education or work, there will be no food in the house. I would like to say that it is not true.

SHRI MADHUSUDAN VAIRALE (Akola) : He is a bachelor and it does not concern him.

SHRI PRIYA RANJAN DAS MUNSI : Cooking is education and very important too'.

DR. PHULRENU GUHA : I would like to suggest just at this moment, because we are not going to discuss it later on, when it develops, there should be centres in different parts of India. Otherwise it will be very difficult to conduct it from one centre throughout the country.

PROF. N. G. RANGA : Each State will come to have its own.

DR. PHULRENU GUHA : If any State does it, that is a different thing. I am not taking about that. Arrangements should be made between the States and the Centre after a certain time when the Open University develops, so that different centres in different university could also be developed. I would like to caution one thing about radio and TV. We have to take the help of these because these are the main media. But TV is much more powerful than radio, as far as I am concerned because I have seen many people in the rural areas take more interest whenever they see a visual thing. It would not be possible because, we do not have adequate TV centres to meet the requirements of our country. That does not mean education

should not be imparted through radio. Therefore, I would request the Minister through you that wherever there are concentration of these Centres, TV should go first to them. Usually what is being done is that, wherever there are influential people, TV go first to them. I would suggest to the information & Broadcasting Minister, who is not here that wherever there will be an Open University Centres, TV should go first there and not for the people who want TV only for the sake of luxury.

PROF. N.G. RANGA : For every Panchayat Ghar there will be a TV.

DR. PHULRENU GUHA : Madam, I would like to say that, according to my knowledge, I did not find the management board and the planning board. Who will function on the Board of Management and Planning Board ? I would like only the Minister to inform us which is the agency or who is the person, who will function on the Board of Management ? Lastly, Madam, I would like to say that there should be freedom in the matter of selection of courses. The students should be given a free choice, otherwise there will be difficulty for the type of people who will mostly come from this University, to carry on their education. I am glad that the National Open University Bill is coming, and with high hope. I am supporting this Bill, I know at the beginning it will not be so easy because there may be some criticisms. Whenever we start something, there are hundreds of lacunae. I hope that when this system will start functioning, though there will be some difficulties, in course of time, the name of Indira Gandhi University will be a successful one and the most deprived people of our country, particularly women, will get the opportunity to be educated through this University.

SHRI HUSSAIN DALWAI (Ratnagiri) : Madam, Chairperson, the present state of deterioration of social and moral values, chaos, communalism, corruption are all these crises of character which are creating upheaval in our society and are eloquent testimony failure of our present educational system which was originally meant for bringing up young men and women of this country with character and ability. Really speaking, we have to think very seriously about bringing a change in the education policy and it was

in this context that our present Prime Minister at the time of his first broadcast to the nation, when he took over after the General Elections said that, he has studied the present system of education and there are drawbacks and he has asked his Government to formulate a new policy of education.

That new national education policy is yet to come, but I must congratulate our Education Minister who has come to this august House with a Bill to start the Open University conceived in India. This concept of Open University was construed as early as in 1971 when the Government of India appointed a committee headed by Shri G. Parthasarathy, who was then the Vice-Chancellor of the Jawaharlal Nehru University. The committee deliberated on this and they came to the conclusion that as early as possible an Open University should be established in this country. As a matter of fact, the Open University will help those who are not coming within the four walls of the schools. Now, in developing countries some experiments have been carried out and they have come to the conclusion that because of the increase in students coming from schools, shortage of school rooms, higher number of teachers and other amenities needed in the formal education, distant education is the only answer to the educational ills which we are facing today. And, from this point of view, I would support this Bill and I would suggest that the hon. Minister should inform this House as to how this will be guaranteed. From the Bill it appears that the system will be a two tier system. There will be university centre at the apex level and there will be study centres at regional levels.

But, as a matter of fact, the whole idea of bringing this Open University into existence is that we should have more flexibility and no rigidity.

PROF. N.G. RANGA : That is right.

SHRI HUSSAIN DALWAI : An hon. Member was asking us as to how many students would be admitted to this Open University. I suggest that there need be no limit for formal education, or age for admission to this University. There should be no rule by which there will be any rigidity in the selection of topics as also of the age. At the present, the system is if we have science

faulty we cannot teach history along with it as a topic. In this new university, it will be allowed. The students can have the under choice. So that those who are interested in particular subjects, they will be getting an opportunity to study them, in this University.

Another Hon. Member who referred in the beginning of his speech, that this Open University should be given all the funds and that the proposals some other universities for expansion should not be allowed to be passed. Thereafter he reversed his stand and he said that he was not in favour of it. My answer would be that as a matter of fact there is some misunderstanding among Members about the Open University project when we are not encouraging the Open University we are not totally closing formal education. This is a new thing which we want to introduce and that would not mean that open university education or the formal education will not continue we will allow this new National Open University to grow and we will also at the same time old system to carry on their educational pattern.

I congratulate the Education Minister who is a man of vision and clarify for bringing this Bill. He has piloted this Bill, at this stage, even though in 1976 the then Education Minister had assured this House that as early as possible an Open University Bill would be introduced in this House. We have been looking forward to this Bill for long time. As we have named this open University after our great leader late Shrimati Indira Gandhi who stood for certain ideals and principles. She had said in one of her convocation addresses that science and technology should be used for the benefit of men and women and it should become part of our life. Accordingly we are achieving the objectives for which Smt. Gandhi stood in her life and with this motive that this Bill has been brought before Parliament. I think that it will be successful and I once again congratulate the Education Minister for piloting this historic and long awaited Bill.

SHRI S. JAIPAL REDDY (Mebhoobnagar) : I welcome this Bill with open arms. While welcoming it I only wish that it could have been brought much earlier. We, at least are late by nearly a decade, because an expert committee recommended establishment of an Open University way back in 1976.

Whenever a new leader takes over the reins of administration either at the Centre or in the States the first thing that is talked about is the new education policy. I think, these new leaders are merely offering their impressionistic reactions to the actual distortions of our system. I am afraid, they are not really alive to the fact of large multi-partisan consensual basis of our education policy. It was the British philosopher, Bertrand Russell who said :

“Two men who differ about ends of life cannot hope to agree about education.”

But fortunately, in our country, political parties with divergent ideologies and experts with different backgrounds have shared a common policy perspective in regard to our education priorities.

Reports of various expert committees and the Resolution of this House have always laid emphasis on such vital aspects of our education policy as universalisation of elementary education, introduction of vocationalisation at the level of secondary education, restrictive and selective admission to higher education, professional education to be expanded in accordance with the projected manpower needs of the country. Then in reality all these universally agreed priorities have been distorted, perverted and subverted. How did this happen ? And why did this happen ? Our Governments both at the Centre and in the States, have never shown the political will to stick to the agreed national priorities. As late Shri J P. Naik, who was our leading educationist, pointed out the powers that he went on yielding to the pressures of varied interests. The elitist pressure in favour of careful gold rush for university degrees resulted in explosion of higher education and near stagnation of school education with the result, the share and sins of mass illiteracy, as Gandhiji had put it, have grown all around us. You find a colossal drop-out rate of 77 per cent. The other day, our Minister was good enough to present a two-volume document on the state of education in the country, which has only exposed the disoriented and dis-functional nature of our educational apparatus. Between First and Sixth Plan, the expenditure has decreased from 56 per cent to 36 per cent on elementary

education, while the expenditure on higher education has, in fact, been doubled up from 8 per cent to 16 per cent during the corresponding period. The document has merely confirmed a well-established diagnosis of our educational malady.

MR. CHAIRMAN : Your time is up. Seven minutes have been allotted to Janata Party and you have already exhausted seven minutes.

SHRI S. JAIPAL REDDY : Even the priorities for future initiative as has been indicated in the document, are only a rehash of the age-old priorities, I do not want to go into horizontal and vertical dimensions of the problem of education at this stage, but I refer to it briefly by way of back-drop to this very Bill. I welcome this Bill because it will go a long way in relieving the snow-balling pressure in the sector of higher education. The formal system of education is now bursting as it seems. To meet this demand, correspondence courses were started as far back as 1962. Now nearly 29 universities in the country are offering these courses. But they have suffered from certain built-in deficiencies, such as, structural, rigidity, doubtful quality of correspondence material, lack of contact programmes and lack of multimedia skills. To remedy this we have thought of Open Universities. It was Harold Wilson who first mooted the idea in the form of University of Air in 1962, and it took the form of an Open University in 1969. Harold Wilson considered that to be one of his outstanding landmarks as a Prime Minister.

It is very inspiring to go through the charter ceremony of British Open University. The first Chancellor on that occasion said : “We are open, first as to people—not for us carefully regulated escalation from one educational level to the next by which the traditional universities establish their criteria for admission. We are open as to places—this is only where the tip of our toe touches the ground. The rest of the University will be disembodied and airborne. From the start, it will flow all over the U.K.. We are open as to methods. We start in dependence on and in grateful partnership with the BBC. But, already the development of technology is marching on and I predict that before long, broadcasting will form only

a small part of the university output. We are open finally to ideas. "With this omnibus openendedness, British open university not only made gigantic strides but also came to be copied in as many as 14 other nations like China, Pakistan, Thailand and South Korea. Since my Hon. friends have referred to what has been achieved in China and Taiwan, I do not want to waste the time of the House on those facts and figures.

As has been pointed out here in Andhra Pradesh, the open university was started in 1983 and our University in Andhra Pradesh did considerably well. It had already benefited 28,000 students as the Hon. Minister himself has pointed out. It is a happy thing that its present Prof. G. Ramareddy who was associated with that University has been brought here so that we could draw upon his experience on it.

We know that efforts are afoot in many States already for starting of their respective open universities. We would soon have as many Open Univesities as we have States in this country. And in this background of proliferation of regional open universities, the national open university will have to be entrusted with many onerous responsibilities. Firstly it could take initiative for evolving a standard material curriculum for open universities in the country. Secondly it would organise standard textbooks for various courses, but tapping the best available talent at both the national and international levels. It would, for example, obtain video and audiolectures by the best experts in various fields. We can take the best teacher in every subject to the door-step of a student thanks to the modern tele-communication revolution. As has earlier been said All India Radio and Television should be drawn upon to the maximum possible extent. Multi-med a approach of open university consisting of television, radio, audio cassettes, video cassettes, printed textbooks should be utilised by students of foreign universities as well.

I do not want to offer my analysis or criticism of the structure of the open university as has been adumbrated in the Bill. It is still in the initial stage.

Now, I come to the point of finances. The purpose of the whole scheme will be

defeated if the funds were not liberally provided. I do not know whether the finances indicated in the Memorandum would really suffice. I would agree with the Hon. Member who spoke earlier to me on this issues. I know our Minister, Shri K. C. Pant, is enlightened and experienced person, but he should give an assurance to this House that he would make the national Open University its first love.

SHRI K. C. PANT : Money will be provided by you.

SHRI S. JAIPAL REDDY : By the Parliament. Yes, as Member of the Parliament.

Lastly, I only hope that this new beloved baby will not suffer for want of financial nutrition.

SHRIMATI CHANDRESH KUMARI (Kangra) : Madam Chairperson, with your permission I rise to support the Bill.

Firstly, I would congratulate the Hon. Prime Minister and the Education Minister for giving this country its first open National University. In this we have taken the first step towards modernising the education system in the country. I know a lot of Hon. Members have expressed doubt about its success and are not optimistic about its achieving the desired objective. But I must say that I have an optimistic view about it. I must say that every project that is taken up initially has some teething problems, but these troubles are resolved as we grapple with the problem.

By this measure we will be encouraging our students to help themselves, to learn by way of research experiments and experience and thus get knowledge. In this way our children will be able to learn much from the university. Normally we find in other universities, the students mug up their books and as soon as the examinations are over they have forgotten their work. When the students do research for themselves they will learn much more. With modern technology they will be able to get a lot of education and experience. This University will enable thousands of people—people who have not been able to study in an early age, people who come from remote areas, or people who could not study because of lack of finance

to go to colleges, or people who have to take jobs at early age and cannot go to colleges because they have no time. These people will get the benefit by this University. This Bill has rightly been named the Indira Gandhi National Open University Bill. Not only was Smt. Indira Gandhi the greatest leader in her time but she was highly loved, admired and respected throughout the world. She dedicated her life to this country. She gave her life for this country. We really thank the Government for bringing this Bill and naming the Open University in her name. Besides, it was under her guidance and instruction that in 1971 the idea of International Open University started. But it is unfortunate that in 1977 the Government changed and the idea was shelved by the Opposition. Now the Government has come forward with this Bill under the leadership of Shri Rajiv Gandhi.

Since independence we have made great strides in Education. Some of the top scientists, top scholars and engineers are from India. But yet we find that in our educational system we lag behind compared to many other countries. That is why it is important that our educational system should be changed and facilities for specialised education should be given to our children. The best wealth that we can give to the people of India is proper education and to teach them to be responsible citizens of the nation. We lack in our educational system the dignity of labour. A matriculate will not want to work with his hands. It is heartening to see that in this Open University important emphasis is given to subjects like Arts, Crafts and Skills of our country, Horticulture, Agriculture and so on. These subjects will teach our youth to work for themselves and to generate self-employment. In this way we will be able to solve the unemployment problem to a certain extent.

We have noted that the educational facilities which have developed in the country are mostly in the urban areas. In the rural areas no educational institutions have come up. You will notice that the Matriculate of a rural area will not be able to compete with the Matriculate of an urban area. The education given in the rural area is lacking in many respects and it is poor.

In this respect I would like to suggest that greater importance be given to rural areas for this purpose and in this regard I would like to make two suggestions that every college, whether it is private or Government, which is functioning properly or which is managed properly should be made a study centre and affiliated to this Open University. In these Study Centres video tapes, audio tapes, TV programmes, radio programmes and work kits should be provided so that university students will be able to benefit by them and specialise in their subject. Besides, I would like to suggest that all High Schools throughout India should have the facility to enrol the children into this University and the syllabus of this University should be available in these schools. Then only we will be able to publicise this University to all the children in rural areas. Otherwise, what will happen is that only people from the urban areas will be able to know about the University and nobody else will be able to know.

Lastly, I would like to bring to the notice of the Education Minister that if you want the people of India to benefit from this University, there has to be a tremendous change in the primary, middle and high school education. I do not know about other States, but I can tell you about Himachal Pradesh that in a primary school where there are about five classes consisting of 250 students there is only one teacher teaching. I would like to know from the Hon. Minister: Will these children, who have only one teacher teaching five classes, be able to benefit from this University? No. So, it is necessary that more importance be given to primary and basic education so that these children who are intelligent and who are able to make a mark of themselves in their future life will be able to do so and be able to benefit from this University, and this is only possible by improving the standard of primary education.

I would also like to mention here one thing which is connected with Himachal Pradesh and its remote areas and that is that in primary schools you will find the lack of teachers. There are schools which are closed for nearly six months because there is no teacher. I would like the Hon. Education Minister to take special note of that and when the new education policy comes, at that time to provide some sort of rules and

regulations for the teachers to ensure that they attend the schools. I am sure this University will be a great success not only in India, but also throughout the world and people throughout the world will be able to benefit from this. But I would like to suggest here that in the Bill it was mentioned that all the best scholars in all the subjects in India will be asked to work out the courses, but we realise that a lot of our brilliant scholars have gone abroad to countries like America, England, Canada and other countries. They should also be asked to come and help us to make out syllabus for this University.

With these words, I once again would like to congratulate the Education Minister for bringing this Bill in this Session and I would like to thank you, Madam, for giving me this chance.

KUMARI MAMATA BANERJEE
(Jadavpur) : Madam, many thanks to you for giving me the chance to speak.

The Open University Bill has been passed by the Rajya Sabha recently and the Bill is in the name of Shrimati Indira Gandhi who herself was an open university to the people throughout.

Mrs. Gandhi was a symbol of peace. She was in the forefront of the struggle for the establishment of solidarity in the country. She was also in the forefront of the struggle for the upliftment of the neglected classes of society. Indiraji stood for national integration and unity. So, I welcome this Bill and I also congratulate the Hon. Minister of Education who is trying his level best to implement and introduce the new educational policy as declared by our beloved Prime Ministers Shri Rajiv Gandhi.

This new educational policy will take us towards the complete change of our society. This Indira Gandhi National Open University at the national level will definitely contribute towards national integration and develop a core curriculum.

This Open University is not only meant for those who unfortunately could not continue their education or could not get the opportunity of education before

entering some profession but this will also help the rural people who would have access to higher education through this Open University.

This Indira Gandhi Open University will definitely create link with the social demand, approach and the economically or socially backward community of the society will get a scope to improve the quality and standard of their education.

The country is breaking new ground in the field of education today. The Government is taking steps in the New Education System which is full of promise and full of potentiality.

At the time of Independence, we had only 800 Colleges and 27 Universities. Now we are having 140 Universities and 5,246 Colleges with 33.6 lakh students.

Mrs. Indira Gandhi once said that human race began with children and a person who cared for children, care for the human race.

We are not having a uniform educational policy for the country as a whole. In every State, we are observing that there are many diversities. We know that unity in diversity is our motto. But we have not yet set any uniform educational policy.

In my State of West Bengal, I can say that the educational policy is totally controlled by the political party in power. The Calcutta University is a very prominent one but this University is now facing the prospect of being closed down by political parties and the educational policy in Bengal is only the Marxist policy. (*Interruptions*).

These Open Universities are now functioning all over the world. Open Universities are now functioning very well in several countries including Great Britain, Canada, USSR, West Germany, Pakistan, Sri Lanka, Thailand and USA.

In India, the Open University was established by the Government of Andhra Pradesh in 1982.

After a debate lasting for 5 hours in the Rajya Sabha, the Hon. Minister said that the system would be vastly superior to correspondence such as radio, television,

video, and audio cassettes as well as self-learning kits and also said that the University would coordinate the functioning of various distance learning institutes in the country and would strive to maintain standards which would command respect.

This Open University Scheme is a very good scheme especially for rural and neglected sections of society. But there is need for careful selection of a new breed of academic communicators.

This Open University cadre should be the same as the other cadres in other Universities.

The Government should set up Regional Universities also so that more and more rural people will get more chances of getting educational facilities. There Regional Universities should be set up in all the States.

This year is the International Youth Year. Our Prime Minister, Shri Rajiv Gandhi, is a symbol of the youth. He has announced that Swami Vivekananda's Birthday should be celebrated as a Youth Day. Please set up Regional University in West Bengal in the name of Swami Vivekananda, so that we can celebrate the Youth Day in a fitting manner. Regional Universities and Open Universities should be set up in different States, they should be set up in northern India, in southern India and also in other parts of India. Then, more and more people will get a chance for education.

I would also like to mention that some basic educational policy should be there. For the benefit of the educated unemployed youth, Shrimati Indira Gandhi had announced a scheme for self-employment. Unemployment is a big problem in our country. We should try to have some basic educational policy for the youth of this country, so that they can take training from these Universities and after receiving their Degrees from these Universities, without loitering here and there, if they are really interested, they can establish themselves under the self-employment programme. The banks should be asked to give loans to these educated unemployed youth, so that they can establish themselves.

I would like to make one personal explanation here. The Opposition Members are trying to malign me politically. I am Mamata Banerjee, a Member of Parliament. I have taken my M. A. Degree from the Calcutta University; I have done my B. Ed. and LL.B I have also done my Ph.D. from an American University through proper channel. I am challenging them here. If they try to malign me politically, it is not good. I am prepared to accept any challenge.

In West Bengal, proper education is not being given. It is only the Marxist education and the Leninist education that they are giving there. Please look into this matter seriously.

SHRIMATI GEETA MUKHERJEE (Panskura): Mr. Chairman, I shall steer clear of the speech made by the preceding speaker as I have to cover all the points that are related to the Bill under discussion.

Firstly, I myself would have liked that this Bill had been brought after the announcement of the projected educational policy which has yet to be discussed and decided upon contrary to the popular belief that the Prime Minister has already declared the educational policy. I went through the paper which has been laid on the Table by the Hon. Minister, the document which will form the background for discussion of the educational policy. I hardly had time to assimilate because that is a big document and I could read only in the train. But I find that all aspects of the implementation of the present educational policy have been critically assessed, and there are very serious observations with regard to the present situation regarding universalisation of primary education, higher education, everything. One might agree or disagree with the document, but undoubtedly that has brought forward various important propositions which, they themselves have said, need to be debated on a national scale for finding a consensus. After reading the document I also feel that some issues which they have raised really need very serious discussion. After that exercise was over establishing an institution of this dimension should have been thought about. That document brings out the question of the present financial constraints in respect of education; it also brings out another fact that in our country relatively

more financial assistance has been given to higher education, not in absolute terms, but in relative propositions. Higher education has been more lucky than the primary education. That being the situation, any serious attempt in the field of higher education which will definitely need a very big financial outlay, the whole policy should have been adopted.

Sir, our Hon. Education Minister has pointed out that this open university is there principally to help those sections who did not have the advantage of getting the higher education through the formal channel. Doubtlessly that would be one of the functions of this projected university. But after reading the First Schedule, i.e. Object of the University, some how or the other it seems to me that what is being proposed is really "the university" of all universities. I am not an educationist, but after reading the whole list I am telling this. It is not just an open university to give some facilities to a particular segment who have been unfortunate enough not to get formal education. Why I am telling it is "the university" of all universities is because the First Schedule says :

"strengthen and diversify the degree, certificate and diploma courses related to the needs of employment and necessary for building the economy of the country on the basis of its natural and human resources."

That means, this university is being thought about for being the principal planners and implementers of not only a segment of informal education, but also setting up and making intervention if and when necessary in the entire educational sphere. This university itself can also affiliate colleges, they can establish their own colleges, probably they can affiliate other established colleges also. But in any case this will also be an affiliating university.

Then, this university is also supposed to be the real centre for the alternative channel of non-formal education. That means, for the whole country this university will be the principal guiding force as far as the alternative channel of education is concerned, i.e. non-formal education. Such is the dimension

which is being given to this university. So one can very well imagine that probably in the near future this university will take the lion's share of whatever financial resources we may be having. Otherwise such a huge canvass would not have been planned out.

15.00 hrs.

My friend Mr. Jaipal Reddy wanted this to be the first class as far as the finance is concerned. I have no objection to this. But what will be the proportion for the first class, second, third and the last class ? As the situation now stands with regard to the university. I am a little apprehensive. So, I would like to know a few things. Firstly what will really be the relationship between this University and the other established universities and whether this is being proposed as another planning and executive bureau for the entire education for which again Government has various agencies ? I would also like to know that the university which is being given the most democratic objective of teaching those segments who were deprived of it and also such a vast duty of guiding the whole country's education why is it for such a university the entire bodies at every stage are only nominated. Everybody is nominated. At no stage whatsoever there is any question of any elected representatives. Then how the views of the teachers, students and others will come ?

MR. CHAIRMAN : Please conclude.

SHRIMATI GEETA MUKHERJEE : I am concluding. Though everybody has congratulated the Minister and I wish I could have also outright congratulated yet I think before launching this very ambitious programme all the sides should be seriously thought over and if this university has to be given such a pioneer role in our education then its bodies should be as democratic as possible. I hope the Minister in charge will kindly enlighten us on all these aspects. This is all what I want to say for the present.

15.02 hrs.

[SHRI SOMNATH RATH in the
Chair]

SHRI PRIYA RANJAN DAS MUNSI (Howrah): Mr. Chairman, Sir, I really congratulate the Minister for bringing this Bill and I feel that the memory of late lamented Shrimati Indira Gandhi would be best served if this university finds a success.

The concept of the Open University is the concept of the West and according to Tagore whatever is best in the West in education we must try to get in our country. Also whatever is best in the East this should go to West. In his famous poem in Bengal :

*"Paschim aajee khuliachhe daar
Setha hote sabe ane upahar
Dibe aar nine
Milabe millibe
Jabena phire-eai bharater
Mahamanaber sagartire"*

It means whatever is best with us be given to the West Whatever is best in that part of the world should be taken by us.

Mr. Chairman, Sir, Indiraji's concept of education and Indian civilisation is similar to the concept of Tagore. She had the benefit of early education in Shantinekutan just at the feet of Tagore and in many of her speeches and references she quoted Tagore—whether it is in terms of world peace or education. So, I very much thought that through this Open University apart from assigning the task in various schools, a school on the thought of Tagore's study should have been there to make full justice to Indiraji's wisdom and vision for this country. I wish even if it is not in this Bill the Minister will find some mechanism to find that the university also gets a school on Tagore just befitting to the memory of late lamented Shrimati Indira Gandhi.

Mr. Chairman, Sir, the concept of Tagore if I explain for two minutes then I can explain the aspects of this Open University. Tagore was not a student in the professional style as other students of colleges and universities. He had a wide vision in those days of the British rule when he said that the concept of educational institutions is like the prison. He felt that the real talent of the youth right from the

childhood to grown up age cannot be exposed and utilised in the very framework of education which comes in every time like hammering stone of the mill. Therefore, Tagore thought with the very enlightened vision with open mind like in the blue-sky a bird is flying with open mind and thought, to find and grab the truth of the nature and Shrimati Indira Gandhi also thought of finding the same privilege to the sense that she also thought that in this country whatever system we would introduce, finally it would be in the interests of the downtrodden for whom we were the champions. In the battle, we may not give it to them at the real hour of need and in the real sense. That is why this Open University could effectively work for it, can impart that part of education into the society, which, of course, has been spelt out in this Bill widely and I congratulate the Hon. Minister for keeping that tradition.

Now, coming to the reality. as Madam Geeta Mukherjee has just stated, we should not do injustice to the concept of Indiraji, in the sense that she was thoroughly opposed also to the nominated structure of the bodies here and there. Therefore, I would like to suggest to the Hon. Minister to further find ways and means to give some electoral shape of some functional committees of the University so that there can be an elected body in the University. Otherwise, the Planning Board, the Academic Council and this and that will just give suspicion and apprehension that the retired people of the University or the retired people from the Ministry of Education or the so-called academicians would join and pass their time getting pension. Not only that, they will poison the whole concept of Indiraji. Therefore, I would like to caution the Minister that if he allows this to happen, then his office and the Department will be flooded with a lot of applications from these retired persons and they will just penetrate into this and just spoil the whole concept understood by the people

Sir, in the long title of the Bill, it is stated as 'Indira Gandhi National Open University'. As you know, let it be the National University. But there should be a room for those students who are in different parts of the world who would like to inherit the ideals of Indian philosophy and they should get a chance of a communication

as part of the Distance University system through this University and they shall be the NAM countries. Therefore, I suggest to the Minister that he should find out whether in the entire managing body, every year or every alternate year, a representative from the NAM countries will represent the body. That will be another suggestion so that it will go a long way in the memory of Indira Gandhi and the concept of this University. With these words, I conclude and I feel the Hon. Minister accept the suggestion made by me and he will spell out his ideas in his speech. Thank you.

SHRI SATYENDRA NARAYAN SINHA (Aurangabad) : Mr. Chairman, I welcome this measure as it is a right step for universalising the higher education. The Hon. Minister already explained in a very lucid manner that it is intended for those who do not have a chance of getting education in the formal system at any stage of life. Now, they can take advantage of this education provided by the Open University. It is not a new concept as many friends have said. It took a shape of Correspondence course and my friends have said that 22 to 25 universities are providing the system of Correspondence Courses. But they have not made much success. It is largely because of the unidimensional approach and because they depended merely on print media to reach the students and they also could not take advantage of scholars other than the faculty members to prepare the lessons. The idea of Correspondence Course is not a new one. In 1938, there was an International Council for Correspondence Education. It was later on changed to International Council of Distance Education and it has got 44 institutions and 444 individuals from 50 countries as members. The Conference is going to take place in Australia and a representative from the Ranchi university is going to attend it. The idea has not been altogether abandoned. Therefore, they have not yet completely given up the idea of correspondence course. I feel happy that in the open university system, correspondence courses is a basic system, with all the other facilities like radio, video, audio cassettes being utilised for the purpose.

The United Kingdom open university has been regarded as a model university and in fact, it gave a status and dignity to the system because it was a developed country and for the first time, it established a new

education system and the national radio, TV network etc. were made an integral part of this project. This system follows the multimedia approach as distinct from the monodimensional approach. This approach is far superior and it has been acclaimed as a success in the United Kingdom.

The success of the open university depends on the quality of material, the software that you will be sending out to the students. My friend, Shri Hardwari Lal said that it could not be a substitute for the conventional institutes, where teachers and students come face to face, of course, that kind of regular relationship is missing in this system, but I think, to a great extent it can be made up by the summer schools and the study centres, where the students and teachers will be brought face to face. Shri Hardwari Lal also said that no new university should be opened including the Pondicherry university. He also said that this university system could only be a complementary system and he laid emphasis on the conventional universities. I have no quarrel with him, but the experience of the present conventional institutions is that they are all riven with intrigues, favouritism, corruption and discrimination. Even the Central Universities are not free from this. The document laid on the table of the House by the hon. Education Minister carries this remark about the state of affairs in the conventional universities. We have, therefore, to be very careful about it.

As the hon. Minister said, the open university has a great deal of benefits. Firstly, it will provide education to those, who do not have a chance to take advantage of the formal system; secondly, it will provide a chance to those who have chosen a profession and if they wanted to improve their skill later in life, they can take advantage of this system; and thirdly, it will help those who want to change their profession; it will provide mobility from one profession to another. This system has, therefore, a certain advantage; and that is why it is called the university of the second chance. It provides chance for higher education throughout one's life.

I would not take time in telling you what the other hon. Members have said that the idea was conceived in 1971 and the Parthasarthy Committee made its recommendations in 1976.

Even the three universities, Kamraj Madurai university, University of Mysore and the SNTD Women's College Bombay have got open university system, which is patterned somewhat on the British system. Postal tuitions, tutorials or study centres and broadcasts which supplement the correspondence teaching are the salient features of this system. The experience of developed and developing countries has shown that distant education programmes can provide an alternative system of education that will be cost effective. I say 'cost effective', because there is an apprehension that a large chunk of the funds may be siphoned off to the open university. A study in the UK system shows that the cost per graduate in the open university system in UK is about one-fourth of that in a conventional university and in Thailand this ratio is one-sixth. Therefore, there should not be any apprehension that the Government of India will be providing a large chunk of the funds for this university system and that the other universities which are in existence will suffer.

As I said earlier at the outset, campus troubles have become almost endemic, there is a lot of wastage of resources in the universities and there is deterioration in standards. One big objective of this open university will be that it will improve the standards of other universities also by providing a quality material. The success of this system will depend upon the assembling together the best men, the experts. An idea was mooted at one stage that the courses should be prepared by script writers and producers of the media, because they are experts in preparing such kind of lessons. I do not agree with that. All that I say is that there should be some advisory council in which there will be experts, intellectuals, multi-disciplinary scholars, broadcasters, script writers and so on. They can sit together and prepare lessons which could be broadcast to the students and which could be sent elsewhere also.

Secondly, I would like this university to develop into a learning and resource production centre. Material prepared for this university can be used by other universities and other institutions also, thereby the standard of those universities also will be improved. Thus, this Open University in a sense will act like a catalyst, will act like a pace-setter and provide an example to others

so that the deterioration in the standards will be checked and standards will improve.

I would like once again to say that the Hon. Minister has come with this Bill and has named it after Shrimati Indira Gandhi for which he deserves our thanks. No better fitting memorial could have been established in the name of Shrimati Gandhi and I wholeheartedly welcome this Bill. I would once again say that when we are able to run this university properly, then alone it will make a success and for this we have to take lessons from other countries also. In this context, there is a need for collecting good experts and scholars, so that we can benefit. But not all scholars are in a position to prepare written lessons for the students. Therefore there should be an advisory council, where all people can sit together for the purpose of preparing lessons for media. A study centre or summary schools will be an alternative method which will remove the lacuna that we find in the open universities system, where the students and teachers do not have direct contact with each other.

SHRI D. B. PATIL (Kolaba) : Mr. Deputy Speaker, Sir, I am in two minds whether to welcome this Bill wholeheartedly or half-heartedly. But I must confess that I am not in a position to welcome this Bill wholeheartedly. I have my own reasons for that.

PROF. MADHU DANDAVATE : Welcome it with hole in heart.

SHRI D.B. PATIL : Because the objectives of this Bill are very praiseworthy no doubt. But taking into consideration the objects, as it has been stated in the Statement of Objects and Reasons, indeed, we will have to admit that the system has not been able to provide effective educational opportunities. The main objective of this Open University is to create effective equalisation of opportunities. Here, I have my own doubts whether this University will try to reach the rural areas, hill areas, poor areas where those people are neglected, so far as their field of education is concerned. If you take into consideration the present educational standards in rural areas and particularly, where the adivasis are living and staying, there is no provision for primary education; and

there is no provision for secondary education. It is not a small area; it is a very big area in the whole of India without basic necessities of infrastructure for higher education. Until and Unless, there is primary education and secondary education we cannot talk about providing higher education to the society which is being neglected like anything till now. And if this infrastructure is not available to that society, I wonder whether all those provisions in this Bill and all hopes about this Bill will actually come into force with better realisation, so far as the poor sections or weaker sections are concerned. The idea of this distance education is not new. You know it as well as many of those who are sitting here. So, I do not want to repeat it. It is stated in the Objects and Reasons.

“(f) provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people”.

So the skill in certain parts of education is in its study and its experiments. So many Universities which are being run as Open Universities with distance education universities are not really successful in technical education or manual skills, such as mechanics, welding and such other technical jobs. And yet, we are not providing for their skills. When we do not have skills in technical fields, we are talking of self-employment and something like that. Because of this Bill, it cannot actually come into practice. So all these factors should be taken into consideration. I do not say that technical education should not be imparted. No doubt, technical education should be imparted. But if you say that technical education should be imparted by this Open Universities, then there should be some arrangements or provision to have the practicals on the spot where the student will learn. If there is any idea in the mind of the Education Minister, will he please explain to the House how the practicals will be taught to the students who come from the different parts of the villages, far away from the cities and other things? Merely saying that he will be giving them training required for employment is no use.

PROF. MADHU DANDAVATE :
Practicals can be taught here theoretically ?

SHRI D.B. PATIL : My friend Prof. Madhu Dandavate said that practicals can be taught theoretically. If it is so, I may say instead of supporting the Bill, I may perhaps oppose this Bill. It has no sense to have this type of education. If you are not to give proper education to poor people, whom you have neglected all these years, it is not proper. The vast society of people are still illiterate. What is the percentage of literacy in the whole nation ? The literacy percentage is hardly 30 to 35. What about those persons who are illiterate, when we are talking of higher education to be given to the persons who are being neglected ? It should not happen that these facilities on which we spend crores of rupees will not be available to those persons who are already not able to get them, because they have no opportunity to join a college or some institution. So, I would like to insist and bring it to the notice of the Hon. Education Minister that for the sake of Open University if you are giving education to the people who are supposed to have facilities for higher education that is not correct. So far as the quality of education is concerned, that quality is not being still provided in our universities. This in one thing and one of our friends has quoted the figures. I do not want to quote them and repeat.

The expenditure on elementary education is less than what it ought to be, and it is much less than incurred on higher education. Expenditure on primary education is being reduced and expenditure on higher education has increased two times in last few years. If it is so, at whose cost is it being done ? At whose cost are you going to spend Rs. 15 crores in the next span of five years ? If it is going to benefit persons who are already benefited, then to my mind this Bill will not serve any purpose. So, I would request the Hon. Minister that he should keep in mind that the most neglected people should not go neglected further and proper attention should be given to them.

SHRI N. TOMBI SINGH (Inner Manipur) : Mr. Chairman, I support this Bill with all the emphasis at my command. I attach tremendous importance to the fact that this has been very appropriately named after the great name of the late lamented Shrimati Indira Gandhi also and this has been

brought during the leadership of Shri Rajiv Gandhi and also very ably piloted by Shri K. C. Pant who, I consider, represents a very solid link between the young and the old.

AN HON. MEMBER : Mostly with the young.

SHRI N. TOMBI SINGH : I shall not differ from you. I like to support this Bill, as I said, for in the First Schedule it has been mentioned that it shall "promote national integrated and the integrated development of the human personality through its policies and programmes." This has been so well-conceived at this stage that what we hope is that this university should emerge not as one of the many universities in the country but it should be one in the good universities or it should be 'the university'.

AN. HON. MEMBER : As 'the university'.

SHRI N. TOMBI SINGH : That is right. So, this well-conceived steps taken on the eve of the new education policy heralds the basic approach of the new education policy should be well-implemented. It should not be like a non-vegetarian running a vegetarian shop. What I would like to say here is, you have mentioned in these objectives that you would arrange training of teachers. Now, what is most important is the human material with which this University should be run. Who are the people to man then the Board of Management, the Academic Council, etc. ?

Much has been said about the democratic character or otherwise of the University in the provisions of this Bill. I do not find any provision in the Bill which says that these bodies will not be democratic. The only point is, the Board of Management, the Finance Committee, the Academic Council and all these other bodies, they will be constituted by the statute. It is for the statutes to take care of the democratic and non-democratic character of these bodies. I think, the Hon. Minister will take care of this aspect. While framing the statutes the democratic element should not be overlooked.

Nowhere in this Bill it has been mentioned what authority will be competent to pass the

Budget. A mention has been made that the Finance Officer will submit the budget to the managing body after its consideration by the Finance Committee. It is not said that the managing body will pass the budget. It has been mentioned that the Board of Management will be the principal executive body. I think, there is nothing abnormal in the principal executive body taking care of the budget. But it has also not been mentioned. Normally there should have been a body higher than the executive committee like the Senate. But that is not provided here. I would like to suggest that the budget should be passed by a body higher than the executive committee.

Somewhere in the provisions of this Bill it has been mentioned that in the event of difference of opinion between the Academic Council and the Planning Board the matter will be referred to the executive committee. Which also looks a little inappropriate. If there is a difference of opinion between the Academic Council and the Planning Board, the matter should go to some other body and not to the executive committee. These are some of the aspects which could be taken care of.

Before I conclude, such a brilliant step, long awaited steps, coming on the eve of the new education policy, should be implemented properly and its successful implementation can be ensured only by taking proper persons to man the various bodies like the board of Management, Finance Committee, Academic Council, Planning Board, etc.

I wish the Open University all success.

PROF. P. J. KURIEN (Idukki) : Even at the outset I would start with the quotation from Madam Gandhi. While inaugurating the Jawaharlal Nehru University on 14 November, 1969 she said :

"We must bring education to all parts of our country, all sections of our people especially the weaker sections and those who are under-privileged."

I am happy that this Bill which has been brought forward by our Hon. Education Minister, goes a long way in achieving all these goals.

The idea of Open University is not a new. It has actually been originated by Mrs.

Gandhi herself in 1974. When she was the Prime Minister, a committee was appointed under the chairmanship of Shri G. Parthasarthy, who was the Vice-Chancellor of the Jawaharlal Nehru University. That Committee went into all aspects of the question and strongly recommended that there should be an Open University in order to provide education for those drop-outs and those people who could not get the opportunity of formal education in educational institutions due to economic and social backwardness. I welcome this Bill. I wish it could have been brought much earlier. Sir, Our education system is in a continuous crisis, in a total disarray. Since Independence, there has been a tremendous expansion in our education. Our universities have increased from 27 to 114 and the number of our colleges has increased from a mere 800 to more than 5,000. The number of students seeking admission in colleges has tremendously increased. It has increased ten times. But what is equally important is that the number of those who are refused admission in colleges has also increased. The number of drop-outs has also increased. I am sure that this Bill is a blessing for those unfortunate persons who can not go to college, who are refused admission and who are drop-outs from the colleges.

We know that due to economic reasons and other family circumstances, as the Minister has stated here, many students are not able to go to the colleges, especially those who come from economically backward areas and rural areas. Such students are also being given an opportunity through this Bill. Therefore, this Bill, is a welcome measure and is a step forward in making an egalitarian society.

The concept of Open University is not new. We are not the pioneers in this field. Even in 1969, the United Kingdom had established an Open University. Similarly, some socialist countries like USSR and Yugoslavia are also having Open Universities. China is also having an Open University. Likewise, other Asian countries are also having Open Universities. We are not the first in the field. But I would suggest that we should convert the disadvantages of being late into advantages. We should learn from the experiences, the failures and the shortcomings of these universities which are

already established, and should be able to have a better formulation of the laws and better implementation of the schemes envisaged in this Bill.

In India also, the concept of Open University is not new. Andhra Pradesh already has an Open University. Similarly, there are other universities which are conducting correspondence courses on the pattern of British University. We should make use of their experiences also while formulating the rules and implementing the provisions of this Bill.

Coming to the objects of the Bill, I am happy to say that the Bill is well-drafted and it aims at an ideal open university. I would specially like to mention the last objective given in the Schedule, that is, about national integration. This university, which is named after Madam Indira Gandhi who lived and died for preserving national unity. Promotion of national integration as one of its objectives. This is most important and actually I must say that this is what we lack in our formal education system. In our formal education system there is no such scheme. There is not even an attempt to propagate the idea of national integration or emotional integration. Now, what is happening in our universities? Our Universities are producing degree holders, graduates with certain superficial knowledge about some subjects. They cannot make use of this knowledge in the society. Most of them are found to be misfit in the society. They take up jobs which have no relevance to what they have studied. There is no attempt on the part of the university to inculcate in the minds of the students, love for the country, love for the rich cultural heritage of our country, or to inculcate in their minds loyalty to our national leaders who have laid their lives for the freedom of this country, or to inculcate in their minds a commitment for the poor people of the country. I think this is one of the drawbacks of our present day educational system. I am happy that this university, which is named after Madam Indira Gandhi, is aiming at promoting national integration. That can only be done if you have the syllabi and courses to promote emotional integration. The courses should be so designed to inculcate emotional integration in the minds of the learners. I

am happy that this university has a jurisdiction over the entire country. That will create a feeling of oneness among the students who will be studying in this university. But that is not enough. It is only with the earnest attempt we can change the attitude of the students. If we want we can mould a generation, imbibe them with love for this country and love for the rich cultural heritage of our country. But what is happening today is that we are producing graduates who are not at all concerned about the country, who are actually having a bent of mind towards everything that is foreign and a contempt towards everything that is Indian. Therefore, I request that this University which is named after Madam Indira Gandhi should aim at promoting the national integration through emotional integration and provide such courses so that once the students come out of the college, their mind should be filled with love for the country. Also there should be effort to reduce communal feelings from their minds. The studies should also be directed towards encouraging patriotism among the students.

One leading educationist, Sir Richard Winston has stated that education is nothing but character training. We did not pay heed to that. Even the Kothari Commission Report opens with the rhetoric that the destiny of India is shaped in the class-rooms, but we have not given any attention to this. These are all very important.

Since we are aiming at a new venture, all our experience should be brought in so as to have a better form of education disseminated.

Essentially the Open University should create an environment of learning in the home itself. It is good for that you can have correspondence courses which are already there. Television, radio programmes and also experimental kits should be utilised to help in imparting knowledge. Thanks to the farsightedness of Madam Indira Gandhi we have a network of television in the country. This infrastructure can be fully and best utilised in imparting education and knowledge in the Open University. Yet that is not enough. There should be some scheme there should be some mechanism for feedback from students to the teachers. There

should be a provision for a two-way communication. I think the Minister must have thought of it.

We have in this country more than five thousand colleges. Why not we make use of these colleges, their libraries, their teachers in order to have this teacher-student relationship? Please try to fit in these infrastructures in the pattern of the Open University so that you need not go in for additional funds. If we do this we will never have to bother about funds. We can utilise the available information system and have open university concept implemented.

Having said this let me mention about some of the drawbacks in this Bill. First of all we talk about autonomy, but there is no provision for autonomy here. For example in Sub-clause 9 of Clause 8 the Visitor is having all powers.

In Statute 2, clause 9, the Vice-Chancellor is having full power for appointment. He need only the approval of the Board of Management. Actually it should be the Board of Management having the powers of appointment. Again, in sub-clause (6) of Clause 26, the Education Department i.e. the Visitor can take any decision or amend the Statute, even if the Board of Management is of different view. In other words, an Under Secretary of the Department can take decision on the affairs of the University and by pass the decision of the Board of Management. Under another statute the vice-chancellor can dismiss any student or any employee without conducting an enquiry at all. I think that it is not correct. The Vice Chancellor is only a person. If he wants to suspend anybody it should be only after a proper enquiry. I request the Hon. Minister to re-examine this and other provisions and to amend those clauses suitably so that we can have an Open University which is an ideal university. I am very happy that this university is named after Shrimati Indira Gandhi who lived and died for maintaining the unity of our country. I welcome the Bill.

SHRI AMAR ROYPRADHAN (Cooch Behar) : The Open University Bill is not a new idea at all as Prof. Ranga and Shri P.R. Das Munsi have stated. Gurudev Rabindranath Tagore long ago established Visva

Bharati with this concept. There were correspondence courses in different subjects. At that time Radio was not there; Television was not there. In the year 1983 an Open University was established in Andhra Pradesh. I am not opposed to the idea of Open University. I am not opposed to the University being named after Shrimati Indira Gandhi. If the Hon. Minister comes up with a proposal to rename the Delhi university after the name of Indira Gandhi I will have no objection. I will support it. There is one university named after Jawaharlal Nehru. Let there be another university named after Shrimati Indira Gandhi.

But my point is this. Why are you in such a great hurry to pass this Bill when your new Education Policy is still on the anvil. It is still being evolved. Is there any difference in the educational system itself in between the Primary, Secondary, College and University education? Why are you excluding University Education at all? You should explain this position. What is the present education system and how do you want to re-shape it? You must explain that. It is not true that in our country 66 per cent of our total population is illiterate, and they don't know A, B, C, D. The Government has failed to introduce free and compulsory primary education for all from 6 to 14 years of age. Is it not a fact that you have failed to implement the constitutional guarantee for free and compulsory education within 1960? Is it not a fact that you have failed to introduce job-oriented education? What is the report of those 22 universities who have got their correspondence courses and who have failed to deliver the goods to the country? You are interested in the name only, not for Education. You are only interested in naming it after Indira Gandhi. You are not really interested in the spread of education.

SHRI K.C. PANT : I thought that you are not against the naming of the University.

SHRI AMAR ROYPRADHAN : No. But you are in a hurry.

It is all right that you have mentioned why this University is going to be established, but you have not mentioned where the regional centres will be opened. Why is it so? For bargaining purpose. Let there

be quarrel among the different States. Shillong may say that they want a Centre, Gauhati may say that they want a Centre in Agartala. Like that, Calcutta, Bhubaneswar, Patna, Bombay, Bangalore and Madras, all will say that they want a centre at their place. This should not have been done. When such an idealism is behind this Bill, you should name all these Study centres.

I have got objection to the word 'National'. Clause 6 says :

"The University shall, in the exercise of its powers, have jurisdiction over the whole of India."

Can you name one University in India which, within these long 38 years of our Independence, or even before that, has the jurisdiction throughout India?

SHRI G.G. SWELL (Shillong) : This is a new proposal.

SHRI AMAR ROYPRADHAN : Whether it is new or old, why is there such a proposal?

Education is a Concurrent subject. So, you are encroaching upon the States' authority (*Interruptions*). When the Centre-State relations are being examined by the Sarkaria Commission, then how you are in such a hurry? (*Interruptions*). The question is whether the University will be within the Delhi State itself or throughout India... (*Interruptions*).

Regarding clause 7, I think it must be delayed. After all, having the experience of Gujarat and other places, why are you putting all these things here? Our country is a secular and socialist country. If it is so, where is the justification for stating all these things like caste; race, creed or class?

SHRI G.G. SWELL : To emphasise.

SHRI AMAR ROYPRADHAN : There are so many conflicts amongst the castes and creeds. So, would you kindly mention the persons who will be stateless persons under the Assam Accord? Don't take it as a

joke. There will be about 18 lakh people in Assam who will be Stateless persons. Would they be covered by it? Can you explain? How those 18 lakh Stateless people can be covered?

PROF. MADHU DANDAVATE : If there is voting in the University, they will be allowed to vote.

SHRI S. JAIPAL REDDY : There is no voting anyhow.

(Interruptions).

SHRI AMAR ROYPRADHAN : Regarding funds, Rs. 15 crores is not sufficient enough to operate the University. But would you kindly let us know what you are spending for the other universities in the country? Even for those old universities, say, the Burdwan University, the North Bengal University, their total provision for the whole of the year is not even Rs. one crore. But here, for this University you are going to spend Rs. 3 crores per year according to the provisional arrangement.

I do not like to go into details of this, but I cannot support this Open University Bill openheartedly (Interruptions). I cannot support this Open University Bill wholeheartedly....(Interruptions).

[Translation]

SHRI GIRDHARI LAL VYAS (Bhilwara) : Mr. Chairman, Sir, I rise to support the Indira Gandhi National Open University Bill. I would like to congratulate the Hon. Minister that he has named this University after Shrimati Indira Gandhi who was the messiah of the poor in the country. She had made great efforts for the upliftment of crores of poor people in this country. By naming this University after her, it has become very meaningful.

This University would provide an opportunity for higher education to all those people in the country who could not get higher education due to financial constraints. In this way they would be able to increase their knowledge.

Sir, same type of educational facilities have not been provided at secondary and

primary stage for poor people in rural areas as have been provided in urban areas. We have seen at many places that urban people are given preference for higher posts. Even in examinations for higher posts, they are given preference.

The condition of primary and secondary education in rural areas is very pitiable. Eighty per cent of people, who live in villages, will not get an opportunity to rise unless you raise their standard of living. It is possible that these rural people may become clerks, teachers or patwaris, but they will not get an opportunity to rise further. So, you will have to develop a set-up under which this system can be implemented in the right earnest.

Sir, this Open University will help in achieving national integration. The main object of setting up this university was to bring people closer through national integration and strengthen the unity and integrity of the country.

Now, I would like to draw the attention of the Hon. Education Minister towards the Selection Committee. We have seen that great favouritism is shown in the matter of selection to any post whether it may be for the post of Reader or Lecturer. Favouritism is also shown in the constitution of this committee.

Sir, how many persons will be nominated by the Vice-Chancellor? The Vice-Chancellor will be the first Member as also the Chairman of the Selection Committee proposed to be constituted as follows :

[English]

- “(a) the Vice-Chancellor;
- (b) a Pro-Vice-Chancellor or the Director of the School concerned nominated by the Vice-Chancellor ;
- (c) a person nominated by the Visitor; and
- (d) three experts not connected with the University to be nominated by the Vice-Chancellor in such manner as may be specified in the Ordinances.”

16.00 hrs.

[Translation]

Only one person will nominated by the Visitor and the remaining members will be nominated by the Vice-Chancellor. Pro-Vice-Chancellor will also be nominated by the Vice-Chancellor. In this way a total of 5 to 6 persons will automatically be of the choice of the Vice-Chancellor and only one person will be of the choice of the Visitor. He may not of his choice. In this way you have given full powers to the Vice-Chancellor to select any person as Professor or Reader or Lecturer. You might have seen that a Professor who is nominated as a Member of the Managing Committee of any university thinks that persons of the States other than his own State are useless and persons belonging to his State only should be appointed there. You have given full powers to the Vice-Chancellor to nominate all the persons in the Selection Committee. It is a dangerous thing as there is great possibility of favouritism. Through the Hon. Minister of Parliamentary Affairs I would like to tell the Hon. Education Minister, who is not present at the moment, that by giving full powers to the Vice-Chancellor this University will also witness the same type of disputes which have been going on in other Universities. Due to groupism, many disputes and quarrels are witnessed and atmosphere is vitiate in all the universities whether it is Jawahar Lal Nehru University or Banaras Hindu University or any other University. The same situation will develop in this University also. Hence, special attention should be paid in this regard also.

I would like to raise one more point. Under a provision, the Reader or Lecturer or any other employee of the University can be dismissed from service without giving him any notice. This power has been provided in Clause 19, Para 4 under the heading "Removal of Employees of University." Under this provision you can remove from service the Reader or Lecturer or any other employee without assigning any reason or giving him any notice. Besides, under another provision you can dismiss any suspended employee without conducting any inquiry. It is definitely wrong and

illegal. The position may be reviewed to ensure that no wrong step is taken by which people may have to suffer heavily and they are compelled to seek redressal from the High Court or Supreme Court against you. Therefore proper provision should be made in this regard.

With these words I support this Bill.

[English]

SHRIMATI VYJAYANTHIMALA BALI (Madras South) : Mr. Chairman, Sir, I thank you for giving me an opportunity to express my views on the Indira Gandhi National Open University Bill. Our Hon. Minister of Education is in the process of formulating a new educational policy, by bringing forward this Indira Gandhi National Open University Bill, in the near future. Our dynamic Prime Minister has also, many a time, been telling all of us that there should be a thorough overhaul of our educational system. I believe that our educational system should be revolutionised, revitalised, because it is out-dated and it is definitely not leading to national integration. I suggest that more funds should be allocated for the development of education in the Seventh Plan. Along with making mass-scale free educational facilities for girls upto Matric, I feel that emphasis should be laid on the quality of education. We have inherited the British system of education which was meant only to make *babus* out of our educated class.

16.04 hrs.

[SHRI SHARAD DIGHE in the
Chair]

And it served no other purpose. Now with the population explosion, our schools and colleges have become over-crowded with the result that we are producing half-literate, sub-standard graduates. While the standard of education has dropped in quality, it does not serve the purpose at all.

Secondly Sir, this led to corrupt practices. For admissions, rich and poor alike are expected to pay. The rich can easily afford to pay for their children and put them in good, top-class schools and colleges, but the middle-class and the poor are greatly

affected because they don't get admission for their children. The poor people keep knocking from door to door. They go to MLAs, MPs, Ministers, Police Commissioners, Collectors and the people in high positions, to get letters of recommendation. Yet the greedy authorities of the schools and colleges pay no heed, they discard these recommendations and try to extract money from the less-affluent. The only answer and remedy to this is to have Open Universities such as Indira Gandhi National Open University and give an opportunity to one and all irrespective of class, creed or religion to go and join these Universities without any strain on themselves or their parents. The doors are always open to them. Whenever they seek the light of education, they should not be turned away. I feel, Sir, that the small school children are over-burdened with facts and figures, affecting their eye sight and health and their young brains are being taxed so heavily. Sir, the only answer to this is I feel that the education for such young children should be changed. They should be channelised. They should be shown according to their aptitude. They should be taught only those subjects in which they take interest and not the things which are not relevant to them when they grow up. The aptitude of the child should be found out. Only then such subjects can be taught.

The American system is a very good system. Because the students are judged on the whole year's progress instead of mugging up for the whole year and feel strain and pain and tension when they have to go into the finals. I am sure, that the Indira Gandhi National Open University would set a new pattern in quality in the educational system which is so badly needed in our country today.

With this new method and new approach and with a view to imparting knowledge irrespective of cast, creed or religion, I am happy to support the Indira Gandhi National Open University Bill.

[Translation]

*SHRI K. RAMACHANDRA REDDY (Hindupur) : Mr. Chairman, Sir, education and progress are inter-related. They are

intertwined and inseparable. One cannot exist without the other. Where knowledge and learning are a plenty, where the intellectual faculties blossom, there will be uninterrupted progress. The amazing progress made by Japan and Singapore are the illustrious examples. The reason why this country, which has 50 crores illiterates, could not develop in the past is due to illiteracy. It is a universal truth.

Indira Gandhi National Open University Bill is a challenge to the new concept of education. It is a treading on a path hitherto unknown which fascinates being novel. On this unknown path, there won't be any dearth of surprises and unexpected experiences. It is a new vista opened for all those who were in search of new methods in the propagation of education. Unlimited opportunities lie ahead in this field for the research scholars with the opening of the Open University.

There is a novelty in the concept of Open University. Experimenting this novel idea is quite unique.

The Government, more so the Hon. Education Minister, deserves profound compliments.

This Bill proclaims that learning is no more restricted only to a few who were endowed with brilliance, to the ones belonging to the exclusive domain of upper castes, or those who were born rich.

This Bill now provides an opportunity to learn, to extend their knowledge to all those who are completely immersed in the day today activities of life and this helps them to quench their thirst of knowledge.

With education one acquires humility. Humility leads to capability. With capability comes the knowledge to distinguish between proper and improper, good and bad. This further widens the frontiers of knowledge. This is the ultimate aim of education.

The real education helps in controlling the animal instincts in man. It makes man a human being.

*The speech was originally delivered in Telugu.

Poet Tikkana says in Andhra Mahabharatha "If others do any thing which is not of your liking you should not repeat the same upto others. This is the essence of all Dharmas." Keeping this in view, efforts should be made to impart education in the country. This must be the aim of our education. The education imparted with this ideal should guide the destinies of our students. Time is bound to change. Change is the nature of time. Society is under a rapid transformation. Now educational system and new methods which are in tune with the changing times is a must. So far hardly any new methods were experimented in teaching and learning.

Students in earlier times used to get their education staying in Gurukulas without caring for the comforts of life like lodging, boarding etc. They served their teachers with devotion and were dedicated to their learning. They faced the toughest examinations conducted by their teacher and came out successfully. They were the real students and theirs was the real education. That is the reason why teachers were treated at par with Vishnu, Brahma and Maheshwara the trinity of our pantheon. Accordance of such a high degree of respect is a fitting tribute to their personalities.

Students of today do not have any respect for their teachers. The present day education system has failed to create social consciousness and awareness among the students. It could not create morale values among the students. It could not inculcate discipline, morality and human values among the students. Modern education has thoroughly failed in all these spheres. Now a beginning has been made through this Bill to impart these values vigorously.

Vocational education and training have been taken care of in this Bill. A qualitative improvement in professional education can be expected now. Andhra Pradesh Open University's achievement has been spectacular in this regard. Andhra Pradesh Open University has forged ahead in this field and is worth emulating. Andhra Pradesh Open University Act has become a symbol for advanced methods of teaching in vocational education. The efforts of Andhra Pradesh Open University are laudable and worth emulating.

In the past three or four decades there has been a considerable increase in the number of colleges, universities and students in the country. The number of colleges have gone up from 800 to 50,000. Similarly, the number of Universities has risen to 140 from a mere 27. The strength of students has now gone up to 35 lakhs. It is simply impossible to impart knowledge to all these students through formal education. However it is quite possible to do so through informal education with aid of Radio and Television. Only Open Universities can handle this gigantic task. This stupendous task of imparting knowledge to the millions of students is not within the capacity of ordinary Universities. Only the Open Universities can handle this gigantic task.

For the success in the fields of learning and research through the Open University the adoption of the following suggestions is a must.

1. Only those who are dedicated to education and are wholeheartedly persued the teaching profession must be appointed as professors

2. Discipline and deep interest in learning and respect for the teachers must be taught to the student community.

3. For the success of the Open University, it is necessary that these persons who govern should be impartial, zealous and dedicated.

It is unfortunate that such a noble bill as this, is being rushed through in the House. It is not proper.

The sub-Clause 9 of Clause 8; and sub-clause 3 of Clause 9 need reconsideration. These provisions may confer unlimited powers on Visitor and Vice-Chancellor. They may adopt dictatorial attitude and harass the working staff and students of the University. Hence a thorough reconsideration of these provisions is necessary. As though to prove the saying "tail is longer than the body", the Schedules in this Bill are longer than the actual Bill. There is a need to examine all the Schedules thoroughly.

The Government should not adopt a rigid attitude in passing this Bill somehow

immediately. For considering each and every aspect, this Bill should be referred to Select Committee.

Mr. Chairman I thank you very much for giving me this opportunity.

[English]

SHRI MULLAPPALLY RAMACHANDRAN (Cannanore) : Mr Chairman, Sir, the proposed Indira Gandhi National Open University is a significant milestone in the progress of our educational system and a concrete step towards the educational reforms promised by our beloved Prime Minister.

However, in a vast and multi-lingual country like India, concept of Open University poses a big challenge.

The objectives of the Open University system are indeed laudable as they seek to provide higher education to those deprived of the conventional form of education due to various socio-economic factors. The system reaches out to the disadvantaged groups such as people of remote areas, house-wives and working persons. The scope of Open University is far wider than the Conventional systems because of the lack of rigidities relating to age, qualification, attendance, etc.

Sir, the Open University can also cater to a much larger number of students than the class-room systems. It is also hoped that the system will bring about the much hoped for uniformity in the standard of education. For the success of this scheme, a close and strong coordination is essential between the Education, Communication and Information and Broadcasting Ministries. The dependence on Broadcasting also provides an opportunity to test the effectiveness of the media in the National context.

Sir, liberal and effective cooperation from the University Grants Commission is also essential. In this regard I would like to suggest that the Government should come forward to revamp the University Grants Commission which has been subjected to severe criticism from various quarters. The Hon. Minister must take effective measures to democratise the U.G.C. It is also to be

borne in mind that more eminent educationalists and academicians are to be brought into the fold of the University Grants Commission.

Sir, I am doubtful whether the Ministry has gone deep into the financial implications of the new scheme. It appears that an amount of Rs. 15 crores has been allocated in the Seventh Plan for Open University Scheme. I have my own doubts as to the sufficiency of this amount to meet the manifold expenditure of this scheme especially since the scheme has within this purview, the imparting of knowledge in science and technology which necessitates laboratory facilities, etc.

Again, it remains to be seen whether the Education Department or the Broadcasting Department or both jointly will take on the responsibility of producing programmes for disseminating knowledge under the Open University Scheme. It is also to be noted that as things stand today, the Radio and Television have an overload of programmes and that being so and further since the intended students of the Open University are mostly likely to be of the working class and rural masses, the allocation of time for broadcasting the university's programme needs deeper consideration.

Since distance learning is a salient feature of the Open University, the teaching system and efficiency of the teachers count much. Hon'ble Minister may be pleased to give serious thought to the training of sufficient number of teachers to impart knowledge under this system mainly because lack of sufficient number of efficient, trained teachers have in the past caused deterioration in the standard of education. The medium of instruction is of utmost importance in any scheme of education development. Since the university intends to provide education mainly to the rural people from socially and economically backward areas, emphasis will have to be laid on the medium of instruction. To my mind, it seems that instruction in the mother-tongues or in the national language will be most effective. However, the importance of English may not be overlooked as it is an internationally accepted language which is conducive to promote advanced studies. Academicians and educationists would tell us that the pattern of higher education existing in our country today has

little relevance to the needs of the individual and society. There is a wide spread complaint that the educational system prevalent in our country for the last three and a half decades smacks of British imperialist legacy which never intended to give employment opportunities to the students. Our experiences also substantiates this glaring defect. Hence with the experiment of this open university system, the Government must lay special emphasis on the job orientation in the courses and higher education should be linked with social demands.

The Vice-Chancellor designate of the open university, Prof. G. Ram Reddy in a press interview had made it clear that the university will also help to update the knowledge of those who may have qualified in their professional subjects several years ago. This scheme for professional improvement envisaged by Prof. Reddy is indeed remarkable.

It is needless to say that the educational system is the very backbone of any nation, and any change brought about in the field of education will have far-reaching effects on the overall development of the nation. Hence, the people in our country, by and large, are looking forward to the changes that are going to be brought about by the formulation of the new Educational Policy that was promised by our beloved Prime Minister in his broadcast to the nation early this year. We are confident that the introduction of the open university system is a bold step towards the formulation of a new Education Policy that will cater to the social needs of our country whose cherished goal is a Socialist Democratic Republic.

Before I conclude, I would like to quote Panditji who spoke while making his Convocation speech at Allahabad University in 1947. He said :

"A University stands for humanism, for tolerance, for reason, for the adventure of ideas and for the search of truth. It stands for the onward march of human race towards even higher objectives. If the Universities discharge their duties adequately, then it is well with the nation and the people."

I congratulate the Hon. Minister for bringing such a progressive Bill during this session itself.

SHRI K.S. RAO (Machilipatnam) : Sir, the education policy is constantly under criticism for the reason that many of our people are of the opinion that we have been following the same old curriculum, what was there during the British regime. But whenever, there is a change in the Minister of Education at the Centre or in the States, they always promise that they are going to bring in a change in the policy of education but for some reason or the other, the expected change to the extent required is never brought about.

Today, millions of students are going to the educational institutes, but they are not coming out with confidence that they can produce something on their own, though they have an ego that they have got the doctorate post-graduate degrees. As I said, they do not have the ability to take up some work on their own. The discontent among the students and the unemployment problem have, therefore, become very acute. This is not because there are not enough employment opportunities really, but because they do not have adequate training or the knowledge required for various jobs in the country. Whenever a question is asked by the opposition or the ruling party Members, it has become a fashion with the Ministers concerned to put forward that there is the constraint of resources. But if we give a serious thought to this matter, we will find that this constraint of resources is there because the ability of the people to generate some product income has gone down. If we go deep into the matter, we will find that the educational system is not producing such types of people who can generate resources in this country. The Hon. Finance Minister happens to be present in the House. I submit that enough funds are to be allocated to the Ministry of Education, without which there can be no solution to various problems concerning other Ministries also. Luckily, the importance of TV, i.e. visual education had been realised for which, as I understand, Late Shrimati Indira Gandhi made a beginning and emphasis is given in abundance by our present Prime Minister, Shri Rajiv Gandhi to impart education through communication technology. Just after a few days

of taking over, the Prime Minister has promised that he would bring a revolution in the education policy. I doubt whether this revolution can be brought with the formal type of education, the reason being the cost of education. For example in the JNU, the cost is estimated at Rs. 30000 per head and if there were to be two million people, it would cost Rs. 60,000 crores, or the entire budget of the country will possibly go to that. I do not know whether our resources will permit or not to bring about a revolution in education policy. But this concept of open university is a boon and I am very happy that the Government of India are thinking to bring out the open university system to impart education, utilising the communication technology, by which, the cost of education per head will come to Rs. 1000. Not decreasing the quality of education, it will, at the same time, change the formal type of education to suit to the modern needs. I request the Hon. Education Minister to impress on the people of the country and the members of this House that it is not just the introduction of the Bill in the House, but also the advantages of it. Regarding the funds, Rs. 15,000 is a very small figure, by which I do not think the real purpose can be served.

This open university not only reduces the cost of education, it can also change the type of education' thus providing the education which we need today. I request the Hon. Minister not to adopt the same type of curricula in the open universities, but to make a survey in the country, as to what type of education is required, in which field professional people are short, what skills are to be imparted and so on.

Sir, it is good that those people who do not have access to formal education, particularly people in rural areas, women and house wives, industrial workers and others will have the facility to learn through this open university. While earning their livelihood, whenever they find leisure time, they can improve their knowledge, they can learn about the latest developments in technology and be of immense use to this country. I once again request the Hon. Minister to see that this TV technology is utilised properly and is taken to the grass-roots, to the villages and facilities are to be provided extensively

in the rural areas. Particularly, every village should be provided with a TV. If necessary, some voluntary organisations may also be involved to help in this matter. I request the Hon. Minister of Information and Broadcasting to see that some time is allocated for broadcasting the programme of distance education. They can use the services of Insat-III by giving a separate channel exclusively for this open university so that certain specific hours on specific holidays (more so, because it is a five-day week, nowdays) may be allotted for this open university system. In this way, all this can be put to immense use.

As regards budgetary provision, I have already requested the Hon. Minister. I have spoken about the involvement of voluntary organisations also. I would like to say something about training. Without adequate training, it is no use starting a university. The staff should be adequately trained so that it catches the immediate attention of the people. I whole-heartedly and jubilantly support this Bill and I congratulate the Minister and the Prime Minister and I hope that this promise will not be treated in the routine way, as it used to be done earlier.

[Translation]

SHRI UMA KANT MISHRA (Mirzapur) : Mr. Chairman, Sir, not only I, but all the Hon. Members also have welcomed this Bill, some of them half-heartedly and some whole-heartedly. But on the whole, the Bill has been welcomed by the Hon. Members.

Mr. Chairman, Sir, this is the first University of its kind in the country. This is the first educational institution being set up in the name of Shrimati Indira Gandhi and it is for the first time that the word 'National' is being added with the name of any University in the country. Till now, Universities exist in the name of a State, religion, community and an individual, but there was no institution named as National University in the country so far. This is an open University although, at regional level, Gurudev Rabindranath Tagore had set up institutions like Vishwa Bharati, Shantiniketan, etc.; a few others were also opened, but this is the first University of its kind at the national level. Therefore, we welcome it

heartily. In this regard, I want to submit a few points to the Hon. Minister of Education through you

This University is being named after Shrimati Indira Gandhi. To name a road, a building, a railway train, a canal after Indira Gandhi is another matter, but to set up Indira Gandhi University is altogether a different thing. The people of the country except that education in this University will be imparted on the thinking and ideals of Shrimati Indira Gandhi. We as well as the countrymen have this expectation. Indira Gandhi was one such person who had the influence of all great people of this Century; she was a fine blend of all their ideals. She had come in direct contact with some of the great men, like Mahatma Gandhi. She was nurtured under the guidance of Mahatma Gandhi. She came in direct contact with Pandit Jawaharlal Nehru, Sardar Patel, Shri Govind Ballabh Pant, Maulana Abul Kalam Azad, Dr. Ambedkar, Gurudev Rabindranath Tagore. They were the great men of this century. She came into direct contact with all great men in the political, social and educational fields and their ideals, thought, programmes, activities, conduct had influenced her a lot. As Ramayana, Gita, Quran Shrief, Bible and Dhammpada had left a deep imprint on Mahatma Gandhi, it also had its impact on Indira Gandhi as well. Similarly, Romeo Rolan of France, Leo Tolstoy and Ruskin and all ancient and modern thinkers, Statesmen, academicians had their influence on her. Mahatma Gandhi brought into being a new religion, a new path and a new system which had also influenced her. In the same way, Pandit Jawaharlal Nehru had the influence of Mahatma Gandhi on one hand and Karl Marx and Lenin on the other. Influence of both ideologies had moulded the personality of Pandit Jawaharlal Nehru; this too had an influence on Shrimati Indira Gandhi. Thus, directly or indirectly, all thinkers, Statesmen, academicians of this age, be it Rabindranath Tagore or Dr. Radhakrishnan, had their influence on her. Therefore, in the leadership of Shrimati Indira Gandhi, we had a fine blend of ideals and thoughts of this age, of this century. It is because of this that we expect that education in this University will be imparted on the lines of those ideals and thoughts of this century and then only it

will live upto her name. The people have the expectation that this University named after Indira Gandhi will impart education on those ideals. A syllabus of high standard should be prepared for this University. This National Open University can live upto the name of Shrimati Indira Gandhi only if it produces secular minded people in the country who are not religion and caste fanatics. We want that a syllabus based on the ideals, policies and programmes of Shrimati Indira Gandhi should be prepared and publicised in urban as well as rural areas so that the people could believe that these are the ideals of Shrimati Indira Gandhi. In brief, I would like to say that the programmes and syllabi of this University should be linked with the rural areas. They remain deprived of education. Highly intelligent people rot in the villages. In spite of their being capable of getting education, they cannot acquire knowledge for want of means, money and transportation facilities. Therefore, my submission is that more education should be given to the rural people. There is one more thing which I would like to mention. You provide education in any University, but you must not sever links with the ancient knowledge. Not only Puranas, Upnishadas and Vedas, but we had in our country Sushrut, Charak, Dhanvantri, Nagarjun, Varahmihir and Aryabhata who imparted ancient knowledge. It was Einstein who developed atom and atomic energy, but it was Kanaad Muni who first of all mentioned the words 'molecule' and 'atom' in his 'Vaishashik Darshana'. Today molecule and atom are being developed both for creative constructive and destrictive purposes. If we say good-bye to our ancient knowledge, we shall be deprived of it for ever. In that situation, we shall have no link in any of the Universities with the ancient knowledge which was given to us by our great sages after practising rigorous penance. In the end, I want to say that there is no relation between knowledge and a particular language. Higher and higher knowledge can be acquired in any language. Kabirdas knew no language, still he was a great scholar. Education in Shrimati Indira Gandhi National Open University should be imparted in Indian languages German, French, Arabic and Persian etc. should be taught, but with a view to enriching the Indian languages as also with a view to increasing the glory of India and its languages, education in Indian knowledge

and Universal knowledge should be given through Indian languages so that the honour of Indian languages could be enhanced. It takes a long time to learn a foreign language. It is always easy to acquire knowledge through one's own language. The time which is devoted to learn a language can well be utilised in acquiring more and more knowledge. With these words, I support Shrimati Indira Gandhi National Open University Bill.

DR. G. S. RAJHANS (Jhanjharpur) : Mr. Chairman, Sir, I rise to support this Bill. My submission is that there could have been no better tribute to Indiraji than this, because she used to think for the education of the poor, helpless rural people and rural women. The concept of open university had originated from England and has spread the world over. An important thing that is said in this regard is that earlier, students used to come to Aristotle but after the open university was started Aristotle had to go to the students. Thereafter, this concept of Distant University spread throughout the world. Sir, one thing which I must mention here is that the concept of open university is not well known to the people in our country. This is altogether a new concept. I was of the view that the discussion on the subject of open university should have taken place after a comprehensive background material on the subject was made available in the same way as background material on the subject was made available to all of us by the Finance Minister before the discussion on black money started in the House. The background material so supplied should invariably indicate what is the system in a particular part of the world, what is the situation over there and what we are going to do in our country. I would like to say that it is such a big question that it should be discussed at national level even after it is discussed in this House. I have seen the system of open university in Canada. Education in the open university in that country is imparted in two languages—English and French. As one of our Hon. Member has said here that there is no mention in the Bill as to what would be the language through which education will be imparted in the open university? If you are silent on this subject, there seems to be some reservation in your intention and you propose to impart education through English language. I want

to say that if you want to impart education through English language, the entire concept of your open university will come to be a total failure. You should have in sight the target of the women living in a distant rural area who was married at a young age and could not continue her studies beyond Matriculation, but wants to pursue her studies further. If you impart education through English language, she is not going to be benefited at all; it would not help her. You should impart education through regional languages. For this, you will have to set up regional offices in each State. I want that you should take this matter very seriously.

Sir, no formal education is required in Open University. I have seen that in an Open University, an Engineer appears in an examination for M.A. and Ph.D. Degree in Economics and he is assessed for that. In our country, if it is said that a doctor will appear in an examination for M.A. (Economics) degree, the people will laugh over it. If you say that he will be taking examination in L.L.B., the people will laugh at you. The concept of the Open University should be such that it should educate the people that no formal education is required there, because that is the system everywhere in the world. Especially, you should see to it that the education is made easily available to the rural women. I have seen that there are women in our country who have acquired knowledge by reading books and magazines; they are only Matriculates; they can easily pass the examination in Political Science and Sociology if they are allowed to take examination through Hindi medium.

Sir, there is one more point which I would like to make. The courses in the Open University should be such that they have relevance to our daily life. Just now, one of our Hon. Members was saying that if women take examination in the Open University, they will opt for the subject of cooking. Sir, cooking is not less important. There should be courses in cooking. There should be courses in Home Science. I have seen in foreign countries that with cooking and Painting as subjects, a women can appear in B.A. examination. Therefore, I want to say that you should bring the concept of open university closer to life. It should be so

evolved that an unfortunate person who has not been able to acquire proper education for want of money and opportunities could get proper education and such a person should not consider himself inferior in any way to a graduate or post-graduate of other university. This is a very serious matter, a serious subject. Therefore, I would like to request the Hon. Minister to give it a practical shape after a serious consideration, so that the people for whom this system is being introduced are benefited from it.

[English]

SHRI SOMNATH RATH (Aska) : Mr. Chairman, I rise to support the Bill. The Correspondence Course is a continuing education and it helps in giving education to one and all. But the conventional universities are holding examinations once in a year. But this University will assess the calibre of the students periodically. The conventional universities holding examination once in a year have given rise to many malpractices. This University will take education to the poor masses in rural areas and help the workers, the housewives and agriculturists. The congestion of students in every university who are not able to get seats because of the competition will also be reduced.

It is said that the growth of a nation depends on the system of education in the country and as such education should be given top priority. And there are many committees and commissions which have been appointed in India, after independence to find out what should be the system of education in India. But as yet no specific system has been adopted and a uniform national curriculum throughout the country is essential. That ought to be adopted soon. In some of the universities a capitation amount is being collected, the Government is against it, but its wishes could not be implemented because in some universities the Senate and the Syndicate members are hand in glove with those private colleges. If the universities themselves will dis-affiliate these private colleges the question of collecting capitation amount will not arise. No law is necessary for it. The universities should not be only institutions to declare the results after conducting examinations. A university

should be an institution to make research on arts, cultural heritage, history of the area under its jurisdiction and also to try and translate the works of poets and writers of that area into other different languages, for the benefit and integrity of India.

This Open University, being named after Shrimati Indira Gandhi has been given a status. It has added to its glory by making the President of India its Visitor as envisaged in the Bill. The object of this University, as stated :

"The University shall strive to fulfil the above objects by a diversity of means of distance and continuing education, and shall function in co-operation with the existing Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs."

There is also a provision to give training to the teachers. It is really welcome, but I want to submit that there is nothing in the Act to say in which language the education will be imparted. The education ought to be imparted in all the regional languages. When we are speaking of the rural areas agriculturists, workers and housewives.

I conclude, by referring to what Shrimati Indira Gandhi had said about education and how it is to be implemented because we are going to name the University after her. She said :

"A country's human resources constitute its greatest asset. Attitudes and skills make a Nation, education provides the key to both. Our ancient regarded education not very much as what one learns but what type of person it helps one to become. It is not the accumulation of knowledge but the ability to use into that perception and compassion."

Now this University will further these objectives.

SHRI SAIFUDDIN CHOWDHARY (Katwa) : I have given an amendment to the motion of consideration. I want this Bill to be sent to a select committee. My idea is not to delay the process of setting up an Open University at the national level in the name of Shrimati Indira Gandhi. Many Members have welcome it. I have no objection at all in naming this University in the name of Shrimati India Gandhi. I have heard all the speeches from Members of the ruling party. I understand their emotion. They have said that it will be a befitting memorial to Shrimati Indira Gandhi. But I do not quite agree with the thinking of this Government that it will be in compliance to the memory of Shrimati Indira Gandhi to have a University with no autonomy at all. They may be thinking that it is quite matching with the idea. But in that I quite disagree. As the Bill itself has revealed and as many Members from the other side have also said, no democratic functioning will be there as everything will be nominated. I have the privilege to go through the reply of the Hon. Minister and I know what kind of answer will come to my consideration motion also. He may be saying that this is a nit picking criticism. If we keep the University congenitally weak and if the democracy cannot flourish with the participation of all the intellectual resources and experts of our country, then, I believe, it will be a futile exercise. I know obviously by the question would be asked how CPI (M) can talk of democracy in academic institutions. Inference would be drawn that in 1978 when the Left Front came into power it took over universities in West Bengal. Now, the debate is going on and I have to answer that. What happened when they took over the Universities of West Bengal particularly the Calcutta University? I was there at that time. I was the General Secretary of the Students Union. I hope, Mr. Priya Ranjan Das Munsi will support me in that. 80 per cent of the Syndicate and Senate were nominated and 20 per cent were elected. They outlived their term of four years, and they continued for 5½ years. They were not attending their meeting. They were creating all kinds of dislocation. Now, the Government had to take over the University to run it. After that it brought forward a Bill which was passed by the Assembly. Now, the system has been reversed. Now 80 per cent is elected and 20 per cent is nominated. And this much is unavoidable.

That is how democracy is being extended under the Left Front Government.

SHRI PRIYA RANJAN DAS MUNSI : Only with the exception that when this elected body recommend the name of the Vice-Chancellor, who does not suit them, they harass him.

SHRI SAIFUDDIN CHOWDHARY : I will answer to that also if you give me time.

(Interruptions)

MR. CHAIRMAN : Confine yourself to your amendment. You want to refer this Bill to a Select Committee. Confine yourself to that.

SHRI SAIFUDDIN CHOWDHARY : So many things have been said and there has been much talk in the air, and out of 100 and odd members of the Senate, two-three members are coming to Delhi and they are whispering into the ears of the leaders of the Ministry that this is how they are going to act. This will create a havoc in the academic arena of West Bengal. I take this opportunity to tell them that if they are going to do that, they must remember that people there bear the tradition of Ashutosh Mukherjee, they bear the tradition of Tagore, who rejected every idea, during British days, to give up autonomy, and they held freedom to high esteem. They fought for it. My Hon. friend has told about some obstacles being put to the functioning of the Vice-Chancellor. May I ask him why—and that is very much there in this Open University Bill also—the Vice-Chancellor can sack anybody without giving any reason, without proper enquiry. The present Vice-Chancellor has sacked four or five employees without giving them any chargesheet... (Interruptions)

SHRI PRIYA RANJAN DAS MUNSI : Before that what was said by Robin Poddar?

SHRI SAIFUDDIN CHOWDHARY : You do not know. You go through the record.

MR. CHAIRMAN : Please confine yourself to your amendment.

SHRI SAIFUDDIN CHOWDHARY : Government is looking in a particular direction. They may try to justify that election to the different bodies of the university will

just put obstacles in the way of its functioning. What is happening today ? In Jawaharlal Nehru University, the students are observing strike. They are demanding that they should have a right to take part in the decision making of the university. And what was said by the CURC (Central Universities Review Committee) ? They said that all the Central universities are in a condition of disarray ...*(Interruptions)* ..

MR. CHAIRMAN : You have exhausted your time please.

SHRI SAIFUDDIN CHOWDHARY : I have not exhausted, Sir. This is a very vital issue.

MR. CHAIRMAN : I have given you more than five minutes. You are entitled to five minutes only. Please wind up now.

SHRI SAIFUDDIN CHOWDHARY : Sir, while moving my other amendment, I would not take time. But a point has been raised—and I support that point—that the President should not be the Visitor of the university. Regarding the Board of Management, my amendment is that 1/5th of the total members should be nominated, that is unavoidable, but the rest should be elected, from amongst the different sections connected with education, such as, experts, employees teachers. I do not know how to take the students in this University. That has to be worked out. Then, how should the appointment of Vice-Chancellor be made ? Now the provision is that Two persons should be nominated by the Board of Management and one by the Visitor himself, and they should recommend the name. I have suggested that the Board of Management will elect the Vice-Chancellor by simple. Like that different bodies should be formed. My suggestion is that democratic approach should be put into all these in real practice.

Shri Priya Ranjan Das Munsai said, referring to Tagore, that in blue sky like birds students will fly. Very good ! I have no objection to that. But if you put a chain in the neck of the birds, how will they fly ? So, democracy and enchaining do not go together. Much noble talk has been made here that the education through open university will be reaching the villages, to the doorsteps of the poor. I have no objection to

all that, but how will it reach ? Those who cannot join the basic schools, the primary schools, will they get a chance ? They will not get a chance. Those who have got certain education and who are in service, and want to continue their study, it may help them. Basically it is not for the masses who are still illiterate and who do not have any earning facilities. How will they get education when they do not have any earnings ? Will there be any mechanism to give them finance so that they can communicate with the Centre in Delhi, they will get a regular reply and material and they can continue their studies ? I do not know how it is going to be successful.

My humble request to the Hon. Minister at this fag-end of the debate is that he should accept my suggestion for democratisation of the management. In that event I am prepared to withdraw my amendment for referring it to the Select Committee. Otherwise I will have to press my amendment.

THE MINISTER OF EDUCATION (SHRI K. C. PANT) : Twentyseven Hon. Members have participated in the Debate.

PROF. MADHU DANDAVATE : Those who have not participated are also Hon. Members.

SHRI K. C. PANT : Perhaps they are more honourable because they are patient and silent.

SHRI AMAL DATTA : And they have not taken time also. That also should be considered.

SHRI K. C. PANT : I would like to thank all the Hon. Members who have spoken on this Bill with knowledge. They have studied the Bill and its provisions. Even though it is a voluminous Bill they have gone into it in great detail and have taken pains I would sincerely like to thank them for the suggestions that they have given. Many of them have years of experience of education behind them. Therefore, whatever they have said carries great weight. I cannot possibly deal with all points they have raised. Some of them have made personal reference to me for which I thank them. But the points have been wide-ranging and they have covered education policy in general. Some of them have touched upon

the linkages of the Open University with the formal system and with the non-formal system, at the school level and it would not be possible for me to deal with all these issues in the course of a reply which should not be very long, I am told by the Minister of Parliamentary Affairs.

The question of funds was raised. While I shall deal with that little later, I am glad that the Finance Minister is here.

SHRI S. JAIPAL REDDY : We all support you on it.

SHRI K. C. PANT : And it makes my task much easier, because he has himself heard you. And if I had to convey your views to him, it would have appeared as though I am an interested party, as a middle-man, but he has heard you mentioning on this.

SHRI VISHWANATH PRATAP SINGH : It only shows how people are sorry with the Finance Minister as you are happy to see me here.

SHRI K. C. PANT : So, this is one point which I need not touch upon.

All the Hon. Members who spoke said that they could not offer wholehearted support to the Bill, but I have a feeling that they could not also wholeheartedly oppose it and when it came down to proceeding with it, they would more support than oppose. Therefore, I accept the element of taken opposition and thank them for the support.

The points which relate to the general education policy deserve some mention, particularly the point made by Shri Jaipal Reddy, namely, that the Prime Minister having announced his policy, our approach should be to carry people with us all over the country. I think he used the word 'consensus', though he used a more difficult variant of that word. He knows that the document that we have now produced is a Status Report and it is meant to provoke the kind of debate and discussion which he has in mind. And therefore I think he will agree that in fact our approach this time has not been to produce a final policy document and leave it at that but to attempt to produce

a document on the basis of which different ideas can be generated, can flow in, and can be incorporated into a policy document and that policy document then would represent the thinking of a cross-section of people in the country.

The States are naturally involved and you will be glad to know that on the 29th of this month the Education Ministers of the States will come to Delhi precisely with the object of discussing this subject. So, the process will have started in real earnest before the end of this month and I consider the remarks that were made here to be a part of this process.

Now, many suggestions have been made. I have taken note of them and I will deal with some of them; but again I cannot deal with all of them. There are over 100 amendments which have been tabled to this Bill. If any discussion is allowed on those amendments, then I will deal with some of them at that stage....

This is an important measure. As Prof. Ranga said, I consider it a privilege to bring forward this measure. Particularly it is a matter of great personal satisfaction to me that this University should be a memorial to Shrimati Indira Gandhi.

PROF. N. G. RANGA : To all of us.

SHRI K. C. PANT : To all of us. And I am very glad that all my friends who spoke....

PROF. MADHU DANDAVATE : Memorial to all of us ?

SHRI K. C. PANT : I think Madhu ji should not make light of what Prof Ranga says. Prof Ranga speaks with great responsibility and I think we owe it to him to respect his position in the House.

Now, Sir, as I said, this is a measure which will have a far-reaching impact. It has great potential and I think many Hon. Members mentioned the fact that it was like a breath of fresh air, of newness, and that it opened up new avenues, opened up new doors, for those who did not have access to higher education. For various reasons—many

of them economic reasons—they had to start working early, they were in far-flung areas, they were working either in the agricultural field or in other areas or even as teachers or house-wives. They have the desire to educate themselves but they did not have the opportunity, cannot attend the class rooms. There are others who want to upgrade their knowledge in certain areas. As Shrimati Phulrenu Guha said, why not give them an opportunity to upgrading their knowledge in one particular area or acquiring knowledge in one particular area without acquiring a degree. That is envisaged in the Bill. That is provided for. And so, the flexibility is fully there and it offers exciting possibilities. It is particularly aimed at far-flung areas, to the disadvantageous sections of our people. It fills a gap in our educational structure.

I therefore feel that we should fully understand that our support to this measure will really be a support to the very large numbers of persons who will benefit from it. And we have the example of other countries. Somebody mentioned China. One million people are already in the Open University in China. 400,000 are in Thailand. So, the possibilities are very great, but if you ask me to indicate a precise number as to how many people will ultimately enrol themselves, naturally, that is a question which today cannot be answered.

SHRI S. JAIPAL REDDY : That will depend upon the money you can provide.

SHRI K.C. PANT : It will also depend on the quality of education we provide. It will depend very much on the credibility of the system that we set up and therefore, the challenge of setting up this kind of a qualitative system, a system with high quality, is the heart of this matter and that is what we have to concentrate on. I feel that the kind of people who can benefit from this most will be those who have the motivation to benefit from it, those who have the desire for self-education, those who want to learn, and the other strength of this system is that it will provide for those who want to learn what they want to learn, and this is what strengthens the whole system. A number of indifferent students even in a good institution will not benefit from it as much as students who benefit from this institution precisely

because they are motivated and therefore, the needs of the learners will have to be taken into account, far more flexibility than we do in the formal system today and that will be the real strength of this system. It will not be an easy system to work, but it has all these possibilities, it has this large vision which broadens the horizons of the entire educational sector and it introduces a flexibility which is very much necessary at this stage of our development. It will enable people to learn at their own pace, at their own convenience, it will not be necessary that the three-years course must be completed in three years. It will have a modular system. So, you can accumulate the credit and learn over a longer period. All these advantages are not available in the formal system and that is what makes this, in that sense, more convenient for a very large number of persons, particularly those who are already working.

Something was mentioned about imparting of skills, and I think one Hon. Member asked : How can skills be imparted ? Skills can certainly be imparted, I see no contradiction there, one will have to make use of the existing institutions all over the country, one may make use of the colleges, one may make use of the Engineering Colleges and so on, one may make use of the laboratories and so it should be possible to extend all these facilities to students in different areas but one will have to be careful to select the skills to be imparted and to select those skills which can be imparted through the framework that we set up, the organisation that we set up. The real advantage of this system in those countries which have successfully operated has been not only that it has given equality of opportunity and access to education to those who are denied it in terms of higher education till today, but it has also given good material to students who are in the formal system. It has acted as a leader in the field of distance education and life-long education. Therefore, it has strengthened the entire system of Correspondence Courses. Hardwari Lalji asked : 'Why not Correspondence Courses ?' This will in fact strengthen the Correspondence Courses also. So, this institution has its leadership role to play in the whole area of distance education, and I would say that because of its flexibility and because of its thrust for innovation which are the two basic

elements guiding the development of this Open University, it will be able to influence the entire system for the better.

I certainly hope that it will be able to change some of the attitudes prevailing which must be changed if we are to make any headway in the formal education system also.

We have in this Open University, flexibility in the sphere of eligibility for admission. In the various Universities of the world, many have absolutely no entrance qualifications. Anybody can get it. In some, there is an age-limit. The case of U. K. was mentioned. U.K. had an age-limit earlier which they have now reduced. Now Lord Perry is here. As somebody mentioned, he was the former Vice-Chancellor of the U.K. Open University. Today itself, Lord Perry told me "When we had fixed a higher age, it is because at the age of 21 or 22 or 25, whatever it was, I wanted the real motivated learners to come in." Now it has been reduced to 18. Now it will provide an alternative avenue for higher education. He preferred the former idea. And so, you know, there are various aspects of this problem which you will have to look at. From our point of view, I personally see really no escape from making it an alternative system for the simple reason that the pressure from below for higher education is increasing so fast and unless we provide this alternative system, the pressure on higher education will become intolerably strong and it will threaten the system itself. So we have to think in terms of our situation and circumstances.

The second element of flexibility here is in respect of the Courses. You not only can have subjects which can be combined, a Science subject and an Art subject also can be taken simultaneously. Lord Perry was telling me that they do not give a B.Sc. or B.Com. degree. They just give B.A. degree for the simple reason that somebody can take Chemistry and History. But, they call everybody a B.A. and from the subjects he has taken, you could make out what were the disciplines in which he has specialised. So the flexibility here is very much larger, is almost complete, depending on the number of disciplines that are offered to the students. So, the flexibility within the Courses and the

flexibility of combination of Courses, both of these are very laudable in this.

The third area of flexibility is in the evaluation system which is one of the difficult areas and which has been developed very well in many countries and which we also have to develop. It will be a challenge to develop an evaluation system which will answer our needs for the Open University and may perhaps give some idea of the approach we should adopt to examination systems and evaluation systems in the rest of our system, in the formal education system also.

These are some of the broader points that were made. Now many Hon. friends made specific points I will just make a passing reference to a few of them.

The qualitative aspect was referred to by Dr. G. S. Rajhans. As somebody was just saying, the whole success of this experiment depends upon the quality of education we provide and I agree with that view and I think that we must all appreciate that this experiment can succeed and this institution can survive, only on the basis of competition with the rest of the system. After all, it is much easier for most young people to go to college and University. But, this is distance education. The material has to be so good that the person who receives it can understand it readily. There is, of course, an opportunity for face-to-face inter-action also but, by and large, he will have to understand from the material supplied to him, supplemented by, of course, radio and television to the extent feasible and the other methods of communication to the extent feasible like audio and visual etc. But we have to develop these techniques. Prof. Dandavate knows that some of the most brilliant teachers in the class room are able to express themselves effectively in the class room, but they are not necessarily equally good at preparing the material for correspondence courses or for Open Universities; that is not necessarily so. Here is a new technique, a new approach, a new method, which has to be developed, and people have to be located. But the advantage of this system is—and that is where it has a distinct edge over correspondence courses—that it can pick on any-

body anywhere in the country or even outside, within the educational system or outside the system; it can pick on the best brains and ask them to contribute material. So, it need not be confined to the Faculty whereas the correspondence course is necessarily confined to that particular University and the Faculty that is available in that University. The courses are rigid. The time-table is rigid. So, the correspondence course is necessarily hemmed in and circumscribed by courses and other circumstances of the University. The open University is not so. The flexibility of open University is much greater. Correspondence courses have become a kind of your cousin in most Universities. The good teachers do not go to correspondence courses; they do not like to go to correspondence courses. Gradually they have lost credibility. But this is not unusual. Lord Berry was telling me, out of a hundred students who take correspondence courses in the U.K., 95 drop out; out of a hundred students going to Open University, only 25 drop out. There is such a large difference in the drop out rate between correspondence courses and open University courses. So, we must clearly understand the distinction between correspondence courses and the Open University, and the advantages of Open University. The Open University has this multi-media approach; in addition to that, it has face-to-face interaction also, supplemented by study centres, etc., which the Hon. Members know about. It has an element which is missing altogether in the correspondence courses, namely, the face-to-face education part, and it makes use of the laboratories, etc., which are available in the colleges. This gives it the strength. This today is making the U.K. University experiment and the experiment in Thailand highly successful. Both of these are successful. I have myself seen the Thailand University and the rapid progress that it has made.

Prof. Ranga referred to the fact that Andhra Pradesh had pioneered the Open University system in India. Andhra Pradesh has the only Open University in this country. I know, two or three names were mentioned, other Open Universities, though they are not really Open Universities in the sense that Andhra Pradesh has an Open University or the way in which I have just defined it. Andhra Pradesh has also

the distinction of contributing a person who is setting up this National Open University; Dr. Ram Reddy is an eminent educationist; he has studied the Open Universities in other countries; he has set it up in this country and the experiment has taken off successfully; he is setting up this University here now. Therefore, when Shri Ramachandra Reddy or my friend, Mr. Saifuddin Chowdhary, wants a Selection Committee, my request to them is to consider whether it can, at this stage, really help.

SHRI SAIFUDDIN CHOWDHARY :
The first Vice Chancellor can be appointed by the Central Government, but after that, as a general rule, there has to be a properly elected Selection Committee.

SHRI K.C. PANT : I was saying in all seriousness whether at this stage it would not be better to go ahead and then perhaps review the working of this University after some time, because it is something new, and the person who knows most about it in this country is setting it up.

SHRI SAIFUDDIN CHOWDHARY :
I have no objection.

SHRI K.C. PANT : Therefore, I am very glad that you have no objection. I think that at this time a Selection Committee would not help the process.

The other point made by Prof. Ranga was about that University of this kind coming all over the country. I fully support that idea, that concept of Open Universities coming up in different states. Some states are already toying with the idea. Bihar and Maharashtra are toying with this idea. Certainly it will be a good thing to have Open Universities coming up in different states.

Shri Hardwari Lal made several points and the most important of them was with regard to funds. With his vast experience in education, he gave us to understand that the funds would not be enough. Well, I understand his anxiety but we have made a beginning and I don't think at this stage I would like to put any further burden on the Finance Minister by suggesting that this provision is not adequate.

**THE MINISTER OF FINANCE AND
COMMERCE (SHRI VISHWANATH
PRATAP SINGH) :** Thank you.

SHRI K.C. PANT : I think, the only guarantee I have for funds is that the Prime Minister is taking personal interest in education and he has helped every worthwhile project in the field of education. I have the Finance Minister's personal support also for all worthwhile projects inspite of his difficulties. Therefore, I think that safely I can tell the House that if this University picks up, I have no doubt that I will be able to persuade my colleagues to give it greater assistance, if it so warrants. I am part of the Government and I fully understand the other difficulties that are there.

I would like to tell the House that the point made by Shri Satyendra Narayan Sinha is very valid i.e., the initial investment in the Open University system is higher than in the formal system. But ultimately the running cost is much lower. The initial investment also is reduced considerably if one can make use of the existing facilities. Several Hon. Members were pin-pointing the need to use the exisisting colleges etc., all over the country. I fully endorse that view and fully agree with it. Thereby we can cut the initial expenditure also very largely and so we will try our level best to see that the expenditure is kept down.

The number of working people at the staff level will be lower but we will have a large number of people who are working part time lecturers, professors, readers who will be coming to the study centres, who will be taking tutorials and others will be spread all over the country.

Somebody raised a point that you have not told us where the regional centres will be located, have one in each State and some other friends also raised the same point as to where the study centres will be located. The study centres will be located wherever the number of students is large and wherever there is a requirement to set up a study centre. We cannot automatically set up one centre in each district; it has no meaning. So we will have to see where the response is higher and in those places study centres

will have to be set up. Similarly, with a certain number of study centres, the controlling regional centres will also have to be set up accordingly. That would be, I think, the rationable way of going about it and I hope that my Hon. friends will agree with it.

There was some reference to the need for coordination that came from Hardwari Lal. I can assure him that we will aim at full coordination. Prof. Ranga and Shri Jaipal Reddy and others referred to the need for effective cooperation of the mass media, particularly TV and radio and education communication and so on. This is obviously one of the important areas in this whole programme and we will do our level best to ensure that. I agree with Prof. Ranga that the far-sightedness of Shrimati Indira Gandhi, with whom I had the privilege of working in this particular area of electronics earlier, today enables us to set-up this University, because it is this growth in communications in the radio and T.V. network which has enabled us to venture-forth in this Open University. It is true written material will still provide perhaps the backbone but increasingly we will use cassettes and soon and I think that to the extent that we can expand T.V. it will add considerably to the effectiveness of the long distance educational system. Further, T.V. should be used only in these areas which cannot be served by radio. We have to consider all these aspects and evolve methods.

Regarding the powers of the Vice Chancellor for appointment of Professors, etc. this is after the prior approval of the Board of Management. It is not that he does it alone. Therefore, I think, Hardwari Lal ji would take this point. He has welcomed the fact that the Bill eschews elections which, of course, has been contradicted by other friends who spoke. They did not agree with him.

Then Shri Hardwari Lal ji made an important point, namely, the success of this University will be decided in the first few years. If in the first few years its credibility is established then this University is bound to succeed. Therefore, we shall put our entire effort into making it a success in the first few years.

Many friends suggested that we should take advantage of the experience of others. They said we should particularly not fail to take advantage of the experiment being done abroad in this field. You will be glad to know that in November when we plan to have the foundation stone ceremony for the Open University we are going to organise a workshop and invite experts from abroad and from several leading universities so that we can take advantage of their experience. I fully agree with that idea and we are already working on it.

Now, Dr. Sudhir Roy, Shrimati Geeta Mukherjee and Shri Saifuddin Chowdhary referred to the democratic principle. Firstly, in this Bill to start a University nomination of various bodies has been provided for. Subsequently the statutes will be drawn up by the Board of Management and in accordance with those statutes then the other bodies will be constituted. It is not as though this is a final nomination of every body. Therefore, one must make that distinction. For the first set of bodies you have to nominate otherwise who will elect them. So, this is necessary. What happens there-after will be decided by the Board of Management. I think it would be ill-advisable at this stage to advise them exactly how to proceed. I would like to tell my Hon. friend, Shri Saifuddin Chowdhary, he says that the Calcutta University Bill was passed by the State Legislature after his Government came into power in West Bengal and they have abolished the University Bodies in all the six Universities. Later on they came up with the Bills and today he cites the authority of those Bills. There is the Calcutta University functioning according to the enactment of the West Bengal Legislature and in the same breath he says that the Vishwa Bharati Bill is a wrong one and he forgets that Vishwa Bharati Bill was passed by Parliament.

SHRI SAIFUDDIN CHOWDHARY : That is a different matter. But there is no democracy at all in this

SHRI K. C. PANT : If there is a democratic sanction behind the Assembly's decision, certainly there is a democratic sanction behind the Parliamentary sanction.

SHRI SAIFUDDIN CHOWDHARY : You are in majority through the sanction of

democracy. But you should not do something that is detrimental to the democracy itself.

SHRI K. C. PANT : We will not do anything detrimental to the country. We will not do anything detrimental to the university.

SHRI SATYAGOPAL MISRA : There lies the difference between two Governments—between the Government in West Bengal and another at the Centre....*(Interruptions)*

SHRI K.C. PANT : My friend says that there is a difference in these two Governments. He talks about democracy and that will be in chains. When he comes to Delhi and starts ruling here, he will know that till now we are in democracy and we are not in chains. *(Interruptions)* Mr. Chowdhary, you say that democracy is in chains. Well, you are young and you will live to learn.

Now, Sir, there is a reference regarding the languages that are to be used by the Open University. Now, we are just beginning and obviously in the beginning we will use a few languages. We will use Hindi and English to begin with and as we progress, we will see what else we can do. That is why there is no mention about the medium of instruction in the Bill. It is purely a practical thing. We do not want to exclude any language. It will take time to develop and translate them in different languages. So, it is for practical reasons that there is no reference to this point

Then, I would like to refer briefly to what Mr. Kolandaivelu had said. He said about the Visitor who was not included in the definitions. But I would point out that it is included in Clause 8 (1) of the Bill. So, I do not understand his criticism at all. Now, one important point which I have already covered partly, has been raised by Shrimati Guha. She said that science and technology cannot be taught in the Open University. As I already explained, we will use the laboratories of the colleges all over the country. I have a background of technology and I realised that there may be certain limitations in long distance teaching. That will have to be taken into account while finalising the precise areas where we can make use of the Open University. There is

no room for any doubt. We will be very careful on that score. I think I have dealt with almost all the points.

Shrimati Geeta Mukherjee also raised some important points. The only thing I can say is that knowing her general approach, I would have expected whole-hearted support from her, and I would have expected that support because what we are trying is to help the rural masses, people in the far-flung areas, to help those who are today denied the advantage of higher education for economic reasons mostly, and because they have started working and so on. I know that she must in her heart of hearts appreciate the thrust of this measure.

SHRIMATI GEETA MUKHERJEE : I have no objection as far as the general idea is concerned. I was worried about the big canvas that you have taken. The aim of this university seems to be that this is really your intervention in every field that is being prepared through these universities. If that is so, tell us frankly.

SHRI K.C. PANT : My diagnosis is that your heart is with us, but you are sitting in the wrong place.

SHRIMATI GEETA MUKHERJEE : My heart is with the right cause and I am sitting at the right place.

PROF. MADHU DANDAVATE : That is very dangerous.

[Translation]

SHRI BALKAVI BAIRAGI (Mandsaur) : Mr. Chairman, Sir, Geeta may sit anywhere but this fact should always be kept in mind that she will belong to Krishna only.

[English]

SHRI K.C. PANT : Prof. Jacob made a point above the Visitor having the power to decide on the Statute. He warned me about it. When the Bill was brought to the Rajya Sabha, it did not have a clause to lay all the Statutes before Parliament. I brought an amendment to see that all the Statutes and Ordinances are placed before Parliament. I feel that Parliament should know about all this. Where delegated legislation comes in,

there is no reason why Parliament should not know exactly how this has been acted upon. Therefore, there is no danger. If anything will be done behind the back of the Parliament, it will come here and it will be for you to see how it is functioning.

This is a new experiment and I have been greatly heartened by the response of the House to it.

PROF. MADHU DANDAVATE : May I ask a clarification before you conclude ? Firstly, it is a welcome move, but since there are going to be a number of agencies of formal and non-formal education, in order to ensure uniform standard, will you be prepared to consider a suggestion to have a coordinating Committee or a Coordination Committee on which the UGC will also have a representative, so that they can also help in the process ?

SHRI K.C. PANT : The point of coordination is a valid one. I think, it will be necessary to have some form of coordination, but there is another aspect. The UGC has, over the years, developed its own attitudes and approaches, traditions and conventions and I think, that at this stage of the development of the new university, perhaps we should allow it to grow for some time without any formal binding at all. It is an open university which would have to be flexible and it would have to break new grounds in many areas which would go against the experience of many of the established educationists of this country. Therefore, we should allow it a certain amount of freedom, which seems to be better than to have a formal coordinating body. Coordination, of course, is necessary not only with the UGC, but other institutions of higher learning, particularly with the institutions which are having correspondence courses. Coordination would be necessary, but I would rather have it informal at this stage. Later, we may consider what needs to be done.

Once again, I thank the Members for their support. We will have many teething troubles, and I would expect the House to take a lively interest in this particular measure, because it will have a far-reaching, long term effect on the education system of this country itself. Therefore, where they think that some changes are to be made, or

where they think that the direction is not right, I would welcome suggestions at any stage by Hon. Members either from this side or that side of the House.

MR. CHAIRMAN : I shall put Amendment No. 86 to the Motion for Consideration moved by Shri Saifuddin Chowdhary to the vote of the House.

*The amendment No. 86 was
put and negatived*

MR. CHAIRMAN : Now the question is :

"That the Bill to establish and incorporate an Open University at the national level for the introduction and promotion of the Open University and distance education systems in the educational pattern of the country and for the coordination and determination of standards in such systems, as passed by Rajya Sabha, be taken into consideration.

The motion was adopted

MR. CHAIRMAN : The House will now take up clause by clause consideration of the Bill.

Clause 2 (Definition)

MR. CHAIRMAN : There are two amendments, Nos. 9 and 10 by Shri D. B. Patil.

SHRI D.B. PATIL (Kolaba) : I beg to move.

Page 2,—

after line 23, insert—

"and Regions for such Regional Centres shall be defined and demarcated by the Board of Management;" (9)

Page 2, line 34,—

for "advising" substitute "guiding" (10)

Sir, when the regional centre is defined an Hon. Member expressed a doubt whether the regional centres will be spread out all over the country or not. My amendment is of

this nature that the regional centres shall be defined and demarcated by the Board of Management.

SHRI K.C. PANT : Sir, I have already answered this point. As regards Amendment No. 9, I explained as to how Study Centres and Regional Centres will come up. Regarding Amendment No. 10, "guidance" is implied and I do not know why he wants the word 'guiding'. 'Advice' includes that.

MR. CHAIRMAN : I put amendment Nos. 9 and 10 to clause 2 moved by Shri D.B. Patil to the vote of the House.

*Amendments Nos. 9 and 10 were
put and negatived*

MR. CHAIRMAN : The question is :

"That Clause 2 stand part of the Bill."

The motion was adopted

Clause 2 was added to the Bill

Clause 3 (Establishment and incorporation of the University)

SHRI D.B. PATIL : I beg to move :

Page 3, line 4,—

after "Colleges" insert—

"establish or maintain" (11)

Page 3, line 4,—

after "and" insert "establish, maintain or recognise." (12)

Page 3, line 4,—

after "Colleges" insert—

"or admit Colleges to the privileges of University" (68)

Page 3, line 5,—

after "India" insert—

"or outside India from where a College is admitted to the privileges of University". (69)

In clause 3, Sub-clause (2), it has been stated that colleges will be established in many States. But admission of the colleges to the privileges of the university is not mentioned,

My amendment is regarding this and the other amendments are a consequence to that amendment.

SHRI K.C. PANT : Clause 3 is about the location of the university and colleges and it is not about recognition as in Clause 5.

MR. CHAIRMAN : I put amendment Nos. 11, 12, 68 and 69 to Clause 3 moved by Shri D.B. Patil to the vote of the House.

Amendments No. 11, 12, 68 and 69 were put and negatived.

MR. CHAIRMAN : The question is :

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 (the objects of the University)

SHRI E. AYYAPU REDDY (Kurnool) : I beg to move :

Page 3, line 17,—

after "population" insert

"in particular those hailing from the rural areas." (1)

SHRI D.B. PATIL : I beg to move :

Page 3, line 17,—

after "population" insert

"particularly for the benefit of socially and educationally backward classes and people living in remote rural and hilly areas." (13)

DR. SUDHIR ROY (Burdwan) : I beg to move :

Page 3, line 19,—

after "country" insert—

"specially for the benefit of those students who belong to the weaker sections of the community and who live in remote areas of the country." (81)

SHRI E. AYYAPU REDDY : Mine is a very innocuous Amendment. It wants to explain the very objective which the Hon.

Minister has stated. I have merely pointed out that word after "population" insert—"in particular those hailing from the rural areas", because it is these people who have been denied the opportunities of University education for a long time.

Now, for the first time, we are trying to provide the cheapest and the best type of university education. Therefore, let us make it quite clear that this Bill is intended to aim at this rural population; that is why after the word "population", we said "in particular those hailing from the rural areas". I do not think, the Hon. Minister has any objection for this statement.

SHRI D. B. PATIL (Kolaba) : My Amendment is regarding the objective of the University. I have pointed out that the word after population also insert "particularly for the benefit of socially and educationally backward classes and people living in remote, rural and hilly areas". I have made it very clear that the population covered should be socially and educationally backward and who are living in the remote, rural and hilly areas. This should be given attention to.

DR. SUDHIR ROY (Burdwan) : Sir, the benefits of the Open University should be extended to the people in the remote areas of the country and to the weaker sections of the community.

MR. CHAIRMAN : Hon. Minister

THE MINISTER OF EDUCATION (SHRI K.C. PANT) : Sir, Schedule 1 elaborates the objectives that have been given here and when we talking of disadvantage groups, we cover the groups which my Hon. friend including those living in remote areas which will cover hill areas.

MR. CHAIRMAN : Now I put all the Amendments to the Vote of the House.

Amendments No. 1, 13 and 81 were put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 (Powers of the University)

SHRI D.B. PATIL : I beg to move

Page 4, line 5,—

add at the end —

“and such Regional Centres shall be established and maintained in each region as defined by the Board of Management at least within a time limit of three years from the establishment of the University” (14)

Page 4, line 7,—

add at the end—

“and the numbers of such Study Centres so established, maintained or recognised shall be the same in each Regional Centre as far as possible” (15)

Page 4,—

after line 36, insert—

“Provided that recognition of such institution shall not be withdrawn until and unless hearing has been given to the concerned institution.” (16)

DR. SUDHIR ROY : I beg to move

Page 5, line 11—

for “visitor” substitute—

“Board of Management” (82)

SHRI PRIYA RANJAN DAS MUNSI :
I beg to move :

Page 5,—

after line 15, insert—

“(xxix) to organise a Publications Board of the University so as to publish books, periodicals and other documents, necessary for research and education from time to time with the sole copyright to University”. (88)

Page 5,—

after line 15, insert—

“(xxix) to set up efficient machinery for launching planned adult education

programmes with a view to involving more and more students and teachers in the removal of adult illiteracy particularly in the age group of 15-35”. (89)

Page 5,—

after line 15, insert—

“(xxix) to provide financial assistance to outstanding academics for preparation of high quality books, monographs and reference materials for use in the Universities and Colleges and to arrange to publish books, periodicals, and other documents to research and studies and to have the copyright on such publications.” (90)

Page 5,—

after line 15, insert—

“(xxix) of take effective steps for the development of Archaeology and for teaching and research in Museology.” (91)

Page 5,—

after line 15, insert -

“(xxix) to organise national integration programmes and to highlight the definite problems related to national integration.” (92)

Page 5,—

after line 15, insert—

“(xxix) to promote research in humanities and social sciences and studies in areas which are of crucial importance to the social and economic life of the country.” (93)

Page 5,—

after line 15, insert—

“(xxix) to take steps for promotion of Tagore studies Gandhi studies Nehru studies and Indira Gandhi studies.” (94)

Page 5—

after line 15, insert—

“(xxix) to undertake programmes of collaboration with the Universities/ Institutions in other countries particularly the non-aligned countries in mutually identified areas, to establish long term collaboration links, to promote joint research projects, joint publication, academic/professional administrative staff exchange programmes and to take up collaborative projects in science, engineering and technology”.(95)

This is very simple, in the power of Universities everything has been explained, excepting a very important aspect of the University, that is documents of the Universities are based on this, the students will communicate this to the studies, that is the Publication Board of the University and publish books and periodicals and other documents necessary for research programme. At the same time, the concept that has been explained by the Minister, does not find any place in the Bill itself and that is why, I have stated that you set up efficient machinery for launching planned adult education programme with a view to involving more and more students and teachers in the removal of adult illiteracy, particularly in the group of 15 to 35 which will cater to the needs to the rural areas. And to provide financial assistance to outstanding academics for preparation of high quality books, monographs and reference materials used in the Universities and Colleges and to arrange to publish books, periodicals etc. and to take effective steps for the development of Archaeology and for teaching and research in Museology. Indiraji, all through concentrated on these two aspects whenever she travelled with the archaeological invention of the country and the Music and the museology of the country. This part also do not find any place in the concept of this Bill. And I hope, if it is possible even in the Amendment of this Statute or the provision of this statute, this could also be incorporated. This is also very much important and the steps for promotion of Tagore studies, Gandhi studies, Nehru studies and Indira Gandhi studies. If these are not there it is meaningless.

Then there is Jawaharlal Nehru University. If you go there, you will find every-

thing, but not Jawaharlal Nehru. So Indira Gandhi University also should carry the basic ideals for which she stood. Unless these schools and these studies are preserved in this University as a mandatory function, the writing of the very words 'Indira Gandhi National Open University' will be meaningless.

Lastly, another important aspect : the School for International Understanding, World Peace and Non-alignment for which she stood. By this process, students from the NAM countries can communicate with this Open University, for doing research work.

I would now emphasize the need for the School of Studies in Sports and Physical Education. In the entire country, since independence, there is no school of physical education in any university in any part of the country. The sports school concept is not appreciated in this country—I do not know why. Indira Gandhi herself had inaugurated a majority of sports complexes of this country, and the Jawaharlal Nehru international tournament which has brought the world together in India. So, I feel that this clause also should be incorporated.

SHRI K. C. PANT : With regard to amendment No. 88, the copyright is automatic. My friend may see clause 5 (1) (xi) which says :

“to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes and other software;”

So, this would cover the setting up of a Publications Board, if it is considered necessary. The enabling clause is already there.

As far as amendment No. 89 is concerned, it relates to adult education programmes. These are not central to the Charter of the Open University, but they are a part of the extension programmes which have been provided for. So, that is also already included.

So far as amendment No. 90 is concerned, the function of providing financial assistance of the kind mentioned in this amend-

ment, is the function of the Ministry, of the ICSSR, UGC, or such bodies. It is not the function of this University.

So far as amendment No. 91 is concerned, viz. relating to development of archaeology and teaching of and research in museology, no subject as such has been mentioned in the Bill; this can be considered, but I don't think we can mention only two subjects out of the whole lot.

So far as amendment No. 92 is concerned, this is included in Schedule I. It is a good idea, but it is already included in Schedule I.

So far as amendment No. 93 is concerned, I think it is somewhat restrictive, because it only mentions the Humanities and Social Sciences. Why should research be permitted only in these two fields; why not in other fields why not in technology, etc. etc. ? So, this is a restrictive amendment.

So far as amendment No. 94 is concerned, it does not fit into the 'power' clause.

So far as amendment No. 95 is concerned, such a programme can be taken up by the University if it considers it fit; and this suggestion will be kept in mind.

MR. CHAIRMAN : I shall put all the amendments moved to Clause 5 together.

*Amendment Nos. 14, 15, 16, 82, 88,
89, 90, 91, 92, 93 and 94 and 95
were put and negatived.*

MR. CHAIRMAN : The question is :

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 (Jurisdiction)

MR. CHAIRMAN : Mr D. B. Patil, are you moving ;

SHRI D. B. PATIL : Yes. I beg to move :

Page 5, line 27—

Add at the end—

"and also over a College situated outside India which may be admitted to the privileges of the University"(17)

SHRI K. C. PANT : May I explain to Shri Patil that the objective he has in mind is fulfilled by the provision made in Clause 5 which enables the University to affiliate colleges outside the country ? This is already there.

MR. CHAIRMAN : I put the amendment of Shri D. B. Patil to the vote of the House.

Amendment No. 17 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7 (University open to all classes, castes and creeds)

MR. CHAIRMAN : Now Shri Ayyapu Reddy.

SHRI E. AYYAPU REDDY : I beg to move :

Page 5, lines 37 and 38—

omit "or of persons belonging to the weaker sections of the society."(2).

MR. CHAIRMAN : Now Shri D. B. Patil.

Page 5, line 29—

after "class," insert—

"and to the persons of the nation from where a college is admitted to the privileges of the University"(18)

Page 5, line 39—

add at the end—

"or backward classes"(19)

MR. CHAIRMAN : Regarding amendment No. 98—Shri Mool Chand Daga is not here. Now Shri Ayyapu Reddy.

18.00 hrs.

SHRI E. AYYAPU REDDY : The wording used in clause (2) is like this :

“Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.”

Unfortunately, the words used “for persons belonging to the weaker sections of the society” are the words used for the first time. Now, I would like to draw the attention of the House to Article 29(2) of the Constitution which reads as follows :

“No citizen shall be denied admission into any educational institution maintained by the States or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.”

Article 54 of the Constitution reads as follows :

“Nothing in this Article or in clause 2 of Article 29 shall prevent States from making any special provision for the advancement of any socially and educationally backward classes of citizens.”

The words used in the Constitution are “socially and educationally backward classes of citizens.” This phrase has been interpreted by the Supreme Court in a number of judgments. It has got a legal interpretation and connotation. Now, the words used in this section are weaker sections. That has not been interpreted and it is likely to be misused or it is likely to be struck down, because it has no constitutional connotation. This Bill extends to the whole of India. It is better to use the Constitutional words only socially and educationally backward classes, because weaker sections vary in India from State to State. In Karnataka, some persons are

considered weaker sections, but they are not considered weaker sections in Andhra Pradesh.

PROF. MADHU DANDAVATE : Congress men are weak there.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD) : May I interrupt the proceedings of the House for a minute ? Since there are many items on the agenda to be completed today, I would suggest that the time of the House be extended by 1 1/2 hours.

MR. CHAIRMAN : Is it the pleasure of the House to extend the time of the House by 1 1/2 hours to complete the remaining business ?

SEVERAL HON. MEMBERS : Yes.

MR CHAIRMAN : So, the time of the House has been extended by 1 1/2 hours, that is the House will sit upto 7.30 p.m.

SHRI E. AYYAPU REDDY : I am not opposing the idea. The word used is not legally correct. I would rather request the Hon. Minister to accept my amendment, and if necessary, by way of a statute provision can be made for safeguarding the interest of socially and educationally backward classes.

SHRI D. B. PATIL (Kolaba) : Clause 7 (2) reads as follows :

“Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.”

Here ‘and in particular’ is important. SC & ST, have been included here because there are constitutional safeguards, so far as SC & ST are concerned. Also there are constitutional safeguards for other backward classes under Article 340 of the Constitution, but those safeguards have not given as yet to the other backward classes. The SC &

ST and other backward classes are socially and educationally backward, because under the system of Hindu religion, they were prohibited from learning; only because of that fact, they are socially and educationally backward; and taking into consideration the fact that SC & ST have been included specially under Article 340, I urge upon the Hon. Minister to accept my amendment.

SHRI K. C. PANT : Article 46 specifically mentions weaker sections. Shri Ayyapu Reddy referred to other classes in the Constitution, that is in the Directive Principles, and I think it will be very wrong to the phrase which is included in the Directive Principles and which we are supposed to try to further and implement. So far as the general consent is concerned, here is an Open University which caters to all. I do not know why one should think in narrower terms. The only thing is that in the case of the weaker sections there is a provision in the Constitution and it has been included here also, and it is meant for all.

MR. CHAIRMAN : I now put all the amendment to Clause 7 to the vote of the House.

Amendment 2, 18 and 19 were put and negatived.

MR. CHAIRMAN : The question is :

“That Clause 7 stand part of the Bill”

The motion was adopted

Clause 7 was added to the Bill.

Clause 8 (The Visitor)

MR. CHAIRMAN : Now we come to Clause 8. There are three amendments, No. 20, 21 and 70 by Shri D. B. Patil.

SHRI D. B. PATIL (Kolaba) : I beg to move—

Page 5, line 47—

for “and” substitute “or” (20)

Page 6, lines 4 and 5—

omit “or such other period as the Visitor may determine”(21)

Page 6, line 31—

after “University” insert—

“giving reasons therefore,”(70)

MR. CHAIRMAN : I now put all the amendments to Clause 8 to the vote of the House.

Amendments No. 20, 21 and 70 were put and negatived

MR. CHAIRMAN : The question is :

“That Clause 8 stand part of the Bill”

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9 was added to the Bill.

Clause 10 (The Vice Chancellor)

MR. CHAIRMAN : Now we come to Clause 10. There are three amendments, Nos. 22, 23 and 71. Shri D. B. Patil.

SHRI D. B. PATIL (Kolaba) : I beg to move—

Page 7, line 14—

after “decision thereon” insert—

“after hearing both concerned parties.”(22)

Page 7—

after line 28 insert—

“Provided that the concerned authority shall have the right to represent before the Visitor.”(23)

Page 7—

after line 28, insert—

“Provided further that the person who is aggrieved by the action of the Vice Chancellor shall be entitled to either of the two remedies mentioned in sub-section (3) and sub-section (4) of this section.”(71)

SHRI SAIFUDDIN CHOWDHARY (Katwa) : I beg to move :

Page 7—

for lines 1 to 3, substitute—

“10. (1) The Vice-Chancellor shall be appointed by the Board of Management through simple majority voting system and the terms and emoluments and other conditions of service shall be such as may be prescribed by the Statutes.”(75)

MR. CHAIRMAN : I now put all the amendments to Clause 10 to the vote of the House.

Amendments 22, 23, 71 and 75 were put and negatived.

MR. CHAIRMAN : The question is :

“That Clause 10 stand part of the Bill.”

The motion was adopted.

Clause 10 was added to the Bill.

Clauses 11 to 15 were added to the Bill.

Clause 16 (Authorities of the University)

SHRI PRIYA RANJAN DAS MUNSI :
I beg to move :

Page 8—

omit lines 11 and 12.(96)

MR. CHAIRMAN : Now, I put the Amendment moved by Shri Das Munsi.

Amendment No. 96 was put and negatived.

MR. CHAIRMAN : The question is :

“That Clause 16 stand part of the Bill.”

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17 (The Board of Management)

SHRI SAIFUDDIN CHOWDHARY :
I beg to move :

Page 8—

for lines 19 to 21, substitute—

“(2) The Board of Management shall basically be an elected body reflecting the genuine representation of the various interests concerned including teachers, employees and students. Nomination of members to the Board of Management shall be done in required cases but the total number of nominated members shall not be more than one-fifth of the total membership of the Board of Management. The Constitution of the Board of Management and its powers and functions shall be prescribed by the Statutes.”(76)

SHRI PRIYA RANJAN DAS MUNSI :
I beg to move :

Page 8—

after line 21, insert—

“Provided that there shall be two members from Lok Sabha and one from the Indira Gandhi Memorial Trust with full voting rights on the Board of Management.”(104)

MR. CHAIRMAN : Now, I put the Amendments to Clause 17 to vote.

Amendments No. 76 and 104 were put and negatived.

MR. CHAIRMAN : The question is :

“That Clause 17 stand part of the Bill.”

The motion was adopted.

Clause 17 was added to the Bill

Clause 18 (Consequential Amendment)

SHRI SAIFUDDIN CHOWDHARY :
I beg to move :

Page 8—

for lines 29 and 30, substitute—

“(2) The Constitution of the Academic Council shall basically be on the principles of democratic election. Nominations to the Academic Council

shall not be more than one-fifth of its total membership in required cases. The particulars of the constitution of Academic Council and the term of office of its members shall be prescribed by the Statutes." (77)

MR. CHAIRMAN : Now, I shall put the Amendment moved by Shri Chowdhary to clause 18.

Amendment No. 77 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 18 stand part of the Bill".

The motion was adopted.

Clause 18 was added to the Bill.

Clause 19—(The Planning Board)

SHRI SAIFUDDIN CHOWDHARY :
I beg to move :

Page 8,—

for lines 35 and 36, substitute—

"(2) The constitution and powers and functions of the Planning Board shall be on the lines of the principles followed in the case of other elected bodies of the University." (78)

MR. CHAIRMAN : Now, I put the Amendment moved by Shri Chowdhary to Clause 19 to vote.

Amendment No. 78 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill

Clause 20 was added to the Bill

Clause 21—(The School of Studies)

SHRI SAIFUDDIN CHOWDHARY :
I beg to move :

Page 9,—

for lines 3 and 4, substitute—

"(2) The constitution, powers and functions of the Schools of Studies shall be prescribed by the Statutes maintaining the principles applied in the constitution of other elected bodies of the University." (79)

SHRI PRIYA RANJAN DAS MUNSI :
I beg to move :

Page 9,—

after line 4, insert—

"Provided that the number of Schools of Studies established by the University shall include the Schools of following Studies :

- (i) School for International Understanding, World Peace and Non alignment;
- (ii) School of Science and Technology;
- (iii) School of Studies in Environmental Science;
- (iv) School of Studies on Tagore;
- (v) School for Studies on Gandhi;
- (vi) School for Studies on Nehru;
- (vii) School for Studies on Indira Gandhi;
- (viii) School for Studies in Electronics and Instrumentation;
- (ix) School for Studies on Educational Development of Women; and
- (x) School of Studies in Sports and Physical Education." (97)

I do not know whether it will be possible for the Minister to accommodate this provision in the Statutes itself by which the ideals of Indira Gandhi and her approach to education can be well preserved in various fields, because when I go to JNU, I find that everything is there except Jawaharlal Nehru's ideals and the pseudo-communists are play-

ing havoc. They are distorting the ideals of Nehru.

SHRI K.C. PANT : I understand the anxiety of my Hon. friend. Instead of School of Studies in different disciplines, we will examine whether we should have Chairs in the name of distinguished Indians. How we should approach this problem, that will be sorted out.

SHRI PRIYA RANJAN DAS MUNSI : I seek leave of the House to withdraw Amendment No. 97 to clause 21.

MR. CHAIRMAN : Has the Hon. Member leave of the House to withdraw his Amendment ?

SOME HON. MEMBERS : Yes.

*Amendment No. 97 was, by leave,
withdrawn.*

MR. CHAIRMAN : Now, I shall put Amendment No. 79 to vote.

Amendment No. 79 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill.

Clause 22—(The Finance Committee)

SHRI SAIFUDDIN CHOWDHARY : I beg to move :

Page 9,—

for clause 22, substitute—

"22. The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes maintaining the principles applied in the constitution of other elected bodies of the University." (80)

MR. CHAIRMAN : Now, I shall put Amendment No. 80 to vote.

Amendment No. 80 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 22 stand part of the Bill."

The motion was adopted.

Clause 22 was added to the Bill

Clause 23 was added to the Bill

Clause 24 was added to the Bill

Clause 25—(Statutes now made)

SHRI D.B. PATIL : I beg to move :

Page 10, line 13,—

Omit "or withhold assent" (24)

Page 10,—

Omit lines 18 to 21 (25)

Page 10,—

Omit lines 22 to 28 (26)

Sir, in the light of the provision that has been made, and it has been suggested also, that the provision is an encroachment on the autonomy of the University. It has been stated here that this is not a democratic body as it is a nominated body. The visitor has got wide powers. Such powers should not annul the proceedings of the Board of Management. So, I hope my amendments will be accepted.

SHRI K.C. PANT : Sir, unless the Visitor has this power, there will be no finality. After all, Parliament approves of the funds, Government invests funds in this and the Visitor has to have some authority. It is on your behalf that the Government uses this authority.

MR. CHAIRMAN : I put amendments No. 24, 25 and 26 to Clause 25 moved by Shri D.B. Patil, to the vote of the House.

*Amendments No. 24 to 26 were put
and negatived.*

MR. CHAIRMAN : The question is :

"That Clause 25 stand part of the Bill."

The motion was adopted.

Clause 25 was added to the Bill.

Clauses 26 and 27 were added to the Bill

Clause 28

SHRI D.B. PATIL : Sir, I beg to move :

Page 11,—

(i) lines 13 and 14,—

Omit "as soon as may be"

(ii) line 15,—

add at the end—

"in the first session immediately after the submission of the report" (27)

Sir, this amendment is in the interest of the House itself. It has been stated that the Annual Report of the University shall be laid before both the House of Parliament as soon as may be. In stead of that, I have stated "in the first session immediately after the submission of the report". It is a common experience that Annual Reports are never submitted in time. They are submitted very late and there is no point in discussing those Annual Reports at that time. So, I hope this amendment will be accepted.

SHRI K.C. PANT : Sir, suppose the Report is received in the midst of the session, should one wait till the next session? Therefore, you will actually delay the placing of the Report on the floor of the House, if your amendment is accepted...*(Interruptions)*. Why should one delay it. "As soon as may be" may well be quicker than if your amendment is accepted.

SHRI D.B. PATIL : Annual Reports are never submitted in time. So, I have put a restriction that it should be placed in the first session immediately after the submission of the Report.

SHRI K.C. PANT : No, I think "as soon as may be" is better.

MR. CHAIRMAN : All right, I now put amendment No. 27 to Clause 28, moved by Shri D.B. Patil, to the vote of the House.

Amendment No. 27 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 28 stand part of the Bill."

The motion was adopted.

Clause 28 was added to the Bill.

Clause 29—(Annual Accounts etc.)

SHRI D.B. PATIL : Sir, I beg to move :

Page 11,—

(i) line 30,—

Omit "as soon as may be"

(ii) Line 31,—

add at the end—

"in the first session immediately after the submission of the report" (28)

MR. CHAIRMAN : I now put amendment No. 28 to Clause 29, moved by Shri D.B. Patil to the vote of the House 6.

Amendment No. 28 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 29 stand part of the Bill."

The motion was adopted.

Clause 29 was added to the Bill.

Clause 30 was added to the Bill.

Clause 31—(Tribunal of Arbitration)

SHRI E. AYYAPU REDDY : I beg to move :

Page 11, lines 41 to 45,—

for "at the request of either party, be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Board of Management, one member nominated by the employee concerned and an umpire to be nominated by the Visitor."

substitute—

"be referred to a Tribunal of Arbitration consisting of a person nominated by the visitor." (3)

SHRI D.B. PATIL : I beg to move :

Page 11, line 42,—

after "party" insert —

"and with the consent of the other party" (29)

SHRI E. AYYAPU REDDY : Sir, I hope the Hon. Minister will accept my amendment. This three-man tribunal will always be causing lot of inconvenience and delay. Now, an arbitration tribunal has to be selected. It is always wiser to have one-man tribunal and I have suggested that one person must be selected by the Visitor. What is provided is one person by the employees, one person by the Management and one person by the Visitor. The nomination itself will take quite a lot of time. And what is the purpose? The purpose will be to select the persons who support the Board of Management and even the employees who will support the management will be selected. Ultimately it is the Arbitrator who is selected by the Visitor. So, his decision will prevail. Therefore, in the interest of simplicity and speedier disposal of matters before the tribunal, it may be one-man arbitration tribunal and that person shall be nominated by the Visitor.

SHRI D.B. PATIL (Kolaba) : I have suggested that the Tribunal of arbitration should be established only with the consent of the other party. It is in the interest of the employer, because if this provision goes that way, the tribunal is established, then the decision of the Tribunal will be final, because it is mentioned in sub-clause 54 that the decision of the tribunal of arbitration will be final and binding on the parties and no suit shall lie in any court in respect of the matter decided by the tribunal. Here when there is a dispute with the employee and the University has asked for a Tribunal and if the tribunal is established with the consent of the employee, then the decision of the tribunal will be binding on the employee, even though he has not consented with the Tribunal and then the dispute is finalised. Then he has no recourse to the court of law. So, it should be with the consent of the employee. Therefore, it would be in the interest of the employee.

SHRI K.C. PANT : We would like these disputes to be settled quickly. And what Mr. Patil suggests would nullify the effect sought to be brought about by this particular provision.

SHRI D.B. PATIL : In the Pondicherry University Act there is also such a provision to have the consent of the other party.

SHRI K.C. PANT : But here we would like it to be settled quickly. This is a different kind of University, in which at the Headquarters there is just the Vice-Chancellor and small staff and the rest is spread all over the country. We do not want repeated disputes going on all over the country over the employer-employee relationship. You must understand the different nature of the University.

On the other Amendment by Mr. E. Ayyapu Reddy, I would suggest that it would create greater confidence amongst the employees if their representatives were there in a three man Tribunal. If it was just one-man Tribunal, it would amount to taking away their man also. In that case their case may go unrepresented. I think it is against the interest of the employees.

MR. CHAIRMAN : If the House agrees. I shall put all the Amendments moved to Clause 31 together.

Amendments No. 3 and 29 were put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 31 stands part of the Bill."

The motion was adopted.

Clause 31 was added to the Bill.

MR. CHAIRMAN : The question is :

"That Clause 32 stands part of the Bill."

The motion was adopted.

Clause 32 was added to the Bill.

Clause 33—(Disputes as to the constitution of the University authorities and bodies)

SHRI D.B. PATIL : Sir, I beg to move :

Page 12, line 17,—

Omit "whose decision thereon shall be final." (30)

SHRI K.C. PANT : Has Shri Patil considered the implication of his amend-

ments ? If this amendment is accepted and the reference to the Visitor remains, what happens next ? He has not considered the implication of the amendment.

SHRI D.B. PATIL : The disputes will go to the Court of law.

SHRI K.C. PANT : That is a different matter. It will not be settled here.

MR. CHAIRMAN : I shall now put Amendment No. 30 moved Shri D.B. Patil to the vote of the House.

Amendment No. 30 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 33 stands part of the Bill."

The motion was adopted.

Clause 33 was added to the Bill.

Clause 34 to 37

MR. CHAIRMAN : Shri Priya Ranjan Das Munsi, are you moving your amendment to Clause 34 ?

SHRI PRIYA RANJAN DAS MUNSI : No, Sir.

MR. CHAIRMAN : I shall now put Clauses 34 to 37 together to the vote of the House.

The question is :

"That Clauses 34 to 37 stand part of the Bill."

The motion was adopted.

Clauses 34 to 37 were added to the Bill.

Clause 38—(Power to remove difficulties)

MR. CHAIRMAN : Mr. D.B. Patil, are you moving your amendment ?

SHRI D.B. PATIL : Yes, Sir. I beg to move :

Page 13,—

after line 5, insert—

"Provided that such order shall be immediately laid before both the Houses of Parliament." (31)

MR. CHAIRMAN : I now put amendment No. 31 moved by Mr. Patil to Vote.

Amendment No. 31 was put and negatived.

MR. CHAIRMAN : The question is :

"That Clause 38 stand part of the Bill."

The motion was adopted.

Clause 38 was added to the Bill.

Clause 39—(Translational Provisions)

SHRI E. AYYAPU REDDY : I beg to move :

Page 13, line 17,—

after "fifteen members" insert—

"including at least three members from Lok Sabha and two members from Rajya Sabha." (4)

DR. SUDHIR ROY : I beg to move :

Page 13, line 14,—

for "shall" substitute "may" (83)

MR. CHAIRMAN : Shri M. C. Daga is not here; these amendments are not moved. Anybody who wants to speak ?

SHRI E. AYYAPU REDDY : It is a simple amendment. The Board of Management should consist of not more than 15 members. What I have suggested is that at least 3 Members must be from Lok Sabha and 2 members from the Rajya Sabha. This is a University which extends to the whole of India. The Board of Management must have at least 3 members from Lok Sabha and 2 members from Rajya Sabha.

I hope the Hon. Minister will easily accept this amendment.

SHRI K.C. PANT : Sir, We shall think of the best way to associate Members of Parliament.

Annual reports will come here. As I said all statutes and ordinances will also come here. In addition to that, as I said, we shall consider how best to associate those of the Hon. Members who are interested in this. I welcome their cooperation. But at

~~this stage~~ I cannot accept the amendment because it will cause delay. It cannot go back to the other House. We will have to pass it.

SHRI E. AYYAPU REDDY : If the Hon. Minister gives assurance I will not press it.

MR. CHAIRMAN : There is no assurance.

—I shall now put all amendments moved to Clause 39 to vote.

Amendments Nos. 4 and 83 were put and negatived.

MR. CHAIRMAN : Now the question is :

"That Clause 39 stand part of the Bill."

The motion was adopted.

Clause 39 was added to the Bill.

Clause 40—Statutes, ordinances and Regulation to be published in the official gazette and to be laid before Parliament

SHRI D.B. PATIL : I beg to move :

Page 13, line 29, —

after "Ordinance" insert "Order" (32)

MR. CHAIRMAN : I will put amendment No. 32 moved by Mr. Patil to vote.

Amendment No. 32 was put and negatived.

MR. CHAIRMAN : Now the question is :

"That Clause 40 stand part of the Bill."

The motion was adopted.

Clause 40 was added to the Bill.

First Schedule A

SHRI SHANTARAM NAIK : I beg to move :

Page 14,—

after line 33, insert—

"(ff) provide or arrange for instructions to develop scientific temper to do away with the superstitious beliefs prevailing in the minds of the people, specially in the rural areas;" (6)

SHRI D.B. PATIL : I beg to move :

Page 14,—

after line 11, insert—

"Provided that special emphasis shall be given to meet the needs of physically handicapped and mentally retarded persons." (33)

Page 14, line 13,—

after "such as" insert—

"those who have been kept socially and educationally backward under Charvarnya system in Hindu religion and" (34)

Page 14, line 14,—

after "rural" insert "and hilly" (35)

Page 14,

after line 40, insert—

"(k) promote self respect amongst the poorest section of the people who are not in a position to achieve minimum standard of living." (36)

Page 14,

after line 33, insert—

"(ff) provide for special courses in areas where because of acquisition of land for urban and industrial development, means of livelihood of agriculturists and agricultural labourers has been taken away, for the purpose of rehabilitating those displaced persons;" (72)

MR. CHAIRMAN : If anybody wants to speak on amendment he can speak.

SHRI SHANTARAM NAIK : As a Memorial to Shrimati Indira Gandhi this Bill has been brought forward.

My small amendment, if accepted, will be a real memorial to Shrimati Indira Gandhi.

Mrs. Gandhi was very much interested in inculcating scientific temper in the minds of the people. People in the villages today are very superstitious. They even sacrifice their children to get some benefits for themselves and their families. This is the sort of superstitious belief which prevails in India. So I want that a scientific temper should be created in the minds of the people. We should remove superstitious belief in the minds of people in the villages. Even today I read certain thing in a magazine. From what I read I came to know that even today a Member of Parliament who has been allotted a house somewhere measured the area of the House and found that the figure of the said measurement is not auspicious and therefore the house was not occupied by him. This is the state of affairs even with educated people ! You can just imagine the state of affairs in the villages today. So, I request that my amendment may be accepted.

SHRI D. B. PATIL : Sir, my amendment No. 23 is as follows :

"Provided that special emphasis shall be given to meet the needs of physically handicapped and mentally retarded persons."

It is self-explanatory and I need not argue on this point.

Then, my amendment No. 34 is as follows :

"those who have been kept socially and educationally backward under Charvarnya system in Hindu religion and"

I have argued last time on my amendment and it should be treated as special.

Then, my amendment No. 72 is as follows :

"(ff) provided for special courses in areas where because of acquisition of land for urban and industrial development, means of livelihood of agriculturists and agricultural labourers has been taken away, for the purpose of rehabilitating those displaced persons;"

MR. CHAIRMAN : They are already circulated, you need not read them.

SHRI D. B. PATIL : I am explaining because many of the Members' might not have read them. (*Interruptions*). That is all right.

So far as amendment No. 72 is concerned, I would say that the lands of the agriculturists are taken for industrial and urban development. Whatever compensation is given to them, it is so less that they cannot be rehabilitated themselves. When the lands are taken or acquired, they are assured all along that they will be rehabilitated, they will be provided jobs, they will be trained there and also special care of them will be taken. But the feeling is that once their lands are acquired and once they are dispossessed, no special care is taken of them and they are thrown to the winds. So, I would request the Hon. Minister that special efforts should be made in this connection. So far as the Open University is concerned, it is said that this Open University is meant for the weaker sections and weaker sections mean Harijans and Girijans.

SHRI K. C. PANT : Sir, about amendment No. 6 by Shri Naik is concerned, if I were listing out the objects of education, the promotion of scientific temper will certainly figure in that, and so I can understand his thrust. But here in clause 2, he will find that the University shall make full use of the scientific knowledge and so (*Interruptions*). Yes, yes, I understand that. We are not listing the objects of education as such, we are listing everything here. Therefore, considering the special nature of this University we are including the lornel of the idea which we have put forward. About the words you need not quarrel over.

So far as amendments Nos. 33, 34 and 35 are concerned, if Shri Patil looks at clause 1 (b) of the First Schedule, he will find the phrase 'disadvantaged groups' and he mentioned three of the disadvantaged groups, they are covered under clause 1 (b).

Amendment No. 36 says,

"promote self respect amongst the poorest saction of the people who are not in a position to achieve minimum standard of living."

My experience of India is that the poorest people have the maximum self-respect, they

do not lack self-respect, and I think it would be wrong to say that the poor people lack that self-respect.

About amendment No. 72, when you talk of people, whose land has been acquired for urban and industrial development, I would like to submit that they require compensation and rehabilitation and not courses of study. That should be the emphasis, and so far as the Open University is concerned, whatever it has to offer is, of course, available to them.

SHRI SHANTARAM NAIK : Sir, I seek leave of the House to withdraw my amendment No. 6 to the First Schedule.

Amendment No. 6 was, by leave, withdrawn.

MR. CHAIRMAN : I shall now put the amendments moved by Shri D. B. Patil to the vote of the House.

Amendments No. 33 to 36 and 72 were put and negatived.

MR. CHAIRMAN : I shall now put the First Schedule to the vote of the House.

The question is :

"That the First Schedule stand part of the Bill."

The motion was adopted

The First Schedule was added to the Bill.

Second Schedule

SHRI E. AYYAPU REDDY : I move—

Page 15, lines 14 and 15,—

for "of whom two shall be nominated by the Board of Management"

Substitute—

"of whom one shall be a Judge of the Supreme Court, nominated by the Chief Justice of India and one shall be a member of Lok Sabha nominated for this purpose by the Speaker of Lok Sabha" (5)

SHRI D. B. PATIL : I move :

Page 27, after line 6, insert—

"(2A) Detailed rules of discipline and proper conduct shall be made by the University and every student shall be supplied with a copy of the rules and supplementary rules, if any.

(2B) At the time of admission, every student shall be required to sign a declaration to the effect that he shall submit himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities of the University". (7)

Page 15,—

after line 12, insert—

"Provided further that the Visitor shall convey in writing reasons for not approving any of the persons recommended by the Committee". (37)

Page 15, line 14,—

omit "of whom two shall be" (38)

Page 15,—

omit lines 24 to 26 (39)

Page 16, line 41,—

after "persons" insert—

"not below the rank of head of the institution" (40)

Page 17, line 6,—

add at the end—

"in consultation with the head of the concerned authority". (41)

Page 17, after line 17, insert —

"Provided that the person so appointed shall not be re-appointed for short-term." (42)

Page 17, line 24,—

omit "on the recommendation of the Vice-Chancellor" (43)

Page 17,—

omit lines 15 to 30 (44)

Page 17, lines 31 and 32,—

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	<i>omit</i> "on the recommendation of the Vice-Chancellor," (45)		"(6) Six members of the Planning Board shall form a quorum for a meeting of the Board". (56)	
	Page 17, lines 37 and 38,—		Page 23, line 38,—	
	<i>omit</i> "or until the expiration of the term of office of the Vice-Chancellor, whichever is earlier" (46)		<i>for</i> "thrice a year" <i>substitute</i> —	
	Page 18,—		"once in a month" (57)	
	<i>omit</i> lines 34 and 35. (47)		Page 24, line 1 and 2,—	
	Page 18, lines 36 and 37,—		<i>omit</i> "within the overall ceiling fixed by the Committee" (58)	
	<i>omit</i> "in case the candidate to be appointed is from outside the University" (48)		Page 24,—	
	Page 20, line 47,—		<i>omit</i> lines 3 to 6. (59)	
	<i>after</i> "conducted" <i>insert</i> —		Page 24, line 17,—	
	"at least once in a year" (49)		<i>for</i> "Vice-Chancellor" <i>substitute</i> —	
	Page 21, line 5,—		"Board of Management" (60)	
	<i>after</i> "Study Centres" <i>insert</i> —		Page 24, lines 28 and 29,—	
	"or recognised colleges," (50)		<i>for</i> "submit the case to the Visitor for final orders"	
	Page 22, line 20,—		<i>Substitute</i> —	
	<i>after</i> "payable" <i>insert</i> "to them" (51)		"refer it back for fresh recommendations to the Selection Committee with reasons for such non-acceptance" (61)	
	Page 22,—		Page 26, line 5,—	
	<i>after</i> line 34, <i>insert</i> —		<i>add</i> at the end—	
	"(4) The Board of Management shall meet at least once in a month". (52)		"in accordance with the procedure laid down by rules for making such inquiry" (62)	
	Page 22, line 36,—		Page 26, line 12,—	
	<i>for</i> "Six" <i>substitute</i> "Eight" (53)		<i>omit</i> "(2) or clause" (63)	
	Page 23,—		Page 26, line 17,—	
	<i>after</i> line 20, <i>insert</i> —		<i>for</i> "made" <i>substitute</i> "served upon him" (64)	
	"Provided that the advice of the Planning Board shall not be binding on the Board of Management, but the Board of Management shall record the reasons for not accepting the advice" (54)		Page 26,—	
	Page 23, line 29,—		<i>after</i> line 35 <i>insert</i> —	
	<i>for</i> "twice" <i>substitute</i> "six times" (55)		"Provided further that acceptance of such resignation shall not be unnecessarily delayed and if delayed reasons shall be recorded therefor". (65)	
	Page 23,—		Page 26, line 40,—	
	<i>after</i> line 29, <i>insert</i> —		<i>add</i> at the end—	
			"to such other officers as he may specify in this behalf" (66)	

Page 27,—

after line 6, insert—

"Provided that the result of the student or students in the examination or examinations shall not be cancelled for the action or behaviour of the student or students before such examination or examinations were held" (67)

Page 15, lines 15 and 16,—

for—

"and one by the Visitor, and the person nominated by the Visitor shall be the Convenor of the Committee :"

substitute—

"and one person from amongst the three shall be nominated as Convenor of the meeting :"(73)

Page 25,—

after line 42, insert —

"Provided that the Board of Management may, if it is of the opinion, that the circumstances of the case do not warrant suspension of the teacher or a member of the academic staff or other employee, revoke such order". (74)

Page 15,—

for lines 13 to 19, substitute—

"(3) The committee referred to in clause (2) shall consist of five members of whom two shall be nominated by the Board of Management, two by the Academic Council and one by the Visitor shall be the Convenor of the Committee;" (84)

Page 24, line 20,—

for "Vice-Chancellor" substitute—

"Academic Council" (85)

SHRI PRIYA RANJAN DAS MUNSI :
I beg to move :

Page 15—

(i) line 14—

for "three" substitute "five"

(ii) line 15—

after "Visitor," insert—

"one by the Speaker of Lok Sabha and one shall be the nominee of Indira Gandhi Memorial Trust," (109)

Page 15—

after line 16 insert—

"Provided that the members so chosen or nominated shall have a post-graduate degree and outstanding reputation in the accademic arena." (110)

Page 24—

after line 21, insert—

"(e) one person from the Indira Gandhi Memorial Trust." (111)

SHRI E. AYYAPU REDDY : The Board of Management is asked to elect two Members of the Panel and the Visitor to nominate one Member to the Penal. This three-Member Panel is to select the Vice-Chancellor or to submit a Penal for the Vice-Chancellor. It is not at all desirable to associate the Board of Management with the selection of a Panel for selecting the Vice-Chancellor for the simple reason the Vice-Chancellor, who is the Chairman of the Board of Management and the Members of the Board of Management will certainly develop vested interests and, most of them are aspirants for the Vice-Chancellorship. Therefore, it is absolutely necessary that they should not be associated with the constitution of this Panel. What I had suggested is that a judge of the Supreme Court selected by the Chief Justice and a Member of the Lok Sabha selected by the Hon. Speaker and a Member nominated by the Visitor, these three people shall constitute the Panel. That will consist of the judiciary, the executive and the Parliament and this Panel will prepare the Panel for Vice-Chancellor. Because it is a prestigious University, the persons who constitute the Panel must command universal respect and I hope this amendment will be accepted by the Hon. Minister.

SHRI PRIYA RANJAN DAS MUNSI :
I know the intention of the Hon. Minister. But I will only urge upon him that the three-man Panel will make havoc and disaster and

that the selection of the Vice-Chancellor is a crucial one. Hon. Members will bear with me for a minute when I say that nobody might have gone in detail into this aspect while in the drafting stage.

In the JNU, in the Aligarh University and in the Visva Bharati, a representative of the Lok Sabha is also in the Senate. It is the honour of the House that is involved here. Indiraji was the leader of the House for so many years.

In this selection of the Vice-Chancellor I propose that the number of members should be 5 instead of 3 and in that, one member should be chosen by the Hon. Speaker of the Lok Sabha and one member should be from the Indira Gandhi Memorial Trust to see meticulously that no person is selected who is absolutely not fulfilling the objective conditions of the University. This is my objective. Other Members chosen should be at least post-graduate qualified, having outstanding academic brilliance and academic career of the country. Otherwise, mere nominated persons here and there for political and other purposes, will spoil the whole objective of the University.

I feel the Hon. Minister understands the spirit of it and will try to accommodate it in some way or the other.

SHRI D. B. PATIL : I want to know from the Hon. Minister whether he is prepared to accept any of my amendments.

SHRI K. C. PANT : If the Hon. Member had said that in the beginning, he would have saved much time.

So far as Shri Ayyapu Reddy's amendment goes, the Board of Management may appoint a judge or a M. P. That is not excluded. But if his amendment is accepted, an academician cannot be appointed. That will be the net effect of his amendment.

SHRI E. AYYAPU REDDY : The Hon. Minister has not understood my problem. What I have said is that an academician can be selected by the Visitor. A judge of the Supreme Court will be selected by the Chief Justice. A Member will be selected by the Hon. Speaker. I do not think this House is devoid of academicians. There are

a number of distinguished academicians here and the Hon. Speaker can select.

SHRI K.C. PANT : So far as the two amendments of Shri Priya Ranjan Das Munsi are concerned, first he wants to raise the number of members from 3 to 5. But 3 is the number in other Central University Acts also. The number is 3 and not 5.

So far as 110 amendment is concerned, I will read it out :

"provided that the Members so chosen or nominated shall have a post-graduate degree and outstanding reputation in the academic arena."

That could lead to avoidable litigation because outstanding reputation means that if somebody is rejected, he can go to court and say "Why ?".

Secondly, I think, it can be left to the University bodies and the Visitor to nominate these people, to choose the right people, because 'outstanding reputation' would involve a subjective judgment which may be questioned.

MR. CHAIRMAN : If the House agrees...

SHRI PRIYA RANJAN DAS MUNSI : Sir, I want to withdraw my amendments.

*Amendments No. 109 to 111 were, by
leave, withdrawn.*

MR. CHAIRMAN : If the House agrees, I shall now put all other amendments, moved to the Second Schedule, together to the vote of the House.

*Amendments No. 5, 7, 37 to 67 and
73, 74, 84, and 85 were put and
and negatived.*

MR. CHAIRMAN : The question is :

"That the Second Schedule stand part of the Bill."

The motion was adopted

The Second Schedule was added to the
Bill

Clause 1 and the Enacting Formula
were added to the Bill.

TITLE

SHRI D. B. PATIL : Sir, I beg to move :

Page 1, —

in the Long Title, *add* at the end—

“particularly for the benefit of socially and educationally backward classes and people living in remote, rural and hilly areas.”(8)

Sir, I am proposing this amendment for the benefit of socially and educationally backward classes and people living in remote, rural and hilly areas. During the debate one of the Hon. Members expressed apprehension regarding establishment of regional centres, and the Hon. Minister in his reply has stated that regional centres will be opened wherever the students will be available in sufficient strength. In urban areas many students will be available, but in remote, rural and hilly areas, which are far away from urban areas, the number of students coming forward may not be adequate or satisfactory. By this, the already neglected areas, because of less student population, will be neglected again. I have, therefore, laid special emphasis on these areas by saying that preference should be given, while implementing the provisions of the law, to the socially and educationally backward classes and people living in remote, rural and hilly areas.

SHRI K.C. PANT : Sir, the Long Title of the Bill is :

“to establish and incorporate an open University at the national level for the introduction and promotion of the open University and distance education systems in the educational pattern of the country and for the coordination and determination of standards in such systems.”

If I accept the Hon. Member's amendment, that will narrow down the scope of the definition that is given here. Therefore, I think it is better to let it remain as wide as it can be. In the other place we have discussed this aspect; this is not the place for this.

MR. CHAIRMAN : I shall now put the amendment moved by Shri B.D. Patil to the vote of the House.

Amendment No. 8 was put and negatived.

MR. CHAIRMAN : The question is :

“That the Title stand part of the Bill.”

The motion was adopted.

The Title was added to the Bill.

SHRI K.C. PANT : Sir I beg to move :

“That the Bill be passed.”

MR. CHAIRMAN : The question is :

“That the Bill be passed.”

The motion was adopted .

[English]

LIGHTHOUSE (AMENDMENT) BILL

18.45 hrs

MR. CHAIRMAN : Now we shall take up Lighthouse (Amendment) Bill.

THE MINISTER OF STATE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI Z.R. ANSARI) : Sir I beg to move :

“That the Bill further to amend the Lighthouse Act, 1927, be taken into consideration.”

Sir, I do not think I need to elaborate on the main purposes of the Bill. These have been stated more or less fully in the Statement of Objects and Reasons.

Till 1927' the system of Lighthouse administration in India had been a series of local arrangements with varying methods of administration and finances. In order to consolidate and amend the law relating to the provision, maintenance and control of Lighthouses in India, the Lighthouse Act, 1927, was passed by the Indian Legislature. This Act came into force with effect from 1st April, 1929. In accordance with the

provisions of the said Act, the Lighthouses which are of benefit to general shipping are classified as "General" Lighthouses whereas those Lighthouses which are of benefit to ships proceeding to a particular port are classified as "Local" Lighthouses. The management of the "General" Lighthouses vests in the Central Government whereas the "Local" lighthouses are the responsibility of the respective maritime State Governments, Port Trusts, etc. The subject "Lighthouses" is administered by my Ministry through the Department of Lighthouses and Lightships. This Department is headed by the Director General of Lighthouses and Lightships who is also the Chief Inspector of Lighthouses and Lightship in India. For the purpose of administration of "General" Lighthouses, the coastline of India is divided into 6 Lighthouse Districts, each District being under the control of a Director of Lighthouses and Lightships and with headquarters at Jamnagar, Bombay, Cochin, Madras, Calcutta and Port Blair.

The policy of the Government as enunciated in the Lighthouse Act is that the Lighthouse service should be self-supporting and the cost of providing and maintaining "General" Lighthouses should be met out of lightdues levied on shipping. Lightdues are accordingly collected under the provisions of the Lighthouse Act from ships entering or departing from the ports in India. The present rates of lightdues are as under :-

(a) All sea-going ships other than sailing vessels Rs. 1.50 per ton

(b) Sailing vessels 6 paise per ton

Sub-section (1) of Section (10), as amended by Act No. 37 of 1976 empowers the Central Government to prescribe rates not exceeding 1.50 per ton at which lightdues shall be payable. The rates of lighthouses were accordingly enhanced to the above ceiling level with effect from 24.8.1978 and the present annual revenue from lightdues is of the order of Rs. 7 crores. However, due to alround increase in the cost of maintenance/operation and establishment of increased navigational aids all along the country's coastline including the far-flung islands of Lakshadweep and Andman and Nicobar Islands, the financial position of the

Department of Lighthouses and Lightships has become acute. It is, therefore, proposed to amend Section 10 (1) of the Act so that the Central Government may be enabled by notification in the Official Gazette to prescribe such rates as are necessary to provide for the purposes mentioned in Section (9) at which lightdues shall be payable. The proposed amendment also provides for every such notification issued by the Central Government to be laid before each House of Parliament and if both Houses agree in making any modification in the notification, the said notification shall have effect only in such modified form.

It is also proposed to insert a new Section 8A in the Act to ensure that no obstruction is caused in the smooth and uninterrupted functioning of Lighthouses by way of growing of tall trees, construction of buildings, etc. on the sea-ward side of Lighthouses.

For the purpose of levy of lightdues, a ship's tonnage is, according to Section 12 (1) of the Act being reckoned as under the Merchant Shipping Act, 1958, viz. N.R.T. (Net registered tonnage). Hence no lightdues can be levied on the additional cargo carried on the deck or in the containers carried on the deck. In view of the increasing trend in the containerisation of cargo service and carriage of containers as deck cargo, it has become necessary to make suitable provision in the Act to plug the loss of revenue due to non-realisation of lightdues in respect of such deck cargo. It is, therefore, proposed to make necessary amendment to Section 12 (1) of the Act.

The remaining amendments proposed to the Act are of procedural nature and are not of much consequence.

MR. CHAIRMAN : Motion moved :

"That the Bill further to amend the Lighthouse Act, 1927, be taken into consideration."

Shri Purna Chandra Malik may speak.

[Translation]

*SHRI PURNA CHANDRA MALIK (Durgapur) : Mr. Chairman, Sir, the Hon.

*The speech was originally delivered in Bengali.

Minister has brought forth this Lighthouse (Amendment) Bill for the purpose of enhancing the fees on ocean going ships and other sailing vessels and also for grant of more powers to appoint suitable officers to supervise and improve the working of the lighthouses. It is proper that the fees for lighthouses should be increased keeping in view the staggering rise in prices and the inflationary pressures around. The existing rate of the fees is very insignificant and its benefit is being derived mostly by the foreign shipping companies and the owners of big Indian Shipping Companies. Therefore for the purpose of augmenting Govt. revenues and for offering better service facilities to the employees of the light houses, the Government is justified in raising the fees and taxes for the lighthouses.

But Sir, even the meagre fees that are chargeable at present, are not being collected properly. This is because the number of employees is quite insufficient at present. I demand that the number of light houses may be increased substantially. In the coastal areas of our country there are thousands of fishermen who go far into the sea in their small boats to catch fish for their livelihood. We have seen that for want of lighthouses many of them lose direction in rough weather and get lost in the sea without trace. Many fishermen lose their lives. In the 24-Pargana district of West Bengal, there is a place called Bakkhali in the Sunderban areas. This is a very important tourist centre on the bay of Bengal. There are some 2000 fishing boats in this area which go in the sea for fishing purposes. We get news that many of them get lost in rough weather and there is loss of life also. The same situation prevails in many other parts of the country. If more light houses are constructed then on the one hand these thousands and thousands of fishermen will be benefited and on the other hand the Government can also augment its revenue by imposing small fees on these fishing boats and other small sailing vessels in the coastal areas.

This Bill also seeks to regulate the construction of high buildings and to prevent the planting of tall trees in front of the light houses so as to prevent hazards and obstruction to the working and functioning of the light houses. This objective deserves the support of all.

I want to know whether in all the four light house districts mentioned in the Bill, adequate training facilities for the staff and modern equipment are available. It is necessary to attend to this aspect and sufficient number of employees should also be appointed to man the light houses.

I would also like to know from the Hon. Minister how many recommendations made by the Estimates Committee of Parliament with regard to light houses have been implemented so far? Particularly about the Calcutta Port, the Estimates Committee suggested that the setting up of a modernised light house workshop at Calcutta should be expedited." The Estimates Committee had made many more such useful recommendations. I would therefore like to know how many of them have been implemented. I hope the Hon. Minister will supply the facts.

Mr. Chairman, Sir, we should remember that the light houses play a very important role in our maritime trade and in the defence of our country. Therefore, we should ensure that the employees and workers of the light houses are able to improve their professional expertise constantly. This is very necessary but I regret to say that this is seldom done. The required type of people are not being recruited and the necessary modernisation of these installation have not been taken up. More and improved type of light houses are not being constructed. The Govt. should be alive to this situation.

Sir, the recent disappearance of two Indian ships have pained us very much. It was published in the newspapers and Hon. Minister is also aware that recently two ships disappeared without any trace whatsoever. Later on we saw that the owners of these ships were paid compensation. But what about the 45 sailers who were on board? Their families were depended on them. No body showed any concerned for them and they were not paid any compensation. I will appeal to the Hon. Minister to enquire into this episode.

Sir, the object of this Bill is very laudable. I will request the Hon. Minister to implement the large number of recommendations made by the Estimates Committee with regard to light houses. Many of the recommendations are yet to be implemented. I

would also reiterate that a light house may be constructed at Bakkhali in 24-Pargana district of West Bengal which is an important tourist centre and where 2000 fishing boats go to the sea every day and the lives of the fishermen are endangered as they get lost in the high seas. Many more light houses should be constructed in the coastal areas all over the country and on the Indian islands in the interest of the poor fishermen and fishing community of our country. With that Sir, I conclude. Thank you.

[English]

SHRI Z. R. ANSARI : Sir, the present Bill has got very limited scope. Anyway, the Hon. Member has appreciated for the Government having come forward with this Bill to increase the activities of the light-houses and lightships which are very important for the safety of the sailing ships. He also appreciated that we are going to regulate the construction of high buildings, plantation of tall trees etc. which may prove to be hazards and may create some obstruction in the way of functioning of the light-houses.

As far as the question of having more lighthouses is concerned, it is with this purpose that we are through this Bill proposing that the Government should be empowered to increase the light dues. The present position is that we are anyhow maintaining these lighthouses and lightships with some loans and some grants. Unless we increase the light dues, and the revenue is increased, it would be difficult for us to maintain or increase our present light houses and lightships.

These lighthouses and lightships are for the facility of sailing ships and sailing vessels and the ships which go in the high seas.

As regards facilities for the fishermen, who go to the high seas with small boats, it is the responsibility of the State Governments to look after their interests, but, of course, if there are lighthouses, those lighthouses will also be beneficial to them.

The major recommendations of the Estimates Committee in May, 1951 regarding the

lighthouses have all been implemented and after the passing of this Bill, we shall be in a position to improve the working of the lighthouses.

SHRI PURNA CHANDRA MALIK : I was referring to the recommendations of the Estimates Committee of 1956-57.

SHRI Z.R. ANSARI : I have with me the report of the Estimates Committee pertaining to the year 1951. I do not have information about the 1956-57 report.

With these words, I commend the Bill for the consideration of the House.

MR. CHAIRMAN : The question is :

"That the Bill further to amend the Lighthouse Act, 1927, be taken into consideration."

The motion was adopted

MR. CHAIRMAN : The House will now take up clause by clause consideration of the Bill.

The question is :

"That clauses 2 to 9 stand part of the Bill".

The motion was adopted

Clauses 2 to 9 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI Z.A. ANSARI : I beg to move :

"That the Bill be passed".

MR. CHAIRMAN : The question is :

"That the Bill be passed"

The motion was adopted

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**NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES
BILL**

[English]

MR. CHAIRMAN : Now we will take Item No. 11, Narcotic Drugs and Psychotropic Substances Bill.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY) : On behalf of Shri Vishwanath Pratap Singh, I beg to move* :

“that the Bill to consolidate and amend the law relating to narcotic drugs, to make stringent provisions for the control and regulation of operations relating to narcotic drugs and psychotropic substances and for matters connected therewith, be taken into consideration.”

Statutory control over opium and other narcotic drugs (except cannabis) has in the past, been exercised in India mainly through three Central enactments, i.e. the Opium Act, 1857, the Opium Act, 1878 and the Dangerous Drugs Act, 1930. Control over cannabis group of drugs like charas, ganja, etc., is exercised through laws enacted by the State Governments. With the escalation in the illicit drug traffic and drug abuse at the national and international levels over the years, many deficiencies in the existing laws have come to notice. Some of the important deficiencies are, the low scales of punishments particularly against offences relating to trafficking in drugs, which are not found to be sufficiently deterrent to meet the challenge of well organised gangs of smugglers, absence of provisions for effective control of psychotropic substances which are new drugs of abuse, lack of adequate provisions for implementation of international treaties relating to narcotic drugs and psychotropic substances to which India has become a party.

Sir, as the Hon. members are aware, India has, in recent years, become vulnerable to trafficking in drugs as a transit country. India, geographically sandwiched between two chief illegal drug producing regions, i.e.

Near and Middle East and South East Asia, has emerged as a transit country in drugs which are smuggled through our country mainly to Western countries. Recent reports coming from various sources also indicate escalation in drug abuse in the country. Therefore, unless stringent measures are taken to meet the developing situation in the field of illicit traffic in drugs and drug abuse, there may be further deterioration of the situation.

Sir, the Government is fully conscious of the need for removing the deficiencies and inadequacies in the existing laws and to provide for deterrent punishment particularly for trafficking in drugs. The Hon. members will recall that the developing illicit traffic situation was discussed in this House during the course of a Calling Attention Notice on the subject on 7.8.1985 and an assurance was given that a comprehensive legislation will be brought forward before the Parliament during this Session. The present Bill is also in fulfilment of the said assurance given to the House.

The object of the Bill is the enactment of a comprehensive legislation on narcotic drugs and psychotropic substances which, *inter alia*, will consolidate and amend the existing laws relating to narcotic drugs, strengthen the existing controls over drugs of abuse, considerably enhance the penalties particularly for trafficking offences, make provisions for exercising effective control over psychotropic substances and make provisions for the implementation of international conventions relating to narcotic drugs and psychotropic substances to which India has become a party. The Bill will repeal the three existing Central enactments relating to opium and other narcotic drugs, i.e., the Opium Act, 1857, the Opium Act, 1878 and the Dangerous Drugs Act, 1930.

Under the scheme of the Bill, control over cultivation of opium poppy, production of opium, manufacture of alkaloids, export of opium and alkaloids for medical and scientific purposes, will continue to be controlled and regulated by the Central Government. Central Government's control will also extend to the manufacture of other manufactured narcotic drugs. Further, the Bill empowers the Central Government to exercise control over various operations in

* Moved with the recommendation of the President :

respect of psychotropic substances which are new drugs of abuse. The import into and export from India of all narcotic drugs and psychotropic substances, will, of course, be regulated and controlled by the Central Government.

The State Governments have been empowered mainly in the field of controlling and regulating internal operations like possession, transport, purchase, sale, inter-State movement, use, etc. of narcotic drugs only. Broadly, the distribution of the field of control between the Central Government and the State Government under the existing enactments is being retained in the proposed legislation.

The internal operations in respect of cannabis group of drugs, etc, charas, ganja, etc. are for the first time being brought within the ambit of the Central legislation through this Bill. Under the scheme of this Bill, the States will be empowered to control and regulate cultivation of cannabis plant for production of ganja and other internal operations in respect of cannabis. However, charas would continue to be completely banned. I may also like to mention here that while we have included ganja, apart from charas, within the ambit of the proposed legislation, we have excluded bhang from the coverage of the Bill.

A provision has been made in the Bill which saves the validity of the State laws or rules which impose any restriction or provide for a punishment greater in degree than what is now proposed in the Bill for the cultivation of cannabis plant or consumption of or traffic in any narcotic drug or psychotropic substance.

As regards punishments, we have made provisions for deterrent punishments in respect of trafficking offences, both internal and international. The minimum punishment for such offences provided in the Bill is rigorous imprisonment for 10 years which may extend to 20 years and also a minimum fine of Rs. 1 lakh or Rs. 2 lakhs. In respect of repeat offences of this nature, the proposed legislation provides for a minimum punishment of rigorous imprisonment of 15 years which may extend to 30 years and also for a minimum fine of Rs. 1.5 lakhs which may extend to Rs. 3 lakhs.

While the aforesaid punishments would be attracted in respect of offences relating to various narcotic drugs (including charas or hashish) and psychotropic substances. Regarding offences relating to cannabis cultivation and ganja the proposed legislation provides for a maximum term of rigorous imprisonment of 5 years and maximum fine of Rs. 50,000. For repeat offences relating to the same, the rigorous imprisonment may extend to 10 years and fine to Rs. 1 lakh.

In the matter of punishments, we have provided for a different treatment to drug abusers and drug addicts. The proposed punishment for consumption of hard drugs like cocaine, morphine or heroin or any other notified narcotic drug or psychotropic substance or for illegal possession of the same in a small quantity for personal consumption is 1 year's imprisonment or fine or both. In the case of an addict found guilty of an offence of consumption of any narcotic drug or psychotropic substance or in possession of the same in a small quantity for personal consumption, the court is proposed to be empowered to release an offender on probation for medical treatment for de-addiction etc.

The Bill also contains a provision empowering the Central and State Governments to establish centres for identification, treatment, etc. of addicts.

In the field of enforcement and for exercising powers of search, seizure, arrest, etc. both the Central as well as the State enforcement agencies have been, under the existing laws, exercising necessary powers. These common powers of enforcement in respect of Central and State agencies would continue with the addition of a few more Central agencies as a result of which the officers of Customs, Excise, Narcotics, Revenue Intelligence, Border Security Force, Police (including CBI), Drugs control, State excise, revenue, etc. could be authorised for exercising powers of enforcement. The Central agencies which, under the existing central laws relating to narcotic drugs, are not empowered for investigation of offences, may now be empowered under the proposed legislation for such purposes.

The Bill also contains a provision whereunder the Central Government may constitute

an authority or a hierarchy of authorities for the purpose of exercising specified powers of the Central Government.

Sir, I am sure that with the provisions proposed in the Bill some of which I have briefly mentioned in my speech, the Government would be able to combat the increasing menace of drug trafficking and drug abuse effectively and more successfully.

Sir, I move.

MR. CHAIRMAN : Motion moved :

"That the Bill to consolidate and amend the law relating to narcotic drugs, to make stringent provisions for the control and regulation of operations relating to narcotic drugs and psychotropic substances and for matters connected therewith, be taken into consideration."

Mr. Daga, are you moving your amendment ?

SHRI MOOL CHAND DAGA (PALI) : Yes; I beg to move :

That the Bill to consolidate and amend the law relating to narcotic drugs, to make stringent provisions for the control and regulation of operations relating to narcotic drugs and psychotropic substances and for matters connected therewith, be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely :—

- (1) Shri Basudeb Acharia
- (2) Shri Amitabh Bachchan
- (3) Shri A. Charles
- (4) Smt. Geeta Mukherjee
- (5) Shri Shantaram Naik
- (6) Shri C. Madhav Reddy
- (7) Shri S. Jaipal Reddy
- (8) Shri Saleem I. Shervani
- (9) Shri Vishwanath Pratap Singh
- (10) Shri Mool Chand Daga

and 5 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a the next report to this House by the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 5 members to be appointed by Rajya Sabha to the Joint Committee. (1)

[Translation]

SHRI MANOJ PANDEY (Bettiah) : Mr. Chairman, Sir, I rise to heartily support the Narcotic Drugs and Psychotropic Substances Bill, 1985. You would, perhaps, remember that a Calling Attention Notice on Narcotics was discussed in this august House a few days ago. That motion had a mention about Narcotic Drugs, but the name of Psychotropic substances was not there. At that time, many Hon. Members had thrown light on Narcotic Drugs and the Hon. Minister had then said that they were going to bring forward a comprehensive Bill. It is a matter of happiness that the Hon. Minister has brought forward a very good and comprehensive Bill in this House in such a short time.

SHRI MOOL CHAND DAGA : Have you seen narcotic drugs ?

SHRI MANOJ PANDEY : Not only I have seen them, but I have also given treatment for such drugs. Therefore, Shri Dagaji, you must listen carefully what I am saying. First of all, I want to say something about that plant. Narcotic Drugs are derived mainly from three plants—the first is opium, the second is cannabis and the third is cacao. Opium has many derivatives and alkaloids of

which Penethrine Derivatives are the major ones which include three categories, i.e. morphine codeine and thebaine. Earlier, Morphine was used in its crude form. Fifty to Sixty or even hundred years ago, the plant itself was used to be eat. Morphine is administered at times of excruciating pain. But today, Morphine and derivatives of Morphine, as you have said Heroin, have been chemically synthesised. Now these are not taken in crude form. Rather these have been chemically synthesised and these are used in many conditions. As you have mentioned about heart-attack, in that case morphine is used and doctors prescribe it. Psychotropic drugs are also being used increasingly. In this age, more the modernisation, more is the tension. In a way the curse of the modernisation is tension. It is obvious that wherever there is a new venture with mechanisation tension increases and to lessen the tension psychotropic drugs are taken. In today's world, you would have seen, heard and read that in most of the cases psychotropic drugs are not used on the doctors' prescription. The people get these drugs from the shopkeepers in one way or the other and subsequently become addicts of these drugs. The most abhorrent aspect of present day life is addiction. Addiction is of two types. First type of addiction is called psychological dependence. The people who smoke or chew 'paan',—our Mushran Saheb chews paan as well as 'zarda' and I also chew it—are dependent on it. This dependence is called psychological dependence. When you get rid of psychological dependence, there is no action or reaction. One feels restive for few days. After that period, the restlessness is over. Usually, it is over between 24 hours to 48 hours. The maximum reaction is from psychotropic drugs and narcotic drugs and one becomes physically dependent on them. It is the most dangerous phase in one's life. If some one becomes physically dependant on morphine, he takes morphine injection. He requires morphine in any form. For this he can go to any extent. The beginning of any addiction is just for fun's sake which later on proves fatal. It is the harbinger of the death.

Mr. Chairman, Sir, it should be understood that all the narcotic drugs and psychotropic drugs do not result in physical dependence, majority of them do result in this sort of dependence. Many of the drugs

which have been included in this list are in conformity with the United Nations Conference held in New York in March 1961 and Vienna Convention held in February, 1971. These have been kept under its purview. But most of the drugs which have been prescribed, result in physical dependence. Kindly think of an addict who has become narcotic, has become physically dependent on that drug. To get that drug he can break all the conventions and systems of his family, other members, neighbour and society and can throw all the norms to winds. He can go to the extent of taking some one's life or even giving his own life. Similar is toxic effect of heroin. The heroin addict suffers from illusion. He thinks as if he is flying in the air. He develops a sense of well being. He thinks that he is superior and totally fit. In that illusion, he thinks that he is ascending the stairs but he may jump down. It has happened several times. Majority of heroin addicts have died from a fall from the staircase. This is the ultimate fate of a heroin addict. The heroin addicts who survive this death become victim of schizophrenia. When a schizophrenic patient stoops to the worst, he indulges in heinous activities as he cannot escape it. The Hon. Members will come to know about it when they themselves see a schizophrenic case. When he comes to the worst, he will have no option but to commit suicide.

The doctors of the mental hospitals or the psychologists to whom such cases are referred and who treat them know this. I also know because I have treated such cases. Such cases are a challenge to the society. This is good that the addicts have been excluded from this Bill because to "de-addict" the addicts, small doses of the drugs have to be given and this drug is given on doctor's prescription. For this a licence is required.

The most important point is that we should understand this thing and become vigilant against this tendency. Bringing of this type of Bill was a necessity. This Bill should be read mainly in four parts. The first part relates to import-export of these drugs. It is very necessary to stop the incoming of these drugs from other countries and *vice versa*. For this all provisions have been made in the Bill. Stringent measures were required to be taken in this connection

and these have been taken. It is a matter of happiness. [English]

The second part, which is an important one, is its farming. Mr. Chairman, Sir, I come from an area which is located on the Indo-Nepal border. In Nepal its farming is done on a large scale and the farmers there who produce this have become millionaires. The farmers engaged in this farming are benefited in four ways.

There are three plants, namely opium cannabis and cocoa. There is not a single plant out of these three plants which is not beneficial in four ways. The fruits, leaves, stems and the roots earn money for the farmers. Mr. Chairman, Sir, have you heard of such type of farming wherein one produce yields fourfold profits ? No one has heard so far of another commodity which earns profit in four ways. Mr. Chairman, Sir, it is very important to know this and I would request the Hon. Finance Minister to listen to me that fourfold profit is earned from this plant. The farmers growing these crops in Nepal are not less than millionaires. In our country also there are such farmers....(Interruptions) Kindly give me two minutes more. This crop is grown on the Indo-Nepal border area.

MR. CHAIRMAN : Please conclude.

[Translation]

SHRI MANOJ PANDEY : These crops are grown in large quantity and the produce smuggled into the country. This fetches handsome price and many people, who belong to the lowest as well as the higher section of the society are engaged in this work and this is the main source of income of the people of the area.

First of all we will have to show the right path to those who are new. The other day Shri Amitabh was telling that children in the age group of 4 to 8 years take this drug.

[English]

MR. CHAIRMAN : You may continue your speech next day. We will now adjourn.

19.30 hrs.

*The Lok Sabha then adjourned till
Eleven of the Clock on Wednesday,
August 28, 1985/Bhadra 6, 1907 (Saka).*