

LOK SABHA

**THE UNIVERSITY GRANTS
COMMISSION BILL, 1954**

(Report of the Joint Committee)

PRESENTED ON THE 29TH JULY 1955



**LOK SABHA SECRETARIAT
NEW DELHI
*July, 1955***

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THE UNIVERSITY GRANTS COMMISSION BILL 1954

Composition of the Joint Committee

LOK SABHA

1. Shri Narhar Vishnu Gadgil—*Chairman*

MEMBERS

2. Shri V. B. Gandhi
3. Shri Jethalal Harikrishna Joshi
4. Shri R. V. Dhulekar
5. Shri Birbal Singh
6. Pandit Algurai Shastri
7. Shri Syamnandan Sahaya
8. Shri T. S. Avinashilingam Chettiar
9. Shri S. Sinha
10. Shri T. N. Vishvanatha Reddy
11. Shri A. M. Thomas
12. Shri N. Rachiah
13. Shri Diwan Chand Sharma
14. Giani Gurmukh Singh Musafir ~
15. Shri Radhelal Vyas
16. Mulla Abdullahai Mulla Teherahi
17. Shri Krishnacharya Joshi
18. Pandit Lingaraj Misra
19. Dr. Mono Mohon Das
20. Shri Rameshwar Sahu
21. Shri Jaipal Singh
22. Shri Hirendra Nath Mukerjee ~
23. Shri K. M. Vallatharas
24. Shri B. Ramachandra Reddi
25. H. H. Maharaja Rajendra Narayan Singh Deo
26. Shri B. H. Khardekar
27. Shri Meghnad Saha ~
28. Shri Sivamurthi Swami
29. Shri P. N. Rajabhoj
30. Maulana Abul Kalam Azad ~

RAJYA SABHA

31. Shri Indra Vidyavachaspati
32. Dr. M. D. D. Gilder
33. Dr. P. Subbarayan
34. Dr. Radha Kumud Mookerji
35. Dr. Raghu Vira
36. Dr. P. V. Kane
37. Maulana M. Tayyebulla
38. Shrimati Mona Hensman
39. Shri T. V. Kamalaswamy
40. Shri Kishen. Chand
41. Shri J. V. K. Vallabharao
42. Dr. A. Ramaswami Mudaliar
43. Dr. Zakir Hussain
44. Shri C. C. Biswas
45. Dr. K. L. Shrimali.

DRAFTSMAN

Shri R. S. Sarkar—*Joint Secretary & S. A. Draftsman,
Ministry of Law.*

SECRETARIAT

Shri P. K. Patnaik—*Under Secretary.*

Report of the Joint Committee

I the Chairman of the Joint Committee to which the *Bill to make provision for the co-ordination and determination of standards in Universities and for that purpose, to establish a University Grants Commission was referred, having been authorised to submit the report on their behalf, present their Report, with the Bill as amended by the Committee annexed thereto.

2. The Bill was introduced in the Lok Sabha on the 30th September, 1954. The motion for reference of the Bill to a Joint Committee of the Houses (*Vide* Appendix I) was moved by Dr. Mono Mohon Das on the 18th December, 1954, discussed in the House on the 18th December, 1954, as well as 22nd and 28th February, 1955 and adopted on the 28th February, 1955.

3. The Rajya Sabha discussed the motion on the 15th, 16th and 21st March, 1955, and concurred in the said motion on the 21st March, 1955 (*Vide* Appendix II).

4. The message from Rajya Sabha was read out to the Lok Sabha on the 22nd March, 1955.

5. The Committee held ten sittings in all.

6. The first sitting of the Committee was held on the 2nd April, 1955, to draw up a programme of work. At this sitting, the Committee also had a general discussion on the provisions of the Bill, which was continued at the second sitting held on the 18th April, 1955.

7. The Committee took up clause by clause consideration of the Bill on the 19th April, 1955, which was continued at further sittings on 21st April, as well as 4th, 5th, 6th and 7th July, 1955 and concluded on the 9th July, 1955.

8. The Committee sat in Poona from the 4th July to the 9th July, 1955 and held five sittings there, with the permission of the Speaker.

9. A motion for extension of time for presentation of the Report of the Committee upto the 30th July, 1955, was moved in the Lok Sabha on the 29th April, 1955 and adopted.

10 The Committee considered and adopted the Report on the 26th July, 1955.

* Published in Part II, Section 2 of the *Gazette of India, Extraordinary*, dated the 30th September, 1954.

11. The observations of the Committee with regard to the principal changes proposed in the Bill are detailed in the succeeding paragraphs.

12. *Clause 2.*—The Committee consider that the University Grants Commission should have power to deal not only with constituent colleges but also other colleges affiliated to the University. At the same time, they realise that the number of affiliated colleges being very large, it would not be possible within the limited resources of the Commission to deal with all of them. The Committee therefore, are of opinion that the Commission should be empowered to recognise such institutions as it thinks proper on the recommendation of the University concerned and in accordance with the regulations to be made in this behalf.

Clause 2(f) has therefore been amended accordingly.

13. *Clause 5.*—The Committee are of opinion that the University Grants Commission should consist of a fixed number of Members and in their opinion the number should be nine. Of them, not less than three should be chosen from among the Vice-Chancellors of Universities and there should be only two representatives of the Central Government in the Commission. The remaining number should be chosen from among persons who are educationists of repute or who have obtained high academic distinction. They consider that out of this remaining number at least one-half should be non-officials.

The Committee are also of opinion that the Chairman of the Commission should be a non-official member thereof.

The Clause has therefore been re-drafted accordingly.

14. *Clause 6.*—The Committee feel that the Government should not have discretion to terminate the appointment of a Member of the Commission. They consider that rules relating to disqualifications for being appointed and continuing as a Member of the Commission should be framed and a Member shall cease to continue as such if he incurs any such disqualification.

Sub-clause (1) has accordingly been amended.

The Committee also feel that there need not be any specific provision that the Chairman should be a whole-time officer. Sub-clause (4) has therefore been amended.

15. *Clause 10.*—The change is merely of drafting nature.

16. *Clause 12.*—The Committee are of opinion that the University Grants Commission should perform its functions in consultation with the Universities or the Inter-Universities Board or other Bodies concerned. They consider that the duties of the Commission should be more specifically stated to include promotion and co-ordination of University education and determination and maintenance of standards of teaching, examination and research.

Slight drafting changes have been made in the proviso to clause 12(b) and also in sub-clause (c). The Committee consider that sub-clauses (e) and (g) are unnecessary.

The Committee are of opinion that one of the functions of the Commission should be to collect information on University education in India and abroad and to make such information available to the various universities.

The clause has therefore been suitably re-drafted.

The Committee feel that the development of regional languages should be one of the purposes for which the Commission should make grants. The Committee have noted the assurance given on behalf of the Government that the Commission will give due consideration to the importance of the development of the languages mentioned in the Eighth Schedule to the Constitution.

17. *Clause 13.*—The Committee are of opinion that the scope of inspection of the Universities by the University Grants Commission should be clearly defined. Such inspection should be undertaken mainly for the purpose of ascertaining the financial needs of the University or its standards of teaching, examination and research. Such inspection may be made of any department or departments of the University.

Sub-clauses (1) and (2) have been re-drafted accordingly. Changes made in sub-clauses (3) and (4) are of a consequential nature.

18. *Clause 14.*—The Committee consider that it is not necessary to empower the University Grants Commission to advise the Central Government or a State Government as to the course of action to be taken by them in the event of any recommendation of the Commission not being complied with by a University.

The clause has therefore been amended accordingly.

19. *Clause 18.*—The Committee are of opinion that the University Grants Commission should submit its report only annually

and not six monthly as provided in the Bill. They are also of opinion that the reports of the Commission should be placed before both Houses of Parliament.

The clause has been revised accordingly.

20. *Clause 20.*—The Committee are of opinion that the directions of the Central Government to the University Grants Commission should be restricted to questions of policy relating to national purposes only.

Sub-clause (1) has been amended accordingly. The change made in sub-clause (2) is consequential.

21. *Clause 22.*—The change made in sub-clause (1) is merely consequential upon amendment of the definition of 'University' in clause 2(f).

There are various institutions in India other than Universities, which are granting diplomas and degrees. The Committee are of opinion that it would be sufficient if a list of recognised degrees is published and institutions other than Universities are debarred from granting any such recognised degrees. To give effect to this intention a new sub-clause (3) has been inserted.

Doubts have been raised whether this clause imposes certain restrictions on the powers of the State Legislatures and whether 'Education' being a State subject, the validity of this clause may not be questioned.

The Committee, however, feel that the matter should be left to be decided by the House.

22. *Clause 23.*—There are some institutions which have the word 'University' associated with their name. The Committee consider that they should be given some reasonable time in order that they may, if they so desire, try to be incorporated as Universities.

A proviso to clause 23 has accordingly been added.

23. (*Original clause 25*).—The Committee consider that this clause is unnecessary.

It has therefore been omitted.

24. *Clause 25 (Original clause 26).*—Sub-clause (2) has been amended to provide for the rules relating to the disqualification for continuing as Members of the University Grants Commission.

The Committee consider that all rules made under this section should be laid before both Houses of Parliament. A new sub-clause (3) has accordingly been inserted.

25. *Clause 26 (Original clause 27).*—A new sub-clause has been inserted to empower the University Grants Commission to make regulations specifying the institutions or class of institutions which may be recognised by the Commission under clause 2(f). The existing sub-clauses (d), (e) and (f) have been re-numbered as sub-clauses (e), (f) and (g) respectively.

The Committee are of opinion that the Commission should not be required to take previous approval of the Central Government while making regulations under sub-clauses (e) to (g).

A new sub-clause (2) has therefore been inserted.

26. The Joint Committee recommend that the Bill as amended be passed.

NEW DELHI;
The 26th July, 1955.

N. V. GADGIL,
Chairman,
Joint Committee.

Minutes of Dissent

I

I append the following minutes to the report of the Joint Committee on the University Grants Commission Bill:—

1. In clause 2(f) the scope of the Bill, namely the institutions to which help may be given by U.G.C. are specified. There was difficulty in making a distinction between constituent and affiliated colleges, and as the number of colleges is over 900 and the amount of money which may be provided by the Government of India is not commensurate with this number, it is proposed to limit the number of institutions to which U.G.C. may give grants by providing 'includes any such institution as may, on the recommendation of the University concerned and recognised by the Commission.....'. This may lead to favouritism towards certain colleges. I would like that the Parliament should lay down the scope, though some discretion may be given to the Commission in certain exceptional cases. In the present circumstances, this help may be made available to post-graduate and what are called second degree courses, as maintenance of standards will generally depend upon these courses being maintained with proper efficiency. This I understand is also the opinion of the Government. I think it will be good to provide for it in the Bill itself.

2. In clause 6(4) the word 'whole time' has been omitted. The U.G.C. in England has many full time members. It may be that as the work increases some of the other members also may have to be whole time. But now at least the Chairman must be whole time.

3. Clause 12 describes the functions and powers of the Commission. The Joint Committee report on clause 12 says "The Committee feel that the development of regional languages should be one of the purposes for which the Commission should make grants. The Committee have noted the assurance given on behalf of the Government that the Commission will give due consideration to the importance of the development of the languages mentioned in the Eighth Schedule to the Constitution." The matter of development of the various Indian languages is a matter of utmost importance for the future development of India. As the House is aware these assurances contained in the report of the Committee do not bind the Commission appointed under the Act, unless it forms part

of the Act itself. I would like that to be specifically mentioned, by an amendment to the clause in Sub-clause (b).

4. Clause 20 gives power to the Central Government to give directions to the Commission on questions of policy. Such a provision is generally found in many enactments and it may be necessary here also. But about 'what is a question of national policy' there has been a variety of opinions expressed by the various Universities. The Joint Committee has sought to limit by adding the words 'relating to national purposes' which do not seem to clarify matters very much. While the power may be retained, it must be limited by such words and phrases as may relieve the fears expressed by some of the Universities.

T. S. AVINASHILINGAM CHETTIAR.

NEW DELHI;
The 26th July, 1955.

II

I agree to the Report of the Joint Committee but differ from it as to certain points which in my opinion should claim prior attention from the University Grants Commission. The first is that the Commission must address itself primarily to the dynamic task of financing such developments and expansion of University education as is necessary to meet the challenge of the present age in regard to technological, aerial and atomic developments, in preference to the task of what has been called 'co-ordination, determination, and maintenance of standards' as between the Universities.

The conditions of the Atomic age and the new scientific environment of the world call for a considerable overhaul in the programme of scientific and technological studies pursued so far in the Universities and other allied institutions. As was pointed out by a recent Royal Commission (the Asquith Commission) on the Universities of Oxford and Cambridge, more emphasis must now be laid by the higher educational institutions of the country on the study of subjects like (1) Ballistics, (2) Meteorology, (3) the structure of atmosphere, (4) Aerial Flight, (5) Compasses for Air Planes, aerial photography and bombing sights, (6) Sound-ranging, together with certain other subjects as elements of Defence Science such as (1) Short-wave study, (2) Non-linear Equations, (3) Servo-Mechanisms, (4) Thermo-dynamics, (5) Nuclear Physics, (6) Nuclear Technology, (7) Reactor Engineering, (8) Medical and Biological Appliances of Atomic Energy, (9) Radiological Physics, (10) Industrial Application of radio active products and (11) Atomic Biology and Medicine.

Again, in the field of higher rural education, the study of some new subjects is equally called for, subjects like Soil Improvement Engineering, Water Control Engineering Food processing, Refrigeration Chemurgic Engineering, Mineral Processing and Rural Arts and Crafts. The study of these subjects is necessary for solving the vast and varied problems of rural reconstruction in which lie the foundations of India's economy and civilization. The interests of the country side should now claim as much attention as urban interests.

The emergence of these new subjects means that the Universities should not lag behind in this progress of Science and Technology and remain out of date by continuance of the study of subjects that are rendered obsolete or are out-moded by new processes.

It should be the primary duty of the University Grants Commission to take stock of the existing educational situation and finance the pursuit of these new studies in properly equipped Laboratories and Workshops. A lesson may be taken from the working of the Massachusetts Institute of Technology at Boston, which has organised studies in over 900 different technological subjects under 1,171 Professors who teach 4,874 students distributed among these 900 specialised studies.

The ratio of the number of Teachers to Taught also deserves the immediate attention of the Commission so as to give proper scope to the principle of individual treatment and personal instruction of the pupils for the development of their personality, and their training in discipline, corporate life, and citizenship, as the best means of solving present day problems of studentship. In this connection, the Commission should consider how it can help to build up the colleges as centres of life and light, of discipline and research under tutorial supervision on the lines of colleges like Balliol or All-Souls at Oxford and Trinity and St. John's at Cambridge, which bring credit to the Universities themselves and best embody their ideals and traditions.

Apart from these general considerations, I have to suggest some matters of detail.

In my opinion, the President should appoint the Chairman of the Commission.

As the Commission's main purpose is to finance expansion and development to be achieved in a long term, such financing should take the form of Block Grants for a period of five years, as is the practice of the U.K. Committee. The annual recurring grants will serve the current needs in the working of the Universities. A Block

Grant is necessary for the proper planning of projects for development. Uncertainty of finance will seriously affect such planning, and the integration of its parts into a whole or a system so that the parts may fit into it as required.

It should be more clearly stated that the Commission's review or inspection of the work of the Universities will be strictly limited to the functions and duties assigned to it under the Act and will not be of a general or inquisitorial character.

Again, it should be legitimate object of the Commission to give grants for instituting Free-studentship, Stipends, Scholarships and Fellowships to be awarded by the Universities to deserving students. It may be noted that in U.K. during 1949—51, 73 per cent. of students got such stipends against only 10 per cent. of the total enrolment in India. The idea is that no student of merit should be deprived of the highest education by poverty.

Lastly, I hold that the period of membership of the Commission should be reduced from 6 to 4 years during which Vice-Chancellors appointed as members as such should continue as Members even if they cease to be Vice-Chancellors.

RADHA KUMUD MOOKERJI.

NEW DELHI;

The 26th July, 1955.

III

I am constrained to write this Minute of Dissent as in my opinion, the Bill in its present form will hamper the proper and full growth of the Universities by making them subservient to the U.G.C. and taking away a good bit of their autonomy.

In the setting up of many institutions and commissions, we consciously adopt the practice of U.K. and in the course of discussions on this Bill the working of the U.G.C. in U.K. and the opinions of its illustrious Chairman were extensively quoted. Honourable members know that the U.G.C. of U.K. is only an *ad hoc* Committee set up by the Chancellor of the Exchequer to disburse some funds given to it and it is not governed by any rules or regulations. Such a body is quite different from the U.G.C. envisaged in our Bill. Our U.G.C. will be a handle by which the Government of India will control the universities by pulling the purse strings. Like other imitators, we have mistaken the husk for the grain. Freedom of thought is even more important than freedom of speech for the latter follows the former.

I submit that the sole and only purpose of the U.G.C. should be encouragement of research, utilisation of all available resources for it, avoidance of duplication where necessary and granting of funds to Universities and colleges without question or condition whenever it thinks that any particular institution is capable of doing good work.

University education is a State subject and the States should be responsible for the maintenance of the Universities, their constituent and affiliated colleges. The centre should not take upon itself any responsibilities in the matter. The U.G.C. will give grants where it thinks that it is helping a University in achieving its *raison d'être*, the advancing of the bounds of knowledge. To achieve this ideal the following amendments in the Bill are suggested.

(1) The long title and the preamble to be changed in order to stress this point.

(2) Clauses 5 and 6 define the membership of the Commission. Considering that the Commission is likely to give grants to the extent of Rs. 5 crores and will be dealing with nearly 35 Universities with all their multifarious branches of learning a Commission of 9 members with only one salaried member the Chairman is quite insufficient to cope with the work. Either the membership will have to be considerably enlarged or the number be restricted to six salaried persons with powers to co-opt any number for any specific purpose. Even with this number the cost of the Commission will not exceed Rs. 2½ lacs which is only half a per cent of the amount disbursed. Regarding composition, three of them must be persons who are or have been Vice-Chancellors of any recognised university for a period of at least 2 years. The insistence on present Vice-Chancellors only as suggested in the Bill will lead to great difficulties and frequent changes. Only one Government official may be nominated as member to represent the Finance Ministry. The remaining two should be eminent educationists or persons holding high academic qualifications.

(3) The period of six years is too long, it should be reduced to four years; half the number retiring every two years.

(4) Clause 12 defines the functions and powers of the Commission and these require fundamental changes. The present Bill is drafted on a wrong understanding of entry 66 in list one of the Seventh Schedule. The co-ordination and determination of standards do not imply the setting up of a super inspection body for degree courses. It refers to the co-ordination of research so as to avoid duplication and make the fullest use of available resources; while determination

of standards refers to the quality and originality of research. Often research degenerates into re-research or re-exposition of already known knowledge.

(5) Clause 13 and 14 relate to inspection and withholding of grants. These must be altered in the light of the amendments suggested above.

(6) Clause 20 gives power to the Central Government to decide questions of policy. The U.G.C. is being set up to decide questions of policy regarding higher education and to interpret the spirit and the culture of the Indian people. If the Central Government or the Education Ministry is to lay down the policy then there is no need for a U.G.C. The Education Ministry may appoint a committee to disburse the funds allotted to it and perform the functions of an inspecting body on behalf of the Ministry.

KISHEN CHAND.

NEW DELHI;

The 26th July, 1955.

IV

University autonomy is basic to democracy in education and education for democracy. The concept of educational planning and engineering is also essential in a modern Society, and, therefore, any agencies set up for educational planning must be democratically constituted so that the criterion for determining such planning will be the claims of individual and academic freedom compatible with the needs of Society rather than the policies of the Government administrations.

A careful analysis of the composition of the University Grants Commission, as envisaged in this Bill, reveals that there is the inherent danger that it may become another department of Government. A Commission of nine members has been recommended and all the nine are to be nominated by the Union Government. Of this number *two* will be "officers of the Central Government" and two more may also be representatives of the Government for the proviso to Section (5) permits *four* members being officers of the central or State Governments.

The power to nominate is potentially dangerous and even one member who is "creature" of Government will thus create an imbalance in the independence of the Commission and jeopardise the autonomy of the Universities and undermine academic freedom.

For the Commission to inspire confidence it must be so structured that the non-official element is overwhelmingly evident.

I recommend that the Commission should have only *one* Government representative to explain Government policy to the Commission and act as a liaison officer between the Commission and the Government. I am confident that if the educational policies of the Government are intrinsically sound and in consonance with the ideals of democracy then there is no danger of a body of independent educationists of repute thwarting such policies or acting as a brake against their achievement.

B. H. KHARDEKAR.

NEW DELHI;

The 27th July, 1955.

V

At present there is only one permanent whole time member, that is the Chairman of the Commission. Every one else is his subordinate. I consider this to be very un-satisfactory. In my opinion in addition to the permanent Chairman of the Commission, there should be four other permanent whole time employees having almost the same rank as the Chairman. They should be of the rank of University Professors and specialists in Arts, Science, Engineering and Medicine, respectively.

This does not interfere with clause No. 5 which defines the Constitution of the Policy making body which may be as laid down, plus the members just mentioned.

The Policy making body meets very in-frequently and every one excepting the Chairman are only part-timers (they will come to Delhi or other places only for the meeting).

The Constitution as it stands gives the whole power to the Chairman and this is a very un-satisfactory feature. The amendment which I am proposing will provide the Commission with four specialists and a Chairman who will be able to give their whole time to the study of different subjects and the needs of the Universities. This is in line with the constitution of the University Grants Commission of Great Britain.

I have read the report before giving my minute of dissent.

M. N. SAHA.

NEW DELHI;

The 28th July, 1955.

Certain substantial improvements have no doubt been made in the Bill by the Joint Committee, but I fear it still leaves much to be desired. I am, therefore, constrained to append this Note.

What the country needs badly today is expansion, improvement and also co-ordination of teaching and research in our Universities—in short, more and better education at every level, including the highest. I am unhappy, however, that in the long title of the Bill, “determination of standards” continues to feature prominently. Such determination should be made normally by the Universities themselves or whenever necessary, by agencies of academic consultation like the Inter-Universities Board. If the University Grants Commission, linked as it is with Government in this Bill, proceeds, as it very well may, to call the tune in Universities because, to a certain extent, it pays the piper, a deplorable situation will be created. I say this, not on account of an abstract conception of University autonomy; much as it should be cherished, such autonomy cannot be an absolute right. But I am convinced that in practice the Commission will be endowed with powers so temptingly wide that it will try to make the most of them, and the result will be interference which, as was feared in the United Kingdom, “may be political interference....(or) just tidy-minded administration, the passion for standardisation” (“Sixth Congress of the Universities of the Commonwealth”, 1948, p. 12). I fear that in the name of co-ordination and determination of standards, there may be stereotyping of University courses and policies. If it happens, it will be a disaster, for our country is large and variegated, and our people have tremendous, and yet untapped talents, which should be nurtured and developed in different ways and in a context of real freedom.

I wish clause 2 was improved upon drastically, and affiliated colleges boldly brought inside the ambit of this Bill. By and large, affiliated colleges where students prepare for the degree course have been performing an important service. Most of them have had to function so precariously, on account of lack of finances, that the very continuation of their existence is a near-miracle. They are, often enough, memorials to the educational idealism of our people, for derided by the powers that be and bereft of the resources they deserved but never had, they have carried on Government's plea that their number is large and so they cannot be adequately assisted, is a lame one. We have heard this plea too often and too long for our patience. This is not just my own personal reaction. In essence, what I am saying has been said by a sedate and authoritative body like the University Education (Radhakrishnan) Commission six years ago.

I would like to alter Clause 5 somewhat basically. I disapprove of Government nominating all members of the Commission. I do not know why in a country like ours we shall have only nine members, and I suggest we have seventeen. Of them, ten could be elected by the teaching and research staff of various Universities, three elected from among themselves by Vice-Chancellors, two co-opted by the thirteen thus elected, and after 'Government nominated a further two, the whole body could choose its own Chairman. I see no reason why Vice-Chancellors will rather have three of their number nominated by Government, than sit down together and decide which three of them could serve on the Commission. Election by the teaching and research personnel, on the basis of rules to be framed later, will imply direct association of the people most concerned in the tasks of the Commission. In the present set-up of things, I cannot agree to Government's complete control of the composition of the Commission. What is most needed in the Commission is a pre-eminently academic atmosphere, always remembering, of course, that in a changing society like ours, academicians cannot and do not live hermit-like in book-lined cells but participate in their own way in the tasks of society.

I feel there is a lacuna in the Bill in so far as it does not provide for the setting-up of regional Commissions as recommended in the Radhakrishnan Report.

The views of the Joint Committee regarding Clause 12 are important, specially in so far as they relate to the importance of regional languages in the scheme of higher education. To make things more precise, I wish a provision was laid down, ensuring that the Commission does not interfere in matters concerning the media of instruction and the details of teaching and administration in Universities.

My main fear is that as at present drafted, the Bill, in spite of improvements on the original formulation, will make the Commission virtually a direct agent of Government on matters of policy, and will not provide the country with more and better education on the scale and in the manner that is needed. I would not have said it if I had felt that the Authority in Delhi had the spirit of humility. To my regret I do not have such a feeling.

HIREN MUKERJEE.

NEW DELHI;

The 28th July 1955.

The University Grants Commission Bill, 1954, is enacted to make provisions for the co-ordination and determination of standards in Universities and for this purpose to establish a University Grants Commission. The Joint Committee has amended the original Bill but still the impression that one gets by reading the various clauses of the amended Bill is that the Commission will be a sort of the Department of the Government of India, which has been created to control the Universities in the country.

Section 12 lays down the powers and functions of the Commission, giving very wide powers. There is every fear of dual control—control from the State Government as well as from the Central Government. The State Government has also a certain measure of responsibility in regard to higher education and if a recommendation made by the Commission runs counter to the policy of the State Government the State Universities will be in a helpless position and they should not be penalised by a reduction in the grant to be paid to them. Therefore I want clause 12 and 14 to be amended as follows:—

Clause (12)(b) at the end after national purposes to serve, add:—

Without any interference in the matter of—

- (1) Medium of Instruction in the University.
- (2) Curriculum.
- (3) Day to day administration.

Clause (14)—Insert the words “which does not affect the financial or educational policy of the State Government” after the words in the second line “with any recommendation.....”

The only object of this suggestion is that the University should not be penalised for following the policy laid down by the State Government or the authority concerned. According to clause 12(b) University Grants Commission is fully justified to recommend the Universities to change their medium of instructions prevailing into Hindi the National language to serve the national purposes. But in the South Indian Universities and other non Hindi speaking States it can be hardly implemented. So in order to clear the misunderstanding of our people in the South, it should be made clear in the Bill itself in any form that in the name of national purpose or co-ordination, determination and maintenance of standards of teaching, commission should have no power to change the teaching language of a University. But it should have every

right to examine the academic standards obtaining in each university and also in controlling the expenditure for which it makes a direct grant. Almost all the University Vice-Chancellors of our country have represented their views unanimously that this Bill is going to effect the autonomy of the Universities. This apprehension is well founded in clauses 12, 13 and 14 of this Bill. In fact the commission itself is not an autonomous body. It will be entirely dependent on the Ministry of Education and the Vice-Chancellors will not be in a position to adopt a policy which is not appreciated by Government. The Vice-Chancellors who will be on the Commission, will be practically in a minority. There is no point in having persons other than the Vice-Chancellors. The phrase "educationists of repute or who have obtained high academic distinctions....." is beautifully vague. University representatives should be at least five and the Government representatives..... three and a Chairman appointed by the Government in consultation with the members selected for the purpose.

However in my humble opinion there is much scope in the Bill to be improved accordingly and gain confidence by removing some of the doubts raised by public as well as University Heads concerned.

I have read the Report before giving my Minutes of Dissent.

SIVAMURTI SWAMI.

NEW DELHI;

The 28th July, 1955.

THE UNIVERSITY GRANTS COMMISSION BILL, 1954

(AS AMENDED BY THE JOINT COMMITTEE)

(Words side-lined or underlined indicate the amendments suggested by the Committee; asterisks indicate omissions)

A

BILL

to make provision for the co-ordination and determination of standards in Universities and for that purpose, to establish a University Grants Commission.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

5 1. (1) This Act may be called the University Grants Commission **Short title and com-**
Act, 1955. **mencement.**

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,— **Definitions.**

10 (a) "Commission" means the University Grants Commission established under section 4;

(b) "executive authority", in relation to a University, means the chief executive authority of the University (by whatever name called) in which the general administration of the University is vested;

15 (c) "Fund" means the Fund of the University Grants Commission constituted under section 16;

(d) "member" means a member of the University Grants Commission and includes the Chairman;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "University" means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any such institution as may, on the recommendation of the University concerned, be recognised by the Commission in accordance with the regulations made in this behalf under this Act.

5

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Application
of Act to
institutions
for higher
studies
other than
Universities.

3. The Central Government may, on the advice of the Commission, declare, by notification in the Official Gazette, that any institution for higher education, other than a University, shall be deemed to be a University for the purposes of this Act, and on such a declaration being made, all the provisions of this Act shall apply to such institution as if it were a University within the meaning of clause (f) of section 2.

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CHAPTER II

ESTABLISHMENT OF THE COMMISSION

Establish-
ment of the
Commission.

4. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be established a Commission by the name of the University Grants Commission.

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(2) The said Commission shall be a body corporate having perpetual succession and a common seal, and shall by the said name sue and be sued.

25

Composition
of the Com-
mission.

5. (1) The Commission shall consist of nine members to be appointed by the Central Government.

(2) The members shall be chosen as follows:—

(a) not less than three members * * * from among the Vice-Chancellors of Universities; * * * *

30

(b) * * two members * * * from among the officers of the Central Government to represent that Government; and

(c) the remaining number * * * from among persons who are educationists of repute or who have obtained high academic distinctions: * * *

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Provided that not less than one-half of the number so chosen shall be from among persons who are not officers of the Central Government or of any State Government.

(3) The Central Government shall nominate a member of the Commission, not being an officer of the Central Government or of any State Government, to be the Chairman thereof.

(4) Every appointment under this section shall take effect from the date on which it is notified by the Central Government in the Official Gazette.

6. (1) Every member shall, unless he becomes disqualified for continuing as such under the rules that may be made under this Act, hold office for a period of six years : Terms and conditions of service of members.

10 Provided that out of the members (other than the Chairman and the members representing the Central Government) appointed for the first time under this section, as nearly as possible, one-half of the members shall retire, as soon as may be, on the expiration of the third year in accordance with such procedure as may be prescribed, and the vacancies so caused shall be filled by fresh appointment.

(2) A member may resign his office by writing under his hand addressed to the Central Government, but he shall continue in office until his resignation is accepted by the Central Government.

30 (3) A casual vacancy created by the resignation of a member under sub-section (2) or for any other reason shall be filled by fresh appointment.

(4) The office of the Chairman shall be a * * * salaried one and subject thereto, the terms and conditions of service of the Chairman and other members shall be such as may be prescribed.

25 7. The Commission shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations made under this Act. Meetings of the Commission.

30 8. No act or proceedings of the Commission shall be deemed to be invalid by reason merely of any vacancy in, or any defect in the constitution of, the Commission. Vacancies amongst members or defect in constitution not to invalidate acts or proceedings of the Commission.

35 9. (1) The Commission may associate with itself, in such manner and for such purposes as may be determined by regulations made under this Act, any person whose assistance or advice it may desire in carrying out any of the provisions of this Act. Temporary association of persons with the Commission for particular purpose.

40 (2) A person associated with it by the Commission under sub-section (1) for any purpose shall have a right to take part in the discussions relevant to that purpose, but shall not have a right to vote at a meeting of the Commission, and shall not be a member for any other purpose.

Staff of the
Commission.

10. Subject to such rules as may be made by the Central Government in this behalf, the Commission may appoint a Secretary and such other employees as it may think necessary for the efficient performance of its functions under this Act and the terms and conditions of service of the employees shall be such as may be determined by the Commission.

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Authentica-
tion of
orders
and other
instruments
of the Com-
mission.

11. All orders and decisions of the Commission shall be authenticated by the signature of the Chairman or any other member authorised by the Commission in this behalf, and all other instruments issued by the Commission shall be authenticated by the signature of the Secretary or any other officer of the Commission authorised in like manner in this behalf

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CHAPTER III

POWERS AND FUNCTIONS OF THE COMMISSION

Functions of
the Commis-
sion.

12. It shall be the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching, examination and research in Universities, and for the purpose of performing its functions under this Act, the Commission may—

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(a) inquire into the financial needs of Universities;

(b) allocate and disburse, out of the Fund of the Commission, grants to Universities for any general or specified purpose:

Provided that in making any such grant to a University, the Commission shall give due consideration to the development of the University concerned, its financial needs, the standard attained by it and the national purposes which it may * *

25

* serve;

(c) recommend to any University the measures necessary for the * * improvement of University education and advise the University upon the action to be taken for the purpose of implementing such recommendation;

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(d) advise the Central Government or any State Government on the allocation of any grants to Universities for any general or specified purpose out of the Consolidated Fund of India or the Consolidated Fund of the State, as the case may be;

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(e) advise any authority, if such advice is asked for, on the establishment of a new University or on proposals connected with the expansion of the activities of any University;

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(f) advise the Central Government or any State Government or University on any question which may be referred to the Commission by the Central Government or the State Government or the University, as the case may be;

5 (g) collect information on all such matters relating to University education in India and other countries as it thinks fit and make the same available to any University, if such information is asked for;

10 (h) require a University to furnish it with such information as may be needed relating to the financial position of the University or the * * studies in the various branches of learning undertaken in that University, together with all the rules and regulations relating to the standards of teaching and examination in that University respecting each of such branches
15 of learning;

(i) perform such other functions as may be prescribed or as may be deemed necessary by the Commission for advancing the cause of higher education in India or as may be incidental or conducive to the discharge of the above functions.

20 13. (1) For the purpose of ascertaining the financial needs of a University or its standards of teaching, examination and research, the Commission may, after consultation with the University, cause an inspection of any department or departments thereof to be made in such manner as may be prescribed and by such person or persons
25 as it may direct.

(2) The Commission shall communicate to the University the date on which any inspection under sub-section (1) is to be made and the University shall be entitled to be associated with the inspection in such manner as may be prescribed.

30 (3) The Commission shall communicate to the University its views in regard to the results of any such inspection * * and may, after ascertaining the opinion of the University, recommend to the University the action to be taken as a result of such inspection.
* * .

35 (4) All communications to a University under this section shall be made to the executive authority thereof and the executive authority of the University shall report to the Commission the action, if any, which is proposed to be taken for the purpose of implementing any such recommendation as is referred to in sub-section (3).

- Consequences of failure of Universities to comply with recommendations of the Commission.** 14. If any University fails within a reasonable time to comply with any recommendation made by the Commission under section 12 or section 13, the Commission, after taking into consideration the cause, if any, shown by the University for its failure to comply with such recommendation, may withhold from the University the grants proposed to be made out of the Fund of the Commission. * * * * 5
- Payment to the Commission.** 15. The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Commission in each financial year such sums as may be considered necessary for the performance of the functions of the Commission under this Act. 10
- Fund of the Commission.** 16. (1) The Commission shall have its own Fund; and all sums which may, from time to time, be paid to it by the Central Government and all the receipts of the Commission (including any sum which any State Government or any other authority or person may hand over to the Commission) shall be carried to the Fund and all payments by the Commission shall be made therefrom. 15
- (2) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Central Government, be decided by the Commission.
- (3) The Commission may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the Fund of the Commission. 20
- Budget.** 17. The Commission shall prepare, in such form and at such time each year as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure, and copies thereof shall be forwarded to the Central Government. 25
- Annual report.** 18. The Commission shall prepare once every year, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year, and copies thereof shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament. 30
- Account and audit.** 19. (1) The Commission shall cause to be maintained such books of account and other books in relation to its account in such form and in such manner as may, in consultation with the Comptroller and Auditor-General of India, be prescribed. 35
- (2) The Commission shall, as soon as may be after closing its annual accounts, prepare a statement of accounts in such form, and forward the same to the Comptroller and Auditor-General by such date, as the Central Government may, in consultation with the Comptroller and Auditor-General, determine. 40

(3) The accounts of the Commission shall be audited by the Comptroller and Auditor-General at such times and in such manner as he thinks fit.

(4) The annual accounts of the Commission together with the audit report thereon shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament and shall also forward a copy of the audit report to the Commission for taking suitable action on the matters arising out of the audit report.

CHAPTER IV

MISCELLANEOUS

20. (1) In the discharge of its functions under this Act, the Commission shall be guided by such directions on questions of policy relating to national purposes as may be given to it by the Central Government.

Directions
by the
Central
Government.

(2) If any dispute arises between the Central Government and the Commission as to whether a question is or is not a question of policy relating to national purposes, the decision of the Central Government shall be final.

21. The Commission shall furnish to the Central Government such returns or other information with respect to its property or activities as the Central Government may, from time to time, require.

Returns and
information.

22. (1) The right of conferring or granting degrees shall be exercised only by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act or an institution deemed to be a University under section 3 or an institution specially empowered by an Act of Parliament to confer or grant degrees.

Right to
confer deg-
rees.

(2) Save as provided in sub-section (1), no person or authority shall confer, or grant, or hold himself or itself out as entitled to confer or grant, any degree.

(3) For the purposes of this section, 'degree' means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the Official Gazette.

23. No institution, whether a corporate body or not, other than a University established or incorporated by or under a Central Act, a Provincial Act or a State Act shall be entitled to have the word 'University' associated with its name in any manner whatsoever:

Prohibition
of the use of
the word
'University'
in certain
cases.

Provided that nothing in this section shall, for a period of two years from the commencement of this Act, apply to an institution

which, immediately before such commencement, had the word 'University' associated with its name.

Penalties.

24. Whoever contravenes the provisions of section 22 or section 23 shall be punishable with fine which may extend to one thousand rupees, and if the person contravening is an association or other body of individuals, every member of such association or other body who knowingly or wilfully authorises or permits the contravention shall be punishable with fine which may extend to one thousand rupees.

* * * * *

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Power to make rules.

25. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

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(a) the procedure for the retirement of members under section 6;

(b) the disqualifications for continuing as a member of the Commission;

(c) the terms and conditions of service of members of the Commission;

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(d) the terms and conditions of service of employees appointed by the Commission;

(e) the additional functions which may be performed by the Commission under clause (i) of section 12;

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(f) the returns and information which are to be furnished by Universities in respect of their financial position or standards of teaching and examination maintained therein;

(g) the inspection of Universities;

(h) the form and manner in which the budget and reports are to be prepared by the Commission;

30

(i) the manner in which the accounts of the Commission are to be maintained;

(j) the form and manner in which returns or other information are to be furnished by the Commission to the Central Government;

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(k) any other matter which has to be, or may be, prescribed.

(3) All rules made under this section shall, as soon as possible after they are made, be laid before both Houses of Parliament.

26. (1) The Commission may * * * * * make regulations consistent with this Act and the rules made thereunder,— Power to make regulations.

(a) regulating the meetings of the Commission and the procedure for conducting business thereat;

(b) regulating the manner in which and the purposes for which persons may be associated with the Commission under section 9;

(c) specifying the terms and conditions of service of the employees appointed by the Commission;

(d) specifying the institutions or class of institutions which may be recognised by the Commission under clause (f) of section 2;

(e) defining the qualifications that should ordinarily be required of any person to be appointed to the teaching staff of the University, having regard to the branch of education in which he is expected to give instruction;

(f) defining the minimum standards of instruction for the grant of any degree by any University;

(g) regulating the maintenance of standards and the co-ordination of work or facilities in Universities.

(2) No regulation shall be made under clause (a) or clause (b) or clause (c) or clause (d) of sub-section (1) except with the previous approval of the Central Government.

APPENDIX I

(Vide para. 2 of the Report)

Motion in the Lok Sabha for reference of the Bill to Joint Committee

"That the Bill to make provision for the co-ordination and determination of standards in Universities and for that purpose, to establish a University Grants Commission, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:—

1. Shri Narhar Vishnu Gadgil
2. Shri V. B. Gandhi
3. Shri Jethalal Harikrishna Joshi
4. Shri R. V. Dhulekar
5. Shri Birbal Singh
6. Pandit Algurai Shastri
7. Shri Syamnandan Sahaya
8. Shri T. S. Avinashilingam Chettiar
9. Shri S. Sinha
10. Shri T. N. Viswanatha Reddy
11. Shri A. M. Thomas
12. Shri N. Rachiah
13. Shri Diwan Chand Sharma
14. Giani Gurmukh Singh Musafir
15. Shri Radhelal Vyas
16. Mulla Abdullabhai Mulla Taherali
17. Shri Krishnacharya Joshi
18. Pandit Lingaraj Misra
19. Dr. Mono Mohon Das
20. Shri Rameshwar Sahu
21. Shri Jaipal Singh
22. Shri Hirendra Nath Mukerjee
23. Shri K. M. Vallatharas
24. Shri B. Ramachandra Reddi
25. H.H. Maharaja Rajendra Narayan Singh Deo
26. Shri B. H. Khardekar

- 27. Shri Meghnad Saha
 - 28. Shri Sivamurthi Swami
 - 29. Shri P. N. Rajabhoj and
 - 30. Maulana Abul Kalam Azad.
- and 15 members from the 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 report to this House by the 30th day of April, 1955;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to the Rajya Sabha that the Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by the Rajya Sabha to the Joint Committee."

APPENDIX II

(Vide para. 3 of the Report)

Motion in the Rajya Sabha

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to make provision for the co-ordination and determination of standards in Universities and for that purpose, to establish a University Grants Commission, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee:—

1. Shri Indra Vidyavachaspati
2. Dr. M. D. D. Gilder
3. Dr. P. Subbarayan
4. Dr. Radha Kumud Mookerji
5. Dr. Raghu Vira
6. Dr. P. V. Kane
7. Maulana M. Tayyebulla
8. Shrimati Mona Hensman
9. Shri T. V. Kamalaswamy
10. Shri Kishen Chand
11. Shri J. V. K. Vallabharao
12. Dr. A. Ramaswami Mudaliar
13. Dr. Zakir Hussain
14. Shri C. C. Biswas
15. Dr. K. L. Shrimali."

APPENDIX III

MINUTES OF THE SITTINGS OF THE JOINT COMMITTEE ON THE UNIVERSITY GRANTS COMMISSION BILL, 1954

I

First Sitting

The Committee met from 9-30 A.M. to 10-15 A.M. on Saturday, the 2nd April, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman*

MEMBERS

Lok Sabha

2. Shri Jethalal Harikrishna Joshi
3. Shri T. S. Avinashilingam Chettiar
4. Shri T. N. Vishvanatha Reddy
5. Shri A. M. Thomas
6. Shri Diwan Chand Sharma
7. Shri Krishnacharya Joshi
8. Pandit Lingaraj Misra
9. Dr. Mono Mohon Das
10. Shri Hirendra Nath Mukerjee
11. Shri B. H. Khardekar.

Rajya Sabha

12. Shri Indra Vidyavachaspati
13. Dr. M. D. D. Gilder
14. Dr. P. Subbarayan
15. Maulana M. Tayyebulla
16. Shrimati Mona Hensman
17. Shri Kishen Chand
18. Shri J. V. K. Vallabharao
19. Dr. K. L. Shrimali.

REPRESENTATIVES OF MINISTRIES AND OTHER OFFICERS

Shri R. S. Sarkar, *Additional Draftsman, Ministry of Law.*

Prof. Humayun Kabir, *Secretary, Ministry of Education.*

Shri L. R. Sethi, *Deputy Secretary, Ministry of Education.*

SECRETARIAT

Shri P. K. Patnaik—*Under Secretary.*

2. The Committee held a preliminary discussion on the programme to be adopted by them.

3. It was decided that the Committee should have a general discussion on the provisions of the Bill at this sitting which was to be continued at the next sitting to be held on the 18th April, 1955.

4. It was further decided that at the next sitting the Committee would also take up clause by clause consideration of the Bill.

5. The Committee considered whether any evidence would be taken by them. The Chairman informed the Committee that no request in this regard had so far been received by the Lok Sabha Secretariat from any public body or institution. If and when such a request would be received, it would be considered on its merits.

6. The Committee desired that the following papers in respect of the Bill should be circulated to the members at a very early date:—

(i) Comments of Vice-Chancellors received in Education Ministry.

(ii) Resolution passed at the Vice-Chancellors Conference on the formation of University Grants Commission.

7. The Chairman suggested that Notice of Amendments to the clauses of the Bill that members intended to move might be sent in advance to the Lok Sabha Secretariat so as to reach them by 11 A.M. on the 16th April, 1955, for circulation to members of the Committee.

8. The Committee then had a general discussion on the provisions of the Bill.

9. The Committee then adjourned to meet again at 9-15 A.M. on Monday, the 18th April, 1955.

II

Second Sitting

The Committee met from 9-15 A.M. to 10-45 A.M. on Monday, the 18th April, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman*

MEMBERS

Lok Sabha

2. Shri R. V. Dhulekar
3. Shri Birbal Singh
4. Pandit Algurai Shastri
5. Shri Syamnandan Sahaya
6. Shri T. S. Avinashilingam Chettiar
7. Shri T. N. Viswanatha Reddy
8. Shri A. M. Thomas
9. Shri N. Rachiah
10. Giani Gurmukh Singh Musafir
11. Shri Radhelal Vyas
12. Shri Krishnacharya Joshi
13. Pandit Lingaraj Misra
14. Dr. Mono Mohon Das
15. Shri Jaipal Singh
16. Shri Hirendra Nath Mukerjee
17. Shri B. Ramachandra Reddi
18. H.H. Maharaja Rajendra Narayan Singh Deo
19. Shri B. H. Khardekar
20. Maulana Abul Kalam Azad

Rajya Sabha

21. Shri Indra Vidyavachaspati
22. Dr. M. D. D. Gilder
23. Dr. Radha Kumud Mookerji
24. Dr. P. V. Kane

25. Maulana M. Tayyebulla
26. Shrimati Mona Hensman
27. Shri Kishen Chand
28. Shri J. V. K. Vallabharao
29. Dr. A. Ramaswami Mudaliar
30. Dr. Zakir Hussain
31. Dr. K. L. Shrimali.

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 Prof. Humayun Kabir, *Secretary, Ministry of Education.*
 Shri L. R. Sethi, *Deputy Secretary, Ministry of Education.*

' SECRETARIAT '

Shri P. K. Patnaik—*Under Secretary.*

2. As decided at their first sitting held on the 2nd April, 1955, the Committee continued general discussion on the provisions of the Bill.

3. The Committee then adjourned to meet again at 9-15 A.M. on Tuesday, the 19th April, 1955.

III

Third Sitting

The Committee met from 9-15 A.M. to 10-45 A.M. on Tuesday, the 19th April, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman*

MEMBERS

Lok Sabha

2. Shri R. V. Dhulekar
3. Shri Birbal Singh
4. Pandit Algurai Shastri
5. Shri Syamnandan Sahaya
6. Shri T. S. Avinashilingam Chettiar
7. Shri T. N. Viswanatha Reddy
8. Shri A. M. Thomas
9. Shri N. Rachiah
10. Shri Diwan Chand Sharma
11. Shri Radhelal Vyas
12. Dr. Mono Mohon Das
13. Shri Jaipal Singh
14. Shri Hirendra Nath Mukerjee
15. Shri B. Ramachandra Reddi
16. H.H. Maharaja Rajendra Narayan Singh Deo
17. Shri B. H. Khardekar.

Rajya Sabha

18. Shri Indra Vidyavachaspati
19. Dr. M. D. D. Gilder
20. Dr. P. Subbarayan
21. Dr. Radha Kumud Mookerji
22. Dr. P. V. Kane
23. Maulana M. Tayyebulla
24. Shrimati Mona Hensman

25. Shri T. V. Kamalaswamy
26. Shri Kishen Chand
27. Shri J. V. K. Vallabharao
28. Dr. A. Ramaswami Mudaliar
29. Dr. Zakir Hussain
30. Dr. K. L. Shrimali

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Shri L. R. Sethi, *Deputy Secretary, Ministry of Education.*

SECRETARIAT

Shri P. K. Patnaik—*Under Secretary.*

2. At the outset, the Chairman placed before the Committee a memorandum submitted by the Andhra University Affiliated College Teachers' Association in respect of the Bill. The Association's request to be heard by the Committee was also brought to their notice.

The Committee decided that it was not necessary to take evidence of the representatives of this Association.

3. The Committee had some further discussion on the provisions of the Bill in general.

4. The Committee then took up clause by clause consideration of the Bill.

5. *Long Title.*—The Committee decided to take up the long title of the Bill into consideration first so that the scope of the Bill could be settled before going into the details of the clauses.

The constitutional position in respect of the Bill was also discussed. The discussion was not concluded.

6. The Committee then adjourned to meet again at 9-15 A.M. on Thursday, the 21st April, 1955.

IV

Fourth Sitting

The Committee met from 9-15 A.M. to 9-20 A.M. on Thursday, the 21st April, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman*

MEMBERS

Lok Sabha

2. Shri R. V. Dhulekar
3. Shri Birbal Singh
4. Pandit Algurai Shastri
5. Shri Syamnandan Sahaya
6. Shri T. S. Avinashilingam Chettiar
7. Shri Diwan Chand Sharma
8. Pandit Lingaraj Misra
9. Dr. Mono Mohon Das
10. Shri Jaipal Singh
11. Shri Hirendra Nath Mukerjee
12. H.H. Maharaja Rajendra Narayan Singh Deo
13. Shri B. H. Khardekar.

Rajya Sabha

14. Shri Indra Vidyavachaspati
15. Dr. M. D. D. Gilder
16. Dr. P. Subbarayan
17. Dr. Radha Kumud Mookerji
18. Dr. P. V. Kane
19. Maulana M. Tayyebulla
20. Shrimati Mona Hensman
21. Shri Kishen Chand
22. Dr. Zakir Hussain
23. Dr. K. L. Shrimali

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Shri L. R. Sethi, *Deputy Secretary, Ministry of Education.*

SECRETARIAT

Shri P. K. Patnaik—*Under Secretary.*

2. The Committee felt that it would not be possible for them to complete their work by the 30th April, 1955.

3. The Committee therefore decided to ask for extension of time for presentation of the Report upto the 30th July, 1955.

4. The Chairman was authorised to make the necessary motion in the House.

5. It was decided to meet for about a week with effect from the 4th July, 1955.

6. Then the news of the sad demise of Shri Devi Datt Pant, Member Parliament, last night here in Delhi having been received by the Committee, an obituary reference was made by the Chairman. The Committee stood in silence for a minute as a mark of respect to the memory of the late Shri Pant.

7. The Committee then adjourned to meet again on Monday, the 4th July, 1955.

V

Fifth Sitting

The Committee met in the Council Hall, Council Hall Building, Poona, from 11 A.M. to 1 P.M. and from 3 P.M. to 5-30 P.M., on Monday, the 4th July, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman*.

MEMBERS

Lok Sabha

2. Shri V. B. Gandhi
3. Shri R. V. Dhulekar
4. Shri Birbal Singh
5. Pandit Algurai Shastri
6. Shri Syamnandan Sahaya
7. Shri R. S. Avinashilingam Chettiar
8. Shri T. N. Vishvanatha Reddy
9. Shri A. M. Thomas
10. Shri N. Rachiah
11. Shri Radhelal Vyas
12. Pandit Lingaraj Misra
13. Dr. Mono Mohon Das
14. Shri Rameshwar Sahu
15. Shri Jaipal Singh
16. Shri Hirendra Nath Mukerjee
17. Shri K. M. Vallatharas
18. Shri B. Ramachandra Reddi
19. Shri B. H. Khardekar
20. Shri Sivamurthi Swami
21. Shri P. N. Rajabhoj

Rajya Sabha

22. Shri Indra Vidyavachaspati
23. Dr. M. D. D. Gilder

24. Dr. Radha Kumud Mookerji
25. Dr. P. V. Kane
26. Maulana M. Tayyebulla
27. Shrimati Mona Hensman
28. Shri T. V. Kamalaswamy
29. Shri Kishen Chand
30. Dr. A. Ramaswami Mudaliar
31. Dr. Zakir Hussain
32. Dr. K. L. Shrimali.

REPRESENTATIVES OF MINISTRIES AND OTHER OFFICERS

Shri R. S. Sarkar, *Joint Secretary and S. A. Draftsman, Ministry of Law.*

Shri K. G. Sayidain, *Additional Secretary, Ministry of Education.*

SECRETARIAT

Shri P. K. Patnaik, *Under Secretary.*

2. The Committee resumed clause by clause consideration of the Bill.

3. *Clause 2.*—The following amendments were accepted:—

(i) In page 1, for lines 17 and 18 substitute “(c). “Fund” means the Fund of the University Grants Commission constituted under section 16;”

(ii) In page 2, for lines 1—4 substitute “(f). “University” means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any such institution as may on the recommendation of the University concerned be recognised by the Commission in accordance with the regulations made by it in this behalf.”

The clause as amended was adopted.

4. *Clauses 3 and 4.*—These clauses were adopted without any amendment.

5. *Clause 5.*—The Committee decided that the number of members of the Commission should be fixed in this Bill instead of being left to Government.

They then decided that the number shall be nine.

The Draftsman was directed to effect necessary changes in sub-clause (1) accordingly.

Besides, the following amendments were accepted:—

- (i) In page 2, lines 27-28 omit "and heads of institutions deemed to be Universities under section 3;"
- (ii) In page 2, line 29 omit "not less than";
- (iii) In page 2, lines 34-35 omit "or who have experience in administrative or financial matters."

The Committee also decided that not less than 2 members chosen under clause 5(2) (c) shall be non-officials.

The Draftsman was directed to incorporate necessary provision to the above effect in para. (c) of sub-clause (2) of this clause.

6. *Clause 6.*—The following amendments were accepted:—

- (i) In page 2, lines 41-42

for "unless his appointment is terminated earlier by the Central Government".

substitute "Unless he incurs a disqualification under rules made under this Act,"

- (ii) In page 3, line 7,
omit "whole-time and"

The clause as amended was adopted.

7. *Clauses 7 to 9.*—These clauses were adopted without any amendment.

8. *Clause 10.*—The Committee adopted the following revised clause, proposed by Government, in substitution of the original clause (10):—

"10. STAFF OF THE COMMISSION.—Subject to such rules as may be made by the Central Government in this behalf, the Commission may appoint a Secretary and such other employees as it may think necessary for the efficient performance of its functions under this Act and the terms and conditions of the employees shall be such as may be determined by the Commission."

9. *Clause 11.*—The clause was adopted without any amendment.

10. The Committee then adjourned to meet again at 9-30 A.M. on Tuesday, the 5th July, 1955, in the Council Hall, First Floor Council Hall Building, Poona.

VI

Sixth Sitting

The Committee met in the Council Hall, Council Hall Building, Poona from 9-30 A.M. to 12-30 P.M. on Tuesday the 5th July, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman.*

MEMBERS

Lok Sabha

2. Shri V. B. Gandhi
3. Shri R. V. Dhulekar
4. Shri Birbal Singh
5. Pandit Algurai Shastri
6. Shri Syamnandan Sahaya
7. Shri T. S. Avinashilingam Chettiar
8. Shri T. N. Vishvanatha Reddy
9. Shri A. M. Thomas
10. Shri N. Rachiah
11. Shri Radhelal Vyas
12. Pandit Lingaraj Misra
13. Dr. Mono Mohon Das
14. Shri Rameshwar Sahu
15. Shri Jaipal Singh
16. Shri Hirendra Nath Mukerjee
17. Shri K. M. Vallatharas
18. Shri B. Ramachandra Reddi
19. Shri B. H. Khardekar
20. Shri Sivamurthi Swami
21. Shri P. N. Rajabhoj.

Rajya Sabha

22. Shri Indra Vidyavachaspati
23. Dr. M. D. D. Gilder
24. Dr. Radha Kumud Mookerji
25. Dr. P. V. Kane

26. Maulana M. Tayyebulla
27. Shrimati Mona Hensman
28. Shri T. V. Kamalaswamy
29. Shri Kishen Chand
30. Dr. A. Ramaswami Mudaliar
31. Dr. Zakir Hussain
32. Dr. K. L. Shrimali.

REPRESENTATIVES OF MINISTERIES AND OTHER OFFICERS.

Shri R. S. Sarkar, *Joint Secretary and S. A. Draftsman,*
Ministry of Law.

Shri K. G. Sayidain, *Additional Secretary, Ministry of*
Education.

SECRETARIAT

Shri P. K. Patnaik, *Under Secretary.*

2. The Committee resumed clause by clause consideration of the Bill.

3. *Clause 12:*

(i) In pages 3 and 4, for lines 45—47 in page 3 and lines 1 and 2 in page 4

substitute "12. FUNCTIONS OF THE COMMISSION. It shall be the general duty of the Commission to take all such steps as it may, in consultation with the Universities and other bodies concerned, think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching, examination and research in Universities and for the purpose of performing its functions under this Act, the Commission may.....".

(ii) A Government amendment proposing a new sub-clause (b) in substitution of the existing sub-clause was ruled out of order by the Chairman inasmuch as the same provided for grants to be made by the University Grants Commission for the maintenance of Universities established under a Central Act. The amendment was considered to be beyond the scope of the Bill.

4. The discussion on clause 12 was not concluded.

5. The Committee then adjourned to meet again at 9-15 A.M. on Wednesday, the 6th July, in the Council Hall, First Floor, Council Hall Building, Poona.

VII

Seventh Sitting

The Committee met in the Council Hall, Council Hall Building, Poona from 9-15 A.M. to 12-5 P.M. on Wednesday, the 6th July, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman.*

MEMBERS

Lok Sabha

2. Shri V. B. Gandhi
3. Shri R. V. Dhulekar
4. Shri Birbal Singh
5. Pandit Algurai Shastri
6. Shri Syamnandan Sahaya
7. Shri T. S. Avinashilingam Chettia
8. Shri T. N. Vishvanatha Reddy
9. Shri A. M. Thomas
10. Shri N. Rachiah
11. Giani Gurmukh Singh Musafir
12. Shri Radhelal Vyas
13. Pandit Lingaraj Misra
14. Dr. Mono Mohon Das
15. Shri Rameshwar Sahu
16. Shri Jaipal Singh
17. Shri Hirendra Nath Mukerjee
18. Shri K. M. Vallatharas
19. Shri B. Ramachandra Reddi
20. Shri B. H. Khardekar
21. Shri Sivamurthi Swami
22. Shri P. N. Rajabhoj

Rajya Sabha

23. Shri Indra Vidyavachaspati
24. Dr. M. D. D. Gilder
25. Dr. P. Subbarayan
26. Dr. Radha Kumud Mookerji

27. Dr. P. V. Kane
28. Maulana M. Tayyebulla
29. Shrimati Mona Hensman
30. Shri T. V. Kamalaswamy
31. Shri Kishen Chand
32. Shri J. V. K. Vallabharao
33. Dr. A. Ramaswami Mudaliar
34. Dr. Zakir Hussain
35. Dr. K. L. Shrimali.

REPRESENTATIVES OF MINISTRIES AND OTHER OFFICERS

Shri R. S. Sarkar, *Joint Secretary and S. A. Draftsman, Ministry of Law.*

Shri K. G. Sayidain, *Additional Secretary, Ministry of Education.*

SECRETARIAT

Shri P. K. Patnaik, *Under Secretary.*

2. The Committee resumed clause by clause consideration of the Bill.

3. Clause 12 (*contd.*)—This clause was further discussed. While the proviso to sub-clause (b) was under discussion, it was suggested that the development of regional languages should be specifically mentioned as one of the purposes for which the Commission should make grants. In reply to this, it was pointed out on behalf of the Government that as various other important functions and purposes have not been mentioned in the Bill, it would not be proper to refer specifically to the question of language only. The Government, however, gave the assurance that the Commission will give due consideration to the importance of the development of the languages mentioned in the Eighth Schedule to the Constitution.

On this assurance being given, amendments moved on the point were not pressed.

Thereafter, the following other amendments to clause 12 were accepted:—

(i) In page 4, lines 9 and 10,
for "the national purpose which it may be called upon to serve"
substitute "the national purpose which it may serve".

(ii) In page 4, line 12
omit "reform and"

(iii) In page 4, lines 19—21
omit the entire sub-clause (e).

(iv) In page 4, lines 25—29
omit the entire sub-clause (g).

(v) In page 4, line 30
after "Central Government"
insert "or a State Government"

(vi) In page 4, after line 32
add a new sub-clause (hh) as follows:—

"(hh). Collect, examine and make available information on matters relating to University education in India and abroad".

The Draftsman was directed to check it up.

The clause as amended was adopted.

4. Clause 13.—The following amendments were accepted:—

(i) In pages 4 and 5
for sub-clause (1) substitute

"(1) for the purpose of effectively performing its functions under this Act, the Commission may, in consultation with the University concerned, cause an inspection to be made by such person or persons as it may direct of any department or departments of a University or any institution recognised by a University with a view to assessing its needs and standards of work".

(ii) In page 5, lines 4—8
for sub-clause (2)

substitute "(2) The Commission shall, before causing any inspection or inquiry to be made under sub-section (1) give intimation to the University of its intention of causing an inspection or inquiry to be made and the University shall be entitled to be associated with the inspection or inquiry in such manner as may be prescribed."

(iii) In page 5, line 14
before the words "The executive authority of the University" insert
"All notices or communications to the University under this section shall be issued or made to the executive authority thereof and"

The Draftsman was directed to make necessary consequential changes.

Subject to this, the clause as amended was adopted.

5. *Clause 14.*—The following amendment was accepted:—

In page 5, lines 25—28

omit “and also advise the Central Government or the State Government to withhold its grants from that University or to take such other action in respect of that University as the Government may deem proper.”

The clause as amended was adopted.

6. *Clauses 15 to 17.*—These clauses were adopted without any amendment.

7. *Clause 18.*—The Committee adopted the following revised clause in substitution of the original clause (18):—

“18. **REPORTS.**—The Commission shall prepare once every year, in such form and at such time as may be prescribed, an annual report, giving a true and full account of its activities during the previous year, and copies thereof shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament.”

8. *Clause 19.*—The clause was adopted without any amendment.

9. The Committee then adjourned to meet again at 9-30 A.M. on Thursday, the 7th July, 1955, in the Council Hall, First Floor, Council Hall Building, Poona.

VIII

Elghth Sitting

The Committee met in the Council Hall, Council Hall Building, Poona, from 9-30 A.M. to 11-30 A.M. on Thursday the 7th July, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman*.

MEMBERS

Lok Sabha

2. Shri Jethalal Harikrishna Joshi
3. Shri R. V. Dhulekar
4. Shri Birbal Singh
5. Pandit Algurai Shastri
6. Shri Syamnandan Sahaya
7. Shri T. S. Avinashilingam Chettiar
8. Shri T. N. Vishvanatha Reddy
9. Shri A. M. Thomas
10. Shri N. Rachiah
11. Giani Gurmukh Singh Musafir
12. Shri Radhelal Vyas
13. Pandit Lingaraj Misra
14. Dr. Mono Mohon Das
15. Shri Rameshwar Sahu
16. Shri Jaipal Singh
17. Shri Hirendra Nath Mukerjee
18. Shri K. M. Vallatharas
19. Shri B. Ramachandra Reddi
20. Shri B. H. Khardekar
21. Shri Sivamurthi Swami.

Rajya Sabha

22. Shri Indra Vidyavachaspati
23. Dr. M. D. D. Gilder
24. Dr. P. Subbarayan

- 25. Dr. Radha Kumud Mookerji
- 26. Dr. P. V. Kane
- 27. Maulana M. Tayyebulla
- 28. Shrimati Mona Hensman
- 29. Shri T. V. Kamalaswamy
- 30. Shri Kishen Chand
- 31. Shri J. V. K. Vallabharao
- 32. Dr. A. Ramaswami Mudaliar
- 33. Dr. Zakir Hussain
- 34. Dr. K. L. Shrimali.

REPRESENTATIVES OF MINISTRIES AND OTHER OFFICERS

Shri R. S. Sarkar, *Joint Secretary and S. A. Draftsman, Ministry of Law.*

Shri K. G. Sayidain, *Additional Secretary, Ministry of Education.*

SECRETARIAT

Shri P. K. Patnaik, *Under Secretary.*

2. The Committee resumed clause by clause consideration of the Bill.

3. *Clause 20.*—The following amendment was accepted:—

In page 6, line 27,

after “question of policy” insert “relating to national purposes”.

The clause as amended was adopted.

4. *Clause 21.*—The clause was adopted without any amendment.

5. *Clause 22.*—The following Government amendment was accepted:—

In page 6, after line 44 insert—

“(3) For the purposes of this section, a ‘degree’ means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the Official Gazette”.

While this clause was under consideration, a question arose as to whether the clause was not *ultra vires* of the Constitution inasmuch as it seeks by implication to encroach upon the rights of the

legislative powers of the States. It was also suggested that there might be other objections as well.

Since the question involved a legal and constitutional issue, it was decided to leave it to the House for decision.

The clause as amended was adopted.

6. *Clause 23.*—The following proviso proposed by Government, was accepted:—

“Provided that anything in this section shall, for a period of two years from the commencement of this Act, apply to an institution which immediately before such commencement has the word ‘University’ associated with its name”.

The clause as amended was adopted.

7. *Clause 24.*—The clause was adopted without any amendment.

8. *Clause 25.*—This clause was omitted.

9. *Clause 26.*—The Draftsman was directed to insert a new paragraph under sub-clause (2) to provide for the rules relating to disqualification for being appointed or continuing as a Member of the Commission.

It was also decided that all rules made under this section should be laid before both Houses of Parliament. The Draftsman was directed to add a new sub-clause (3) providing for the same.

Subject to these, the clause was adopted.

10. *Clause 27.*—It was decided that for making regulations of subjects covered under sub-clauses (d), (e) and (f), the Commission need not have the approval of the Central Government. The Draftsman was directed to re-cast the clause accordingly.

Subject to this, clause was adopted.

11. The Deputy Minister, Education, requested the Chairman to review his ruling given on the 5th July, 1955, disallowing the Government amendment in respect of grants to be made for the maintenance of Universities established under Central Acts [*vide* para. 3(ii) of Minutes dated the 5th July, 1955].

The Chairman thereupon placed the matter before the Committee.

The general view of the Committee, was, however, not in favour of reopening the question.

12. The Committee then adjourned to meet again at 10 A.M. on Saturday, the 9th July, 1955, in the Council Hall, First Floor, Council Hall Building, Poona.

IX

Ninth Sitting

The Committee met in the Council Hall, Council Hall Building, Poona, from 10 A.M. to 10-15 A.M. on Saturday the 9th July 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman*

MEMBERS

Lok Sabha

2. Shri V. B. Gandhi
3. Shri Jethalal Harikrishna Joshi.
4. Shri R. V. Dhulekar
5. Pandit Alguraj Shastri
6. Shri Syamnandan Sahaya.
7. Shri T. S. Avinashilingam Chettiar
8. Shri T. N. Vishwanatha Reddy
9. Shri A. M. Thomas.
10. Shri N. Rachiah.
11. Shri Radhelal Vyas.
12. Pandit Lingaraj Misra.
13. Dr. Mono Mohon Das.
14. Shri Rameshwar Sahu.
15. Shri Jaipal Singh.
16. Shri K. M. Vallatharas.
17. Shri B. Ramachandra Reddi.
18. Shri Sivamurthi Swami.

Rajya Sabha

19. Shri Indra Vidyavachaspati.
20. Dr. P. Subbarayan.
21. Dr. Radha Kumud Mookerji.
22. Maulana M. Tayyebulla.
23. Shri J. V. K. Vallabharao
24. Dr. K. L. Shrimali.

REPRESENTATIVES OF MINISTRIES AND OTHER OFFICERS.

Shri R. S. Sarkar, *Joint Secretary & S. A. Draftsman,*
Ministry of Law.

SECRETARIAT

Shri P. K. Patnaik, *Under Secretary.*

2. The Committee resumed clause by clause consideration of the Bill.

3. Clause 1: The following amendment was accepted:—

In page 1, line 6,

for "1954" substitute "1955".

The clause as amended was adopted.

4. *Enacting Formula.*—The following amendment was accepted:—

for "Fifth" substitute "Sixth".

5. *Re-Drafted Clauses 5, 12 and 13:*

These clauses as re-drafted by the Draftsman were placed before the Committee and adopted (*vide* Appendix A).

6. The Committee decided to consider the draft Report at their next sitting. |

7. The Committee then adjourned to meet again at 10 A.M. on Tuesday, the 26th July, 1955, in Parliament House, New Delhi.

X

Tenth Sitting

The Committee met from 10 A.M. to 10-30 A.M. on Tuesday the 26th July, 1955.

PRESENT

Shri Narhar Vishnu Gadgil—*Chairman.*

MEMBERS

Lok Sabha

2. Shri V. B. Gandhi
3. Shri Jethalal Harikrishna Joshi
4. Shri R. V. Dhulekar
5. Shri Birbal Singh
6. Shri T. S. Avinashilingam Chettiar
7. Shri A. M. Thomas
8. Shri N. Rachiah
9. Shri Diwan Chand Sharma
10. Shri Radhelal Vyas
11. Dr. Mono Mohon Das
12. Shri Rameshwar Sahu
13. Shri Jaipal Singh
14. Shri Hirendra Nath Mukerjee
15. Shri K. M. Vallatharas
16. Shri B. Ramachandra Reddi
17. H. H. Maharaja Rajendra Narayan Singh Deo
18. Shri B. H. Khardekar

Rajya Sabha

19. Shri Indra Vidyavachaspati
20. Dr. M. D. D. Gilder
21. Dr. Radha Kumud Mookerji
22. Maulana M. Tayyebulla
23. Shrimati Mona Hensman

- 24. Shri Kishen Chand
- 25. Dr. Zakir Hussain
- 26. Dr. K. L. Shrimali.

REPRESENTATIVES OF MINISTRIES AND OTHER OFFICERS.

Shri R. S. Sarkar, *Joint Secretary and S. A. Draftsman,*
Ministry of Law.

Shri T. S. Bhatia, *Under Secretary, Ministry of Education.*

SECRETARIAT

Shri P. K. Patnaik, *Under Secretary.*

- 2. The Committee adopted the Bill as amended.
 - 3. The Committee then considered the draft Report and adopted the same with certain minor changes.
 - 4. The Committee authorised the Chairman to present the Report on their behalf.
 - 5. The Committee authorised Dr. K. L. Shrimali to lay the Report of the Committee on the Table of the Rajya Sabha.
 - 6. The Committee decided that Minutes of Dissent, if any, should be sent to the Lok Sabha Secretariat so as to reach them by 11 A.M. on Friday, the 29th July, 1955.
 - 7. The Chairman announced that the Report would be presented to the House after the Question Hour on Friday, the 29th July, 1955.
 - 8. The Committee then adjourned at 10-30 A.M.
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APPENDIX A

(Vide para 5 of the Minutes of the Ninth Sitting)

5. Composition of the Commission: (1) The Commission shall consist of nine members to be appointed by the Central Government.

(2) The members shall be chosen as follows:

- (a) not less than three members shall be chosen from among the Vice-Chancellors of Universities;
- (b) two members shall be chosen from among the officers of the Central Government to represent that Government; and
- (c) the remaining number shall be chosen from among persons who are educationists of repute or who have obtained high academic distinctions:

Provided that not less than one-half of the number so chosen shall be from among persons who are not officers of the Central Government or any State Government.

(3) The Central Government shall nominate a member of the Commission, not being an officer of the Central Government or any State Government, to be the Chairman thereof.

(4) Every appointment under this section shall take effect as soon as it is notified by the Central Government in the Official Gazette.

Clause 12: Functions of the Commission.—It shall be the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching, examination and research in Universities, and for the purpose of performing its functions under this Act, the Commission may—

- (a) inquire into the financial needs of Universities;
- (b) allocate and disburse, out of the Fund of the Commission, grants to Universities for any general or specified purpose:

Provided that in making any such grant to a University, the Commission shall give due consideration to the development of the University concerned, its financial needs, the standard attained by it and the national purposes which it may serve;

- (c) recommend to any University the measures necessary for the improvement of University education and advise the University upon the action to be taken for the purpose of implementing such recommendation;
- (d) advise the Central Government or any State Government on the allocation of any grants to Universities for any general or specified purpose out of the Consolidated Fund of India or the Consolidated Fund of the State, as the case may be;
- (e) *
- (f) advise any authority, if such advice is asked for, on the establishment of a new University or on proposals connected with the expansion of the activities of any University;
- (g) *
- (h) advise the Central Government or any State Government or University on any question which may be referred to the Commission by the Central Government or the State Government or the University, as the case may be;
- (hh) Collect information on all such matters relating to University education in India and other countries as it thinks fit and make the same available to any University, if such information is asked for;
- (i) require a University to furnish it with such information as may be needed relating to the financial position of the University or the classes of studies in the various branches of learning taught in that University, together with all the rules and regulations relating to the standards of teaching and examination in that University respecting each of such branches of learning;
- (j) perform such other functions as may be prescribed or as may be deemed necessary by the Commission for advancing the cause of higher education in India or as may be incidental or conducive to the discharge of above functions.

Clause 13: Inspection:

(1) For the purpose of ascertaining the financial needs of a University or its standards of teaching, examination and research, the Commission may, after consultation with the University, cause an inspection of any department or departments thereof to be made in such manner as may be prescribed and by such person or persons as it may direct.

(2) The Commission shall communicate to the University the date on which any inspection under sub-section (1) is to be made and the University shall be entitled to be associated with the inspection in such manner as may be prescribed.

(3) The Commission shall communicate to the University its views in regard to the results of any such inspection and may, after ascertaining the opinion of the University, recommend to the University the action to be taken as a result of such inspection.

(4) All communications to a University under this section shall be made to the executive authority thereof and the executive authority of the University shall report to the Commission the action, if any, which is proposed to be taken for the purpose of implementing any such recommendation as is referred to in sub-section (3).