

PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

3705

3706

PARLIAMENT OF INDIA

Wednesday, 2nd May, 1951.

*The House met at Half-past Eight of
the Clock.*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

INDIANS RETURNING FROM INDO-CHINA

***3708. Shri R. Subramanian:** (a) Will the Minister of Finance be pleased to state whether it is a fact that Indians from Indo-China are not allowed to carry with them household articles after their arrival in India, such as cloth, jewels, without paying customs duty?

(b) Is it a fact that on account of inability to pay the customs, the household articles of Indians were confiscated and if so, how many cases of this kind were there?

(c) In view of the fact that other countries such as Burma, Indo-China, Malaya, Pondichery etc. are allowing the Indian Nationals while returning home to India, to carry with them household articles upto a certain valuation free of custom duties, why do not the Government of India also show this concession?

(d) Taking into consideration the miserable plight of Indians, do the Government of India propose to issue instructions to the Customs authorities to permit Indians to carry with them cloth, jewels, and other household articles to the extent of Rs. 5,000 and if not, why not?

The Minister of State for Finance (Shri Tyagi): (a) Special instructions have been issued by the Government of India to allow Indian evacuees returning from Indo-China a generous duty free allowance in respect of their personal and household effects.

(b) In no instances have the household articles of such evacuees been

confiscated on account of their inability to pay the customs duty.

(c) As mentioned in reply to (a) the concession has been granted.

(d) Necessary instructions have already been issued to the Customs authorities concerned that besides the concessions admissible in respect of personal and household effects under the Transfer of Residence Rules such evacuees should be allowed generous duty free allowances in so far as their personal and family jewellery is concerned on the strength of a certificate of position and status granted to them by the Indian Consul-General.

Shri R. Subramanian: With reference to part (b), may I know the total value of the property involved and the amount confiscated?

Shri Tyagi: Nothing has been confiscated except some gold which was found hidden on the person of a few of these evacuees.

Shri Rathnaswamy: Is the Government aware of the fact that the properties of certain Indians who were employed in Government service in Indo-China were confiscated because they were closely associated with the Indian Congress there?

Shri Tyagi: I regret this is beyond me.

Pandit Krishna Chandra Sharma: What is the quantity of gold found on the person of evacuees from Indo-China?

Shri Tyagi: I do not have the exact amount of gold, but it was not much.

Shri Sidhva: May I know whether this rule applies to Indian evacuees from Indo-China or all Indians who go there for business or for touring purposes?

Shri Tyagi: It is for evacuees alone. Those who bring articles for commercial purposes do not come under this.

Shri Sidhva: May I know whether this applies to Indian evacuees who come to India permanently or also to Indians who visit Indo-China and come back?

Shri Tyagi: This order pertains to evacuees only.

Shri Rathnaswamy: May I know whether those properties were withheld by the Government of Indo-China?

Shri Tyagi: I have no information about those properties. It does not pertain to my Ministry.

PROJECTS

*3711. **Shri Jnani Ram:** Will the Minister of Defence be pleased to state:

(a) the number of Projects (Parts of main camps) constructed during last war abandoned in Ranchi, Hazaribagh, Manbhum, Asansol and Singbhum districts; and

(b) the amount realised by the sale thereof?

The Minister of Defence (Sardar Baldev Singh): (a) and (b). A statement is placed on the Table of the House.

STATEMENT

Place.	No. of projects abandoned	Amount realised from sale.
		Rs.
Ranchi	18	37,100-0-0
Hazaribagh	6	28,385-0-0
Manbhum	19	1,60,175-0-0
Asansol	22	1,46,058-14-0
Singbhum	43	1,37,870-0-0
TOTAL	108	5,09,588-14-0

Shri Jnani Ram: May I know if several houses were left to dilapidate without being sold?

Sardar Baldev Singh: It would be better if the hon. Member puts a separate question after studying the information given in the statement.

LABOURERS AT DAM SITES OF D. V. C.

*3712. **Shri Jnani Ram:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the number of labourers working at different dam sites of the D.V.C.;

(b) the names of Labour organisations working at different dam sites; and

(c) the number of Labour Officers, who visited the different dam sites to look into the interests of the labourers?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) to (c). The information is being collected and will be laid on the Table of the House, when available.

Shri Jnani Ram: By what time is it expected that the information will be received?

Shri Sri Prakasa: We have written for the information. It is a difficult process, because the number of persons engaged as labourers varies from day to day. If approximate figures will satisfy my hon. friend, I shall give them:

Bokaro	2223
Maithon	1100
Tilaya	3600
Panchet Hill	750
Konar	6000
Total	13673

Shri Jnani Ram: Has any petition been filed by any labour organisation there for recognition by the authorities?

Shri Sri Prakasa: I am not aware, but I shall enquire.

TOBACCO CONSUMPTION

*3713. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Finance be pleased to state what was the total tobacco consumption in India in the year 1950?

(b) What was the consumption in Biri and snuff in 1950?

(c) How many licences were issued for tobacco factories in 1950?

The Minister of State for Finance (Shri Tyagi): (a) Consumption of tobacco during 1950-51, as measured by clearances from excise charge, was 528 million lbs. approximately.

(b) Consumption of Biris and Snuff, as such, is not known. The figures of clearances from excise charge of tobacco for the production of Biris and Snuff during 1950-51 are, however, as follows:

Biris 107.0 million lbs. appr.

Snuff 5.7 million lbs. appr.

(c) By "tobacco factories", I presume the hon. Member means "Snuff and Biri factories".

No excise licences for such factories were required prior to 1st March 1951. Nor will they be required now, with the abolition of manufacture duties on

birds and snuff. The actual figures of licences issued during the interim period are not readily available.

Pandit Munishwar Datt Upadhyay: May I know the consumption of tobacco for chewing purposes, cigars and cigarettes?

Shri Tyagi: For which year does my hon. friend want figures?

Pandit Munishwar Datt Upadhyay: Same year.

Shri Tyagi: Consumption for cigars and cheroots was 52.8 million lbs. and for chewing purposes 133 million lbs.

सेठ गोविन्द दास : जो खर्च सन् १९५० में तम्बाकू का इस देश में हुआ यह सन् १९४९ से कम था या अधिक था ?

[**Seth Govind Das:** Has the consumption of tobacco increased or decreased during 1950 as compared to 1949?]

श्री त्यागी : सन् १९४९ से अधिक था ।

[**Shri Tyagi:** It was more than what was consumed in 1949.]

सेठ गोविन्द दास : कितना अधिक था, क्या कहा जा सकता है ?

[**Seth Govind Das:** How much more?]

श्री त्यागी : यह तादाद मुझे इस वक्त मालूम नहीं है ।

[**Shri Tyagi:** At present, I do not know the exact figures.]

सेठ गोविन्द दास : जो सिगार और सिगरेट यहां पर विदेशों से आते हैं वह भी क्या सन् १९४९ के बनिस्वत सन् १९५० में अधिक आये ?

[**Seth Govind Das:** Whether the quantity of cigars and cigarettes, that are imported from abroad during 1950 was more as compared to 1949?]

श्री त्यागी : इसके लिये मुझे अलग नोटिस देने की आवश्यकता होगी ।

[**Shri Tyagi:** For this, I need separate notice.]

ILMENITE SAND

*3714. **Shri Sidhva:** Will the Minister of Natural Resources and Scientific Research be pleased to refer to the

answer given to supplementary questions raised on my starred question No. 2459 asked on 24th March, 1951 and state what has happened to the consignment of ilmenite sand which was detained at the port of Bombay?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): The Government of Bombay report that the matter is still under investigation.

Shri Sidhva: In the meanwhile where is this sand lying?

Shri Sri Prakasa: In Bombay, Sir.

Shri Sidhva: May I know if Government intend to charge any amount for this article which has been removed illegally from the Government property?

Shri Sri Prakasa: There is no illegality involved. I explained the case fully on a previous occasion. Licence was given to a particular firm to export 1500 tons of Ilmenite to Japan. Later on, we learnt that the monozite content in this particular sand was more than what was permitted for export. Therefore, we had to examine the sand. That is taking time.

Shri Sidhva: May I know whether any licence has now been given to any concern for the removal of this sand from that place?

Shri Sri Prakasa: No, Sir.

FUNDAMENTAL EDUCATION AT ALIPUR

*3715. **Shri Sidhva:** (a) Will the Minister of Education be pleased to state whether it is a fact that U.N.E.S.C.O. has given a sum of 45000 dollars for fundamental education at Alipur a Centre covering 300 villages in Delhi State?

(b) Is it also contemplated to give further sum of 12000 dollars for public libraries in India?

(c) If so, in what manner will these sums be utilized?

(مولانا آزاد) مسٹر آف ایجوکیشن

(اے) نہیں - یونیسکو نے اس طرح

کی کوئی رقم نہیں دی ہے - لیکن

اس نے فلڈامنٹل ایجوکیشن کے

اسپیشلسٹ ایڈوائزروں کا گورنمنٹ آف

انڈیا کیلئے انتظام کیا ہے اور ان کے

ایڈوائس سے جلتا کالج علیپور کے کاموں

میں فائدہ اٹھایا جا رہا ہے -

(بی) دہلی لائبریری پراجیکٹ کھلنے
سنہ ۱۹۵۱ء میں یونیسکو نے ۱۲۶۰۰
ڈالر کی رقم نکالی ہے - اس سے لائبریری
کھلنے ضروری سامان کا انتظام کیا
جائے گا اور ڈائریکٹروں کی خدمت
حاصل کی جائے گی -

(سی) سوال کا یہ حصہ پیدا
نہیں ہوتا -

[The Minister of Education (Maulana Azad): (a) No. Unesco has, however, made available to the Government the services of specialists in fundamental education and their advice has been utilised for the work of the Janata College at Alipur.

(b) A provision of \$ 12,600 has been made by Unesco for the Delhi Library Project for 1951. This will be available to the Government in the form of services of foreign and Indian directors and equipment.

(c) Does not arise.]

شری سیٹھیا : جناب وزیر صاحب نے
بتایا کہ ہنٹنجام کیا جا رہا ہے ؟
تو کس کسٹم کا ہنٹنجام کیا جا رہا
ہے، کتنی رقم سے کیا جا رہا ہے اور
کہاں یہ ہنٹنجام ہو رہا ہے ؟

[Shri Sidhva: The hon. Minister has stated that arrangements have been made. May I know how these arrangements are being made and with what amount and where?]

مولانا آزاد - اسپیشلسٹ ایڈوائزرز
کا انتظام ہوا ہے اور ان سے دہلی میں
سوشل ایجوکیشن اور دیہاتی تعلیم
کے لئے کام لیا جا رہا ہے -

[Maulana Azad: Arrangements have been made for the specialist advisers and their services are being utilised for social and rural education in Delhi.]

شری سیٹھیا : لیکن آپ نے بتایا کہ
آلیپور سینٹر میں ہنٹنجام ہو رہا ہے تو
کس کسٹم کا ہنٹنجام ہے بڑے ڈیٹیل میں
تفصیل سے۔

[Shri Sidhva: But you told that arrangements are being made at the Alipore centre. The details of the arrangements may please be given.]

مولانا آزاد - علی پور میں دیہاتی
تعلیم کا ایک سنٹر چلنا کالج کے نام
سے قائم کیا گیا ہے - یونیسکو کے
ایڈوائزر سے اس سنٹر کے کاموں میں
مدد لی جا رہی ہے - کئی دن ہوئے
لیکن سوال کے جواب میں میں بتلا
چکا ہوں کہ اس سلسلہ میں مسٹر ہیج
پہلے آئے تھے - اب مسٹر ہیج کام کر
رہے ہیں - یونیسکو نے انہیں سوشل
ایجوکیشن کے لئے ایڈوائزرز اور
اسپیشلسٹ دئے ہیں - ان سے ہم
مدد لے رہے ہیں - لیکن لائبریری
پروجیکٹ بالکل ایک الگ چیز ہے -
یونیسکو نے ایک تجویز منظور کی تھی
کہ فلڈامینٹل ایجوکیشن کے لئے
لائبریریاں قائم کی جائیں - ہلدروستان
کو اس تجویز کے ماتحت ایک لائبریری
یہاں قائم کرنی چاہیئے - چنانچہ
یونیسکو سے یہ معاملہ طے کیا گیا،
اور دہلی میں لائبریری قائم کرنے کا
انتظام کیا گیا - اس کا کچھ خرچ
یونیسکو نے اٹھایا ہے، کچھ گورنمنٹ
آف انڈیا نے - دہلی میونسپلٹی نے
بھی ۲۵ ہزار روپیہ سالانہ اس کھلنے
منظور کیا ہے -

[Maulana Azad: A rural education centre by the name of Janta College has been established in Alipore. Help is being taken from the U.N.E.S.O. adviser in running this institution. Some days ago, in reply to a question I had stated that in the first instance Mr. Hotz had come here and now Mrs. Hotz is working in his place. The

U.N.E.S.C.O. has made available to us the services of its advisers and specialists for the purposes of social education. We are taking their help. But the library project is quite a separate thing. The U.N.E.S.C.O. has passed a resolution suggesting that a library should be established for the propagation of fundamental education. In pursuance of this proposal, India should establish a library of this kind. Therefore, this matter was settled with the U.N.E.S.C.O. and arrangements were made for establishing a library in Delhi. The expenses have been borne partly by the U. N. E. S. C. O. and partly by the Government of India. The Delhi Municipality has also sanctioned an annual grant of Rs. 25,000 for it.]

सेठ गोविन्द दास : यह जो १२६०० डालर के करीब लायब्ररीज के लिये मिला है इस में से कुछ रुपया खर्च हो गया है या नहीं ? और अगर अभी इस में से कुछ खर्च नहीं हुआ है तो यह किस मद में खर्च किया जाने वाला है ?

[Seth Govind Das: Has any amount been spent out of the sum of 12,600 dollars sanctioned for the establishment of a library? And, if nothing has been spent out of it, on what items it is proposed to spend it?]

मौलाना आज़ाद - मैंने अभी आप को नज्द दली नही के लायब्ररी किले हुरुरी सामान ला जाई गा और टांरिकेटोरों की खदमत हावल की जाईगी - ये मैंने अभी नही कहे सक्ता के ये रुपये खर्ज होना शुरू हो गया है या नही - फाला शुरू हो गया है -

[Maulana Azad: I had just drawn your attention to the fact that necessary material for equipping the library will be purchased and the services of the Directors will be procured. I am not in a position to tell whether something has already been spent out of this sum or not—probably something is being spent out of it.]

सरदार लुचत सिंह : क्या मैं पूछ सकता हूँ कि इस बुनियादी तालीम में कौन कौन से मजामीन शामिल हैं और उन की तालीम का क्या मीबार है ?

[Sardar Sochet Singh: May I ask as to what subjects have been included in the basic education and what is the standard of the same?]

मौलाना आज़ाद - हुरुरी तलविल मैंने अस वकत नही बता सकता - बा वार ये सवाल हावस मैंने कहा है और कइदात हावस के तहिल पर रकमे किले हैं - फेडामेन्तल एड्युकेशन मैंने जो चेर बलहादी طور पर रकही किली वे वे हे के अहोरे आदमों को सर्फ लकहा प्रोहना ही नह सकाया जाई बल्के अन्की हाम दमाफी तर्की का हूी सामन कहा जाई - अस दमाफी तलहम किले बेत से सभेकतस रकमे किले हैं मैंने जो हुरुरी सजे किले हैं मैंने -

[Maulana Azad: At present I am not in a position to give you the details. This question has been asked a number of times in the House and papers have been laid on the Table of the House. The basic principle underlying the fundamental education is that the illiterate persons should not only be taught the three R's but in addition to this they should be provided with other facilities so that they may develop their mental faculties as well. Many subjects which were deemed necessary for their mental education have been included.]

श्रीचरी रनबीर सिंह : क्या शिक्षा मंत्री जी यह बताने की कृपा करेंगे कि जनता कालेज के हर विद्यार्थी को बजीका दिया जाता है और दिया जाता है तो क्यों ?

[Ch. Ranbir Singh: Will the hon. Minister be pleased to state whether scholarship is being given to every student of the Janta College and if so, why?]

मौलाना आज़ाद - खयाल किया गया है कि अभी कली वदियारती लसे हونके जलहें कचे मद देली जाहेंगे -

[Maulana Azad: It is realised that there are still many such students, who should be given help.]

CONTRACTORS AT DAM SITES IN D. V. C.

*3716. **Shri Jnani Ram:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the number of contractors at different dam sites in D.V.C.; and

(b) the works for which contracts have been given to them?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). The information is being collected and will be laid on the Table of the House when available.

Shri Jnani Ram: Is it a fact that these contractors are sub-letting the work to petty contractors?

Shri Sri Prakasa: I have had no complaint of this nature made to me, Sir.

Shri Shiva Rao: In view of the defects in the terms of the existing contracts pointed out by the Auditor in his latest Administration Report on the Damodar Valley Corporation, may I know, Sir, whether any attempt is being made to rectify those defects so as to eliminate for the future possibilities of disputed claims arising, as they have done in the past?

Shri Sri Prakasa: As I have said, Sir, on more than one occasion, the whole matter is being discussed between this Ministry and the D. V. C. The hon. Member knows the law under which the D. V. C. works; and it is not always easy to get all the information needed quickly. But I may also state, Sir, for the information of the House that another inter-state Conference is being held on the 5th where this and other matters will be fully discussed.

Shri Shiva Rao: May I know whether the hon. Minister will direct his attention particularly to the terms of the contracts and scrutinise them so as to remove those ambiguities which have resulted in higher prices being paid on disputed claims?

Shri Sri Prakasa: I am thankful to the hon. Member for drawing my attention again to this matter and I can assure him that I shall do all that is necessary.

Shri B. R. Bhagat: May I know, Sir, whether the attention of the Government has been drawn to the Auditor's Report mentioning two points: that there is no schedule of rates as regards work done and that big tenders are given mostly by negotiation and not by open tenders and if so, whether

Government propose taking up this matter?

Mr. Speaker: I think they are all suggestions for action. This matter has been fully gone into on previous occasions and I think there was a half-hour discussion also,...

Shri Sri Prakasa: Not only during that half-hour discussion but on other occasions also.....

Mr. Speaker: when the hon. Minister promised that he would look into the matter and bring in an amending legislation.

Shri Sri Prakasa: and the matter is being looked into.

Shri Jnani Ram: May I know if additional claims are being filed for every item of work that is being done in the D. V. C?

Mr. Speaker: We are entering into details of these contracts; these are matters for examination.

Sardar Sochet Singh: Is it wrong or illegal for contractors to sub-let their work to petty contractors?

Mr. Speaker: That is a matter of opinion on law.

EXPERT COMMITTEE ON INDIAN COMPANIES ACT

*3717. **Shri S. N. Das:** Will the Minister of Finance be pleased to state:

(a) whether the Expert Committee set up to examine the question of revision of the Indian Companies Act, 1913, has submitted its reports; and

(b) if not, how long it will take to submit its reports?

The Minister of Finance (Shri C. D. Deshmukh): (a) No, Sir.

(b) It is difficult to estimate at this stage how much longer the Committee will take to submit its report but from the progress so far made and the work still ahead of it, it is not likely to be able to do so before the end of August.

Shri S. N. Das: May I know when this committee was constituted and when it commenced its work?

Shri C. D. Deshmukh: The Committee was constituted towards the end of October 1950, but it got into stride only from about the middle of December when the Chairman returned from abroad.

Shri S. N. Das: May I know whether at the time of constituting this Committee any time for submission of the report was fixed?

Shri C. D. Deshmukh: It was indicated that its report should be submitted not later than the end of February 1950.

Shri S. N. Das: What are the reasons for the delay then?

Shri C. D. Deshmukh: I have mentioned just now, Sir, that the Committee could start work only after the return of the Chairman from abroad which was in the middle of December. During the intervening period the Secretariat of the Committee was engaged in analysing comments and proposals received from various quarters, also, analysis of the provisions of the present Indian Companies Act, together with a comparative statement showing the parallel provisions in the English Companies Act, 1948. From the middle of December to the middle of January 1951, the Committee was engaged in tabulating and analysing the various comments and memoranda. Then a sub-committee was formed to go into the provisions of the English Companies Act. In general the volume of work to be investigated by the Committee is so large that it could not complete its work by the date first mentioned.

Shri Hanumanthaiya: May I know for how many days the Committee has sat for work?

Shri C. D. Deshmukh: I am sorry I have not got the information on how many days actually the Committee has sat. The Committee has been working throughout this period.

DAMODAR VALLEY CORPORATION (FINANCIAL SET UP)

*3718. **Shri B. R. Bhagat:** Will the Minister of Natural Resources and Scientific Research be pleased to refer to the answer given to starred question No. 2332 asked on the 19th March 1951 and state:

(a) whether the financial set up of the Damodar Valley Corporation has since been discussed by the representatives of the Governments of West Bengal and Bihar with the hon. Minister of Finance; and

(b) if so, whether any decision has been taken in the matter?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). The proposed meeting between the hon. Finance Minister and the representatives of the Governments of West Bengal and Bihar has not yet taken place. An Inter-State Conference will be held on the 5th May, 1951. The whole question of the financial set-up of the

Damodar Valley Corporation will be then discussed.

Shri B. R. Bhagat: May I know whether any specific agenda has been drawn up for this meeting?

Shri Sri Prakasa: Yes, Sir.

Shri B. R. Bhagat: What are the points that will be taken up for discussion at the meeting?

Shri Sri Prakasa: (1) The status of the Financial Adviser of the Damodar Valley Corporation; (2) Method of repayment of the loans advanced by the Central Government to the Governments of West Bengal and Bihar for financing their shares of funds of the Damodar Valley Corporation; (3) Indianisation of the Board of Consultants of the Damodar Valley Corporation, and (4) Association of an eminent Engineer with the Damodar Valley Corporation. Besides these four items, the Maithon dam project is also likely to be discussed.

Shri Kamath: Is any amendment of the Damodar Valley Corporation Act also under consideration?

Shri Sri Prakasa: No, Sir.

Shri Jaani Ram: May I know the place where the meeting is to be held?

Shri Sri Prakasa: Delhi, Sir, perhaps some corner of this Parliament House.

CIVIL AND MILITARY PENSIONS

*3719. **Shri Barman:** (a) Will the Minister of Finance be pleased to state the amount of external obligations of India in 1947 (i) for payment of Civil and Military Pensions, (ii) on account of sterling and dollar companies exporting profits, (iii) on account of earnings of insurance companies incorporated outside India?

(b) How have the positions improved in subsequent years and how our external obligations on the above heads stood in 1950?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). India's liability for the payment of Civil and Military pensions in England amounted to £5·882 million and £5·795 million during 1946-47 and 1950-51, respectively.

As regards (ii) and (iii), information is available only for the accounting year of the respective companies preceding the 30th June, 1948. For this period, the profits of the sterling companies operating in India were Rs. 2,551 lakhs and of dollar companies Rs. 200 lakhs. Earnings of the insurance companies incorporated abroad were Rs. 90 lakhs.

I may add that not all profits earned during a year are necessarily remitted abroad; some part is usually retained in India. It is, however, not possible to give even an approximate estimate of the profits so retained during this period.

Shri Barman: Is it a fact that due to our imports being contracted on a c.i.f. basis we have to undergo a heavy external obligation as far as our balance of payments is concerned? If so, have Government taken any steps to contract our imports on an f.o.b. basis and have the cargo insured with some companies in India?

Shri C. D. Deshmukh: That depends on the feasibility of arrangements in any particular transactions. I do not see that any general arrangement can be made in regard to c.i.f. or f.o.b., in regard both to the private and the public sector.

Shri Barman: Is it a fact that at the present moment most of the exports of jute goods are contracted on an f.o.b. basis, and is it possible for the Government to induce the foreign importers to have them contracted on a c.i.f. basis?

Shri C. D. Deshmukh: I am not aware of the problem having been investigated, but I shall be prepared to have it examined. Offhand I should say that any such attempt would not be very successful if it involves interference with established trade practices.

Shri T. N. Singh: May I know whether any bullion has been allowed to be exported in lieu of these profits—are the profits earned being paid in the shape of bullion?

Shri C. D. Deshmukh: No, Sir, that is not permissible.

RETRENCHMENT

*3720. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Defence be pleased to state how many military personnel of the Ministry of Defence have been discharged as a measure of retrenchment upto 31st March, 1951?

(b) What is criterion for judging the liability for retrenchment?

(c) Is there any arrangement for the rehabilitation of these discharged persons?

The Minister of Defence (Sardar Baldev Singh): (a) 50,000.

(b) The only criterion for judging the liability for retrenchment was the fighting value of the units. The reduction of 50,000 covers only such units which

had comparatively less fighting value from an operational point of view.

(c) Yes. A separate cell has been created in the Ministry of Defence to work out schemes for the rehabilitation of the discharged personnel. The main avenues of resettlement are—land colonisation schemes, provision of vocational/technical training, registration with employment exchanges etc.

Pandit Munishwar Datt Upadhyay: May I know what personnel, of what ranks and of what States have been retrenched?

Sardar Baldev Singh: I said 50,000 men. If the hon. Member wants details of these 50,000 men I am afraid I have not got them here.

Pandit Munishwar Datt Upadhyay: Would the hon. Minister tell me the personnel and the States to which they belong that have been retrenched?

Sardar Baldev Singh: I have only got the total figure of 50,000. If my hon. friend wants figures State-wise I am afraid I will require notice.

Pandit Munishwar Datt Upadhyay: How many of these persons who have been retrenched have been rehabilitated?

Sardar Baldev Singh: Arrangements have been made to train 500 persons in the Ministry of Labour training centres. So far 245 postings have been made. And several States such as Hyderabad, Rajasthan, Kutch and Tripura have offered to take suitable demobilised personnel in their police forces. Up to now 1,580 men have secured employment in the police forces.

Pandit Munishwar Datt Upadhyay: May I know whether side by side with retrenchment, recruitment of new persons is also going on?

Sardar Baldev Singh: Yes, that is a normal process. But when retrenchment is taking place, the recruitment is on a very very reduced scale.

Pandit Kunara: What is the total sum required for the rehabilitation of the discharged personnel?

Sardar Baldev Singh: I require notice, because several schemes are under consideration and they have not yet been finalised. If the hon. Member wants to know the total amount required to rehabilitate these 50,000 men, the information is not yet available.

Shri T. N. Singh: May I know whether this discharged personnel is being rehabilitated in the cities mostly, or whether these men are rehabilitated in

the villages where they are being given lands at certain concessional rates?

Sardar Baldev Singh: As far as rehabilitation schemes are concerned, no particular distinction is made. Wherever they can be found employment they are helped to get employment, in the cities as well as in the rural areas. We have several schemes—land colonisation schemes—which are in the rural areas. Those schemes are being finalised, and quite a large number of this discharged personnel will be absorbed in the land colonisation schemes.

Shri Ghule: May I know how much money has been credited to the Madhya Bharat Government for the rehabilitation of this retrenched personnel?

Sardar Baldev Singh: No separate sums have been credited to different States. The money is credited to the Centre and is made available for rehabilitation schemes.

Pandit Thakur Das Bhargava: Is it the experience of the military authorities that only about 5 per cent. of the discharged soldiers require rehabilitation, and the others return to their homes from where they were recruited?

Sardar Baldev Singh: It is very difficult to say what the percentage is. But a large number of these military people when they are discharged go to their homes and they do not need rehabilitation facilities. The rehabilitation facilities are provided for those who are in need of them.

Sardar Sochet Singh: How many of these 50,000 retrenched military personnel belong to the Indian States Forces and how many to the Indian Army?

Sardar Baldev Singh: I have not got that information. I would require notice.

Ch. Ranbir Singh: How many acres of land have so far been reclaimed for rehabilitation of the discharged Defence personnel?

Sardar Baldev Singh: I am afraid I am not in a position to answer that, as reclamation is not done by our Ministry.

Pandit Munishwar Datt Upadhyay: May I know whether the persons who are being now recruited are mostly technicians or ordinary soldiers?

Sardar Baldev Singh: They are in different categories, both technicians and others as well.

TAX EVASION

*3721. **Shri M. P. Mishra:** Will the Minister of Finance be pleased to state the number of cases of tax-evasion referred to the Income-tax Investigation Commission from the State of Bihar?

The Minister of State for Finance (Shri Tyagi): Forty-three.

Shri M. P. Mishra: What is the total sum of money involved in all these cases?

Shri Tyagi: The total amount of money involved in all the cases will be available only when the Investigation Commission has made its report. Up till now out of these 43 cases the Investigation Commission has reported only 29 to the Government. These reports give information regarding the terms and conditions on which the settlement is arrived at. These conditions and terms are examined by the Government and after examination, final orders are issued. So the Government has been able to issue final orders in regard to only four cases out of these 29. These four cases involve an income of 17.58 lakhs and income-tax due over this income is Rs. 11.63 lakhs. There is another batch of 25 cases of one group of industrialists which is under consideration of the Government and the final conditions have not yet been approved and this involves a hidden income of 4.58 crores and the income-tax reported by the Commission is Rs. 1.09 crores.

Shri M. P. Mishra: May I take it that only 2 cases out of 43 cases have been settled so far?

Shri Tyagi: I submit that only 29 cases have been reported so far by the Commission. The rest are still pending and they are under consideration. Out of these 29, four have been finalised, so far as, the Government orders are concerned.

Shri Naziruddin Ahmad: How does the Bihar figure compare with the figures of other Provinces?

Shri Tyagi: I cannot say province-wise because I have not compared the figures, but it all depends upon the industrial centres wherever they are.

Shri M. P. Mishra: How many of these cases are such as may be called socially important according to the definition of the Finance Minister?

Shri Tyagi: The 25 cases which have come and which are receiving the consideration of the Government are socially important.

Mr. Speaker: Let us go to the next question.

OPERATIONS BY I. A. F.

*3722. **Dr. M. M. Das:** Will the Minister of Defence be pleased to state:

(a) the total number of operations conducted by the I.A.F. for dropping supplies to the marooned villages in East Punjab and Assam after flood and earthquake in the year 1950; and

(b) the total number of pilots and planes that took part in those operations in each of the two States?

The Minister of Defence (**Sardar Baldev Singh**): (a) 18 sorties in East Punjab and 216 sorties in Assam.

(b) In the East Punjab Operations, one aircraft took part with 2 officers to pilot, and in Assam not more than 6 aircraft at a time took part with 2 officers to pilot each aircraft.

Dr. M. M. Das: May I know the different varieties of supplies that were dropped by the I. A. F. to the marooned people?

Sardar Baldev Singh: The supply dropped consisted of rice, *jeerah*, salt, tea, paddy, paddy-seeds, postal mail, medical stores, kit bags, cigarettes, hurricane lanterns, tents, aluminium utensils, blankets and sugar.

Dr. M. M. Das: What is the total amount of foodgrains that were dropped to each of these States from the aeroplanes?

Sardar Baldev Singh: I have not got separate details of these items and I will have to get the information if the hon. Member will put another question.

Dr. M. M. Das: May I know whether the hon. Minister is in a position to let us know the minimum and maximum number of miles that the I. A. F. had to fly for dropping these supplies?

Sardar Baldev Singh: I have not got the information here but if the hon. Member is anxious to know the mileage that is covered by the aircrafts, I will have to find out.

Shri J. N. Hazarika: May I know if any people from the marooned areas were also rescued by the I. A. F.?

Sardar Baldev Singh: No, Sir. The question of rescuing people from these marooned areas does not arise, as the question relates to the dropping of supplies from the air.

Shri Chalhha: May I know whether the private monoplanes of Jokai Tea Company helped in the operations and

took people across the river in Assam and dropped food to the marooned people?

Sardar Baldev Singh: I have not got any information about private planes. I have only information about the Indian Air Force.

Dr. M. M. Das: I want to know the aerodromes from which these planes operated?

Sardar Baldev Singh: I have not got the information about the aerodromes.

Mr. Speaker: Next question.

T. B. CLINICS IN OLD DELHI

*3723. **Dr. M. M. Das:** Will the Minister of Health be pleased to state:

(a) the dates of purchase and installation of the X-ray machine in the Tuberculosis clinics in Old Delhi;

(b) the cost and installation charges of the machine; and

(c) the average monthly numbers of X-ray taken and screening done by the machine in the clinics?

The Minister of Communications (**Shri Kidwai**): (a) to (c). A statement is placed on the Table of the House. [See Appendix XXIII, annexure No. 42.]

Dr. M. M. Das: From the statement supplied, I find that the X-ray machine for the T. B. clinic in Old Delhi cost Rs. 44,000 and it was purchased and installed in March, 1950. Thirteen months have passed, but the machine has not worked due to the lack of A. C. current. I want to know from the hon. Minister why during the time of the purchase of the machine the nature of current available in Old Delhi and the nature of current required for running the machine were not taken into consideration?

Shri Kidwai: I hope the hon. Member realizes that the T. B. clinic is run by the Municipal Board. The A. C. current is available but for one reason or another, the line was not prepared. I think it will be available in a short time.

Dr. M. M. Das: In view of the fact that due to lack of common sense on the part of the authorities, it was not possible to run the machine, may I know what is the proposal of Government to utilize this machine?

Shri Kidwai: I said that the line is being constructed and in a short time it will be working.

Pandit Munishwar Datt Upadhyay: Is the X-ray service done free or is there

any charge and if so, is the clinic self-supporting?

Shri Kidwai: No; there is a charge, but I do not know what the hon. Member means by 'self-supporting'.

Dr. M. M. Das: May I know what is the estimated date on which this machine is expected to function?

Shri Kidwai: Let us hope within the next six weeks.

लाला अचिंत राम : क्या माननीय मंत्री जी कृपा कर के बतलायेंगे कि देहली टी० बी० क्लिनिक्स में जो ऐक्सरे मशीनस हैं, वह देहली की जरूरत को पूरा करने के लिये काफी हैं ?

[**Lala Achint Ram:** Will the hon. Minister be pleased to state whether the X-ray machines in the T. B. clinics are sufficient to meet the requirements of Delhi?]

श्री किडवाई : मैं इस का जवाब नहीं दे सकता कि यहां किस अस्पताल में ऐक्सरे मशीनस हैं या नहीं हैं और वह काफी होंगी वा नहीं काफी होंगी ।

[**Shri Kidwai:** I am not in a position to say which of the hospitals here have got X-ray machines or not and whether they are sufficient to meet the local requirements or not.]

HINDUSTAN AIRCRAFT FACTORY

*3724. **Shri Thimmappa Gowda:** (a) Will the Minister of Defence be pleased to state whether the Board of Directors of the Hindustan Aircraft Factory have decided to expand the Factory?

(b) If so, what is the estimated cost of such expansion?

(c) Is it proposed to take over the Civil Aviation Unit at Barrackpore under the management of the Hindustan Aircraft Factory?

The Minister of Defence (Sardar Baldev Singh): (a) Yes.

(b) The cost of Capital expenditure due to this expansion is estimated to be about Rs. 73 lakhs up to the end of 1951-52.

(c) Yes. It has already been taken over with effect from the 1st April 1951.

Shri Thimmappa Gowda: May I know whether in the present scheme Government propose to employ any foreign experts or technicians in this factory? If so, how many?

Sardar Baldev Singh: Yes, Sir. If the nature of the work requires the assistance of foreign technicians, they will be employed and according to the present programme, we propose to get them. I am not in a position to give the exact number, but 2 or 3 foreign experts are coming to help us in the work that we have undertaken.

Shri Thimmappa Gowda: May I know under what terms of service?

Sardar Baldev Singh: I have not got the terms of employment. They must be with the factory and if the hon. Member is interested and if he puts a separate question, I will be able to work that we have information.

Prof. S. N. Mishra: May I know whether the rate of profit during the last year was lower than that in the previous year, and if so, whether the expansion is financially justifiable?

Sardar Baldev Singh: This question which the hon. Member is asking was answered some days ago. I have not got the information just now; but the reasons for the lower profits were fully explained in reply to a question which was put a few days ago.

Shri M. L. Gupta: May I know how much loss was suffered by the factory in the recent fire in the Bangalore Exhibition?

Sardar Baldev Singh: I have no information.

Shri A. C. Guha: On what terms was the Civil Aviation Unit at Barrackpore taken over? Was it a Government concern or a private concern?

Sardar Baldev Singh: It belonged to the Government. It was in charge of Tata Aircraft Ltd. Now, it is being taken over by the Government itself.

Shri Shankaraiya: May I know if the expansion programme would include the manufacture of the different kinds of aircraft, that is, bombers, jets, dakotas and other things?

Sardar Baldev Singh: It is our intention to manufacture all kinds of aircraft in the Hindustan Aircraft Ltd.

Shri T. N. Singh: May I know in which direction expansion is mainly taking place, whether it is a general expansion or in certain specialised directions?

Sardar Baldev Singh: In certain specialised directions.

Shri T. N. Singh: May I know what they are?

Mr. Speaker: Let us not go into those details. Next question.

Shri A. C. Guha: One question, Sir. Whether.....

Mr. Speaker: Next question.

पर्यालोकन

*३७२५. श्री जांगडे : (ए) क्या शिला

मंत्री यह बतलाने की कृपा करेंगे कि क्या भारत सरकार के पुरातत्व विभाग द्वारा महोबा (उत्तर प्रदेश) के प्राचीन अवशेषों अथवा शिला लेखों का पर्यालोकन किया गया है ?

(बी) यदि उपरि भाग (ए) का उत्तर स्वीकारात्मक हो, तो क्या आल्हा-ऊदल के भवनों अथवा उन के शस्त्रों का कोई पता लगा है ?

ARCHAEOLOGICAL SURVEY OF MAHOBIA
(U. P.)

[*3725. Shri Jangde: (a) Will the Minister of Education be pleased to state whether any survey has been made by the Archaeological Survey of India in respect of the ancient ruins at Mahoba (Uttar Pradesh) or the old inscriptions on them?

(b) If the answer to part (a) above be in the affirmative, has any trace been found of the palaces of Ala and Udal or of their weapons?]

मल्लिकार्जुन (मोलाना आज़ाद):

(अ) हाँ - महोबा के किल्लों की पुरी तरह जांच पुरालेखी विभाग द्वारा की जा चुकी है।

(बी) नहीं। इस तरह का कोई सुराख नहीं मिला -

[The Minister of Education (Maulana Azad): (a) Yes, Sir. The ruins at Mahoba were extensively surveyed by Sir Alexander Cunningham in the last century.

(b) No, Sir.]

श्री जांगडे : क्या माननीय शिक्षा मंत्री बतलायेंगे कि पुरातत्व विभाग ने महोबा के सिवा किसी अन्य क्षेत्र में भी पता लगाया

है जिस से आल्हा ऊदल के शस्त्र या उन के महल का पता चला है ?

[Shri Jangde: Will the hon. Minister of Education be pleased to state whether any survey has been made by the Archaeological Survey of India in any place other than Mahoba so that any traces of the weapons or palaces of Ala and Udal could be found?]

मोलाना आज़ाद : जहाँ तक गवर्नमेंट को معلوم है किसी जगह ऐसे نشان نہیں ملے ہیں -

[Maulana Azad: As far as the Government are aware no such traces have been found anywhere.]

श्री द्विवेदी : मैं यह जानना चाहता हूँ कि महोबा के पास आल्हा ऊदल के कमाने का जो किला है, जो कि बारीगढ़ के नाम से मशहूर है, क्या उस की रक्षा का कोई इन्तजाम गवर्नमेंट आफ इंडिया के आर्कैलॉजिकल डिपार्टमेंट की तरफ से किया जा रहा है ?

[Shri Dwivedi: I want to know whether any arrangements are being made by the Archaeological Survey of India for the preservation of the old fort near Mahoba, known as Barigarh fort dating from the times of Ala and Udal?]

मोलाना आज़ाद : हाँ - बात यह है

जो किल्लों के महोबा के पुराने किल्लों में उन को तब तक मिला है जहाँ तक कि महोबा के पुराने किल्लों का आर्कैलॉजिकल डिपार्टमेंट की तरफ से किया जा रहा है।

[Maulana Azad: Yes. The ruins found near Mahoba have been divided

into three parts. One is Mahoba proper, the second is that about which the hon. Member has just referred and is locally called as 'Bhitari Kila' (Inner fort) and which is situated on a hill top. The third part is the place which is famous by the name of Dariba. Arrangements have been made by the Archaeological Survey of India for the preservation of all these three places and they are regularly being looked after.]

A. I. R. OFFICE, MADRAS

*3726. **Shri Rathnaswamy:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the strength of the gazetted and non-gazetted posts in the All-India Radio office at Madras?

(b) whether appointments there are filled up by the Union Public Service Commission or directly by the Department; and

(c) how many Scheduled Castes candidates are employed in the non-gazetted posts?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) A statement is laid on the Table of the House. [See Appendix XXIII, annexure No. 43.]

(b) Appointments to Class I and Class II posts are made in consultation with the Union Public Service Commission, except for a 20 per cent. quota in the cadres of Assistant Station Director and Programme Executive, where appointments are made by promotion on the recommendation of a Departmental Promotion Committee. Appointments to Class III and Class IV posts are made by the Director General or by the Head of a subordinate office in accordance with the rules laid down by the Ministry of Home Affairs.

(c) Sixteen.

Shri Rathnaswamy: May I know who are the Members that constitute these Departmental Promotion Committees?

Shri Diwakar: They are *ad hoc* committees which are constituted at the particular time when required.

Shri Rathnaswamy: What is the percentage of appointments that were directly made by the departmental heads concerned, and may I know whether those appointments were afterwards regularised by the Union Public Service Commission?

Shri Diwakar: I have already mentioned that a 20 per cent. quota is reserved.

Shri Rathnaswamy: May I know whether any of these 18 appointments held by scheduled castes are in the gazetted rank?

Shri Diwakar: These are 16, not 18. Whether they are gazetted or not, I cannot exactly say.

Shri Rathnaswamy: May I know whether the ratio set apart by the statute for the scheduled castes is being observed, and if not, whether instructions have been issued to the departments concerned to see that adequate representation is given to the members of the scheduled castes?

Shri Diwakar: Yes; it is observed subject to the availability of properly qualified personnel.

Pandit Kunzru: The hon. Minister stated in reply to part (b) of the question that appointments to gazetted posts were made in consultation with the Public Service Commission. Am I to understand that the Information and Broadcasting Ministry disregards the recommendations of the Union Public Service Commission whenever it likes?

Shri Diwakar: Never.

Pandit Kunzru: What does he mean by saying that appointments are made in consultation with the Union Public Service Commission?

Shri Diwakar: That is only a way of saying things according to constitution.

Shri Amolakh Chand: May I know Sir, how the Madras All India Radio staff compares with the Delhi All India Radio staff?

Shri Diwakar: I do not understand what is meant by comparison.

Mr. Speaker: I think it is going into administrative details too much. Let us confine ourselves to the questions of principle.

Shri T. T. Krishnamachari: What is the percentage of temporary staff in the A. I. R. Madras?

Shri Diwakar: I would like to have notice.

Mr. Speaker: Next question.

POINT FOUR PROGRAMME

*3728. **Shri Sidhva:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether any scientist experts arrived in India or any negotiations are afoot with U.S.A. to call them for the purposes of helping in mineral and ground work development under President Truman's Point Four Programme?

(b) If so, what are their plans and are they likely to examine any dam or development projects?

(c) What will be the commitments of India in this respect?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) Yes, Sir. Four experts had been asked for, namely,—

- (i) one Economic Geologist,
- (ii) one Ground Water Geologist,
- (iii) one Geophysicist; and
- (iv) one Engineering Geologist.

Of these two, namely, the Ground Water Geologist and the Economic Geologist arrived in January 1951 and March 1951, respectively. Negotiations to obtain the other two experts, viz. Engineering Geologist and a Geophysicist, are continuing.

(b) The Ground Water Geologist is at present engaged in directing quantitative ground water studies in Eastern Kutch. The Economic Geologist will work at the Manganese Belt in Madhya Pradesh and will later visit the Lead-Zinc Mines at Zawar (Udaipur). The programme for the Engineering Geologist and the Geophysicist will be drawn up as soon as their special experience and qualifications are known.

(c) The passage expenses to India and back to the U. S. A. of the experts and their salaries are being paid by the United States. India is responsible for (a) provision of laboratory and office facilities and secretarial assistance, and (b) travel costs within India for journeys in connection with official work.

Shri Sidhva: When these reports are completed, may I know whether they will be presented to the Government of India first or to the U. S. A. Government?

Shri Sri Prakasa: I do not know the exact convention on the subject. I shall try to find out and act accordingly.

Shri Sidhva: May I know whether the two other scientists in respect of whom negotiations are going on, are also to outline dam development projects, or to ascertain and collect information regarding earthquakes and landslides in India?

Shri Sri Prakasa: As I said in my answer to the main question, we shall assign their work as soon as we know the exact qualifications they possess.

सेठ गोविन्द बास : जो लोग यहाँ पर आ रहे हैं वह यहाँ पर कितने दिन ठहरेंगे, और उन का जो कार्यक्रम

बन चुका है क्या जल्द पढ़ने पर उस से अधिक भी ठहरेंगे या इतने समय के अन्दर ही चले जायेंगे ?

[Seth Govind Das: How long will those scientists who are being invited to come, stay here and if the need arises whether they will extend their period of stay beyond the fixed time or will they leave within the prescribed time limit?]

श्री श्री प्रकाश: अभी तक कोई कार्यक्रम नहीं बना है क्योंकि अभी से इस का मालूम करना सम्भव नहीं है कि कितने दिनों तक उनकी आवश्यकता होगी। जितने दिनों तक उन की आवश्यकता होगी, वह यहाँ ठहरेंगे।

[Shri Sri Prakasa: No programme has been chalked out as yet because it is not possible to know at present for how long will they be needed. They will stay as long as they are needed here.]

Shri Kamath: Is there going to be any co-ordination of efforts between the American ground-water geologist and our own underground water expert such as Paniwala Maharaj?

Shri Sri Prakasa: I have no knowledge about Paniwala Maharajas. But, coordination in every sphere is necessary and desirable including coordination between my hon. friend and myself.

Dr. Ram Subhag Singh: In view of the fact that the hon. Minister does not know as to whether the experts will submit their report to the Government of India or the Government of the United States of America, may I know under what conditions their services were obtained?

Shri Sri Prakasa: I understand that their report will be submitted to us.

Shri Jnani Ram: May I know whether the ground work engineers visited the eastern parts of the country and examined the prospects of inland navigation?

Shri Sri Prakasa: As I have already stated, I do not possess any further information as regards their actual working.

Dr. Deshmukh: Sir, the hon. Minister was very hesitant in replying to the question whether the reports will be first submitted to our Government or not. May I ask him if it has not been laid down that before any information

about geological surveys is given to any nation or to any U. S. A. Officer or U. S. A. Government, it shall be the property of the Government of India and the officer concerned shall be bound not to disclose that information to any other person except the Government of India except with their permission?

Shri Sri Prakasa: it is true I was hesitant because I did not know the facts exactly. But in between answering the first question and answering the following supplementary question, I got the information; and so I said that it will be submitted to the Government of India.

GEOLOGICAL SURVEY OF *Rajalaseema*

*3729. **Dr. M. V. Gangadharra Siva:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether it is a fact that a Geological Survey of *Rajalaseema* in Madras State was sanctioned by the Government of India;

(b) whether the mineral wealth of *Rajalaseema* in Madras State have been surveyed; and

(c) if so, what are the minerals found in each district, the quantity and the cost?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) Yes, Sir.

(b) The Geological Survey of India have since 1939 carried out surveys in the field season each year in the *Rajalaseema* districts of Anantapur, Bellary, Chittoor, Cuddapah and Kurnool in Madras State. Out of roughly 28,000 square miles of the *Rajalaseema* area, nearly 5,500 square miles have already been systematically mapped and the work is being continued each season.

(c) A statement giving the information available is placed on the Table of the House. [See Appendix XXIII, annexure No. 44.]

Dr. M. V. Gangadharra Siva: May I know whether it is a fact that an important rare mineral has been discovered in the Kurnool district of *Rajalaseema* and if so what is the progress made in extracting it?

Shri Sri Prakasa: All the facts that I have in my possession I have given in the Statement now placed on the Table of the House. It the hon. Member will study it he will find in it all that he wants to know.

Dr. M. V. Gangadharra Siva: Which of the minerals extracted are exported to foreign countries and what is the net amount realised?

Shri Sri Prakasa: I cannot give straight off all the details that the hon. Member wants.

Dr. M. V. Gangadharra Siva: Is it the aim of the Ministry to encourage the starting of private industrial concerns in *Rajalaseema*?

Shri Sri Prakasa: That is a matter of policy which will have to be discussed later.

DISTRICT COUNCIL IN TRIBAL AREAS OF ASSAM

*3730. **Shri Saprawnga:** (a) Will the Minister of Home Affairs be pleased to refer to the answer given to starred question No. 1418 asked on the 13th February, 1951 regarding District Councils in Tribal Areas of Assam and state when Government propose to set up the District Councils in the autonomous districts of Assam?

(b) What are the reasons for not setting up the District Councils at an earlier date?

The Minister of Home Affairs (Shri Rajagopalachari): (a) and (b). Government intend to form District Councils as soon as the rules for the constitution of the District Councils now under circulation to the members of the present Advisory Councils, are finalised and the constituencies delimited and the final voters' rolls are published. It is expected that the election will be held towards the end of the current calendar year.

Shri Saprawnga: How many of these autonomous districts are represented in the State Legislature and how many are not?

Shri Rajagopalachari: I am sorry I do not have the material before me.

Shri Chalhha: May I know whether Government intend to consult the Tribal Chiefs and headmen before setting up these District Councils?

Shri Rajagopalachari: The present Advisory Councils are being consulted and it is considered that that would be enough.

Dr. Ram Subhag Singh: Is it a fact, that some inhabitants of these autonomous districts of Assam, especially the Nagas, are going to hold a plebiscite from the 16th of May onwards to carve out an independent State of Nagaland?

Shri Rajagopalachari: It is desirable that that matter is not given importance in this House.

Shri Saprawnga: May I know whether the present Advisory Councils are also supposed to give advice to the

Magistrates of these districts in the day to day administration of the areas?

Shri Rajagopalachari: The function of the Advisory Council is to give advice to the administration. These will be substituted by elected bodies. The question was as to the time to be taken for forming the new councils. The present Advisory Councils will disappear very soon.

Shri B. R. Bhagat: May I know whether these Advisory Councils are functioning in all these autonomous districts or only in some of them?

Shri Rajagopalachari: Except in the Naga District.

ELECTRICITY TO SUBURBAN AREAS OF DELHI

*3731. **Shri M. Naik:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether any scheme is under the consideration of the Government of India to supply electricity to the residential quarters as well as public institutions in the townships recently set up around the Capital?

(b) If so, when is the scheme going to be given effect to?

(c) What is the probable expenditure to electrify all the suburban areas?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) to (c). There is no scheme in hand with the Government of India to supply electricity to any such township. There are, however, certain schemes with the Delhi State Electricity Board and the New Delhi Municipal Committee. A Statement giving details of the schemes; the probable dates of their completion as well as the cost of each scheme, is placed on the Table of the House. [See Appendix XXIII, annexure No. 45.]

Shri M. Naik: From the Statement supplied by the hon. Minister I find that a sum of Rs. 7 lakhs is entered as the cost of rural electrification of the Southern Zone of the Delhi State. May I know whether these schemes include the supply of electricity for usual electrification purposes only or do they include supply of electricity for industrial purposes also?

Shri Sri Prakasa: I am sorry I do not have that information here.

Shri M. Naik: May I know whether there is any scheme under the contemplation of the Government for starting big industrial factories round about Delhi?

Shri Sri Prakasa: Not, Sir, under the auspices of my Ministry.

Shri Deshbandhu Gupta: How many applications for electricity—both for power and light—are pending with the authorities concerned at the moment and how long will it take the Government to supply electricity to these applicants?

Shri Sri Prakasa: Sir, the problem that my hon. friend has raised is a difficult one, because the population of Delhi has gone up by leaps and bounds, and the electricity plant is where it was. I think that when the Nangal-Bhakra project starts working, we shall have all the electricity we need.

Shri M. Naik: Sir, a total of Rs. 92 lakhs is set apart for schemes of the New Delhi Municipal Committee. May I know during what period this entire sum is going to be spread over?

Shri Sri Prakasa: I am sorry I have not been able to catch the hon. Member's question. These schemes are in a preliminary stage and the estimates of expenditure are being worked out. If the hon. Member wants the approximate cost of item (a) I may say that it is approximately Rs. 5 lakhs.

Shri M. Naik: I was referring to the schemes of the New Delhi Municipal Committee which total to about Rs. 92 lakhs and I asked over what period this expenditure would be spread out.

Shri Sri Prakasa: Information, as far as is available, is in the statement. If the hon. Member will please see me after the Question-hour—and the Question-hour is now over—I shall give him all further information he may require.

Mr. Speaker: The Question-hour is over.

Shri Dwivedi: There is a question, Sir, about Gandhian teaching propaganda. Will you please allow it? It is very important.

Mr. Speaker: The Question-hour is over, and that is more important.

WRITTEN ANSWERS TO QUESTIONS

INTERNATIONAL ENGINEERING CONFERENCE

*3710. **Dr. Deshmukh:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the names of nations that sent their representatives to the International Engineering Conference held in January 1951; and

(b) the actual cost incurred on the conference?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) A list of the names of the nations that participated in the International Engineering Conferences is laid on the Table of the House. [See Appendix XXIII, annexure No. 40.]

(b) It is not possible to give at present the actual cost incurred as the accounts have not yet been audited. The total cost is likely to be about Rs. 4,70,000.

PRIMARY AND SECONDARY EDUCATION EXAMINATIONS

***3727. Shri Kishorimohan Tripathi:**

(a) Will the Minister of Education be pleased to state whether it is a fact that the Central Board of Education has advised educational authorities in the different States to change the system and reduce the number of examinations in respect of Primary and Secondary Education?

(b) What is the minimum and maximum period taken by a student in going through Primary and Secondary Education where he receives promotion year after year?

(c) Is there any proposal to reduce the period as referred to in part (b) above?

The Minister of Education (Maulana Azad): (a) Yes. The Central Advisory Board of Education made certain recommendations as to the number of examinations to be held at the school stage and these recommendations were forwarded to the State Governments (then Provincial Governments, Local Administrations and States).

(b) The practice varies from State to State. The minimum period for Primary Education is 3 years. The maximum period for Primary Education is 7 years. The minimum period for Secondary Education is 4 years. The maximum period for Secondary Education is 7 years.

(c) This is a matter for State Governments to decide.

GANDHIAN TEACHING (PROPAGATION)

***3732. Shri Dwivedi:** Will the Minister of Education be pleased to state:

(a) what efforts are being made by the Government of India towards the propagation of Gandhian teaching as contributory to world peace;

(b) in what parts of the year seminars and symposiums in this connection are proposed to be held;

(c) whether distinguished thinkers, philosophers, and other intellectuals

from foreign countries have been invited for this purpose;

(d) if so, from what countries; and

(e) what is the estimated expenditure in connection with the holding of the seminars and symposiums?

The Minister of Education (Maulana Azad): (a) It is proposed to hold a Seminar on International understanding with special reference to Gandhian teachings in 1951.

A proposal to offer Fellowships to two foreigners for study of Gandhism is also under consideration of the Government.

(b) Details are under consideration.

(c) No.

(d) Does not arise.

(e) Financial implications are being examined.

MINERAL OIL RESOURCES

***3733. Maulvi Hameed:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the names of the places of mineral oil resources in India;

(b) the names of different kinds of mineral oils that are produced in those resources; and

(c) the quantity of average annual production of each kind of mineral oil?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) Petroleum is at present produced in India only in Assam.

(b) Crude Petroleum only is obtained from the oil wells in Assam. This is then refined at the Assam Oil Company's refinery at Digboi and a list of the products obtained by refining is laid on the Table of the House. [See Appendix XXIII, annexure No. 47.]

(c) The average annual production of Crude Oil in India is about 2,50,000 tons. Information regarding the quantity of average annual production of the various kinds of mineral oils is not available.

आदिवासी छात्र (छात्रवृत्तियाँ)

***३७३४. श्री जोरारब:** क्या शिक्षा मंत्री यह बतलाने की कृपा करेंगे कि :

(ए) विज्ञान, कला तथा चिकित्सा महाविद्यालयों में अध्ययन करने वाले आदिवासी छात्रों को भारत सरकार द्वारा कमरा:

किस दर से छात्रवृत्तियां दी जाती हैं;

(बी) रांची महाविद्यालय में प्रथम वर्ष श्रेणी के कितने गैर-ईसाई आदिवासी छात्रों को छात्रवृत्तियां दी जाती हैं; तथा

(सी) प्रथम वर्ष श्रेणी में कला तथा विज्ञान पढ़ने वाले गैर-ईसाई आदिवासी छात्रों को किस दर से छात्रवृत्ति दी जाती है ?

ABORIGINAL STUDENTS (SCHOLARSHIPS)

[*3734. Shri Oraon: Will the Minister of Education be pleased to state: (a) the rate of scholarship given by the Government of India to the aboriginal students studying in Science, Art and Medical Colleges respectively;

(b) the number of non-Christian aboriginal students of First Year Class in Ranchi College who are given scholarship; and

(c) the rate of scholarship given to the non-Christian Art and Science aboriginal students studying in the First Year class?]

The Minister of Education (Maulana Azad): (a) to (c). The hon. Member's attention is drawn to a statement laid on the Table of the House. [See Appendix XXIII, annexure No. 48.]

ACQUISITION OF LANDS BY DELHI IMPROVEMENT TRUST

*3735. Shri Deshbandhu Gupta: Will the Minister of Health be pleased to state:

(a) the amount of premium and ground rent separately realised by the Delhi Improvement Trust since its formation till 31st March, 1951 from the sale of (i) Nazool plots; and (ii) land acquired from private persons and subsequently developed by the Trust;

(b) the amount of acquisition price paid and development charges incurred by the Trust on lands mentioned in part (a) (ii) above;

(c) the amount spent by the Delhi Improvement Trust during this period on sium clearance;

(d) the amount paid by the Trust to the C.P.W.D. on the development and

constructions carried out through them during this period;

(e) the establishment charges incurred by the Trust; and

(f) the maximum and minimum rates of premium per square yard of free-hold and lease-hold sales effected by the Trust during this period?

The Minister of Communications (Shri Kidwal): (a) The accounts for March 1951 have not yet been finalised and the information which follows relates to the period ending 28th February 1951.

(i) Nazool Schemes.	
Premium	Rs. 141.49 lakhs
Ground rent	Rs. 14.70 ..
(ii) Trust Schemes.	
Sale Money	Rs. 75.27 ..
Ground rent	Nil
(b) Acquisition charges	Rs. 49.56 ..
Development charges	Rs. 46.27 ..
TOTAL	Rs. 95.83 ..
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(c) Rs. 49.75 Lakhs	
(d) Works outlay	Rs. 124.72 lakhs
Departmental Charges	Rs. 17.31 ..
TOTAL	Rs. 142.03 ..
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	Rs. 34.37 lakhs.

(f) A statement containing the information required is placed on the Table of the House. [See Appendix XXIII, annexure No. 49.]

NATIONAL ANTHEMS

*3736. Shri Balwant Singh Mehta: (a) Will the Minister of Home Affairs be pleased to state whether the vocal versions of our National Anthems have been finally standardised?

(b) If so, what steps are being taken to popularise them and by what time are they expected to be popularised throughout the country and abroad?

The Minister of Home Affairs (Shri Rajagopalachari): (a) and (b). The orchestral and vocal version of the National Anthem has been standardised.

It will be published and distributed to all educational institutions and made available to other organisations, gramophone companies and commercial firms in India and abroad.

The orchestral and vocal version of *Bande Matram* has not yet been standardised but it is expected to be done in the near future. Thereafter similar steps will be taken for popularising the version.

RECOVERY OF BILLS DUE FROM GOVERNMENTS OF NETHERLANDS AND MALAYA

*3737. **Shri Sanjivayya:** (a) Will the Minister of Home Affairs be pleased to state at what stage the recovery of bills pertaining to the cost of maintenance of the internees during the war of the Government of Netherlands and the Malayan Government stands?

(b) What steps do the Government of India propose to take to make a speedy recovery?

The Minister of Home Affairs (Shri Rajagopalachari): (a) and (b). The Netherlands Government have paid up Rupees 1 crore and 12 lakhs 77 thousand three hundred and fifteen. Rs. 4,66,267 are still outstanding. It is hoped that this amount will be received soon.

The total amount due from the Government of Malaya is Rs. 1,27,02,600. The bills for this amount were presented to that Government in 1946 and 1948. They however, contended that as the internees were sent to India at the instance of His Majesty's Government, it was for that Government to make the payment. We are in correspondence with the Malaya Government and with His Majesty's Government. Recently the Malayan Government asked for clarification of certain points which has been done. It is now hoped that the outstanding claim will be settled soon.

NEWSPAPERS AND PERIODICALS MANAGED BY FOREIGNERS

*3738. **Shri Balwant Sinha Mehta:** (a) Will the Minister of Information and Broadcasting be pleased to state how many of the Dailies, Weeklies and Periodicals published in India are financed and managed by foreigners?

(b) By what per cent have they increased after the attainment of Independence?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) and (b). The information is being collected; in the case of proprietary concerns information may not be readily available.

COUNCIL OF TECHNICAL ASSISTANCE AT COLOMBO

*3739. **Shri S. V. Naik:** Will the Minister of Finance be pleased to state:

(a) whether Government have made any request for the supply of trained personnel and technicians to the Council of Technical Assistance at Colombo;

(b) for how many technical hands Government have made request and for what fields of development; and

(c) whether services of any persons have been made available to India till now under this plan?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes.

(b) A statement giving the required information is laid on the Table of the House. [See Appendix XXIII, annexure No. 50.]

(c) Not yet; but negotiations for obtaining certain experts are at a fairly advanced stage.

DIRECTOR OF HOUSING

*3740. **Shri Kamath:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Director of Housing has been employed on a contract basis;

(b) if so, when the period of contract expires;

(c) whether he has been Managing Director of the Government Housing Factory, Delhi; and

(d) whether he is, or was, technical adviser to the Ministry of Rehabilitation and what advice he gave as regards the Swedish hard-board huts which collapsed in the rains last year?

The Minister of Communications (Shri Kidwai): (a) Yes.

(b) 4th October, 1951.

(c) Yes; up to the 25th April, 1951, after which he has been relieved of all responsibility for the management of the Factory.

(d) He was consulted by the Ministry of Rehabilitation on technical matters whenever necessary. He was present at the meeting held under the chairmanship of the then hon. Minister (Rehabilitation) at which the decision was taken to place an order for the huts in question. These huts did not collapse during the rains but leaked heavily.

INDIAN RARE EARTHS

*3741. **Prof. S. N. Mishra:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state

whether it is a fact, as reported by the New Delhi Correspondent of the *New York Times* recently, that Indian rare earths of great value in atomic energy production have been made available to the United States?

(b) If so, which are the rare earths referred to in the above report?

(c) Is it also a fact that American interests have been licensed to purchase most of India's current output of beryl, a rare earth that yields beryllium, a component of extreme importance in construction of an atomic pile?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). Rare Earths are not used for atomic energy production. The Indian factory that is being set up by Indian Rare Earths Ltd., at Alway will produce Rare Earth Carbonates and Rare Earth Chlorides which will be available for sale to foreign buyers after internal demands for these earths have been met.

(c). No, Sir.

आदिवासी जातियाँ

*३७४२. श्री ओरांव : क्या गृह कार्य पंजी यह बतलाने की कृपा करेंगे कि :

(ए) बिहार में जनगणना के समय आदिवासी जातियों की जाति तथा वर्ग लिखाने के सम्बन्ध में जो शिक्षायत्तों की गई थी और जिन की छान बीन करने की शर्चना की गई थी, क्या उन के सम्बन्ध में कोई जांच की गयी है;

(बी) यदि की गई है, तो उस के क्या परिणाम निकले; तथा

(सी) यदि नहीं की गई है, तो इसके क्या कारण हैं ?

ABORIGINAL TRIBES

[*3742. Shri Oraon: Will the Minister of Home Affairs be pleased to state:

(a) whether any enquiry, which was requested to be made, with regard to the complaints regarding the recording of caste and religion of the aboriginal tribes in the census operations in Bihar, has been instituted;

(b) if so, what were the results; and
(c) if not, what are the reasons therefor?]

The Minister of Home Affairs (Shri Rajagopalachari): (a) to (c). Government have received a few complaints including one from the Member himself representing that in South Bihar, Government officials were recording, in connection with the 1951 census, the religion of tribal communities as 'HINDU', against their wishes. Government are satisfied that there is no reason to suspect that officials have acted in the manner alleged. The answers were recorded as given whatever they were. Most of the enumerators were tribals or Adibasis themselves and it is certain that no instructions were issued by any officers contrary to the specific direction that the answer to the question on religion should be recorded as stated by the person enumerated.

POWERS OF OFFICERS

*3743. Shri Raj Kanwar: Will the Minister of Home Affairs be pleased to state:

(a) whether (i) Superintendents, (ii) Under Secretaries, and (iii) Deputy Secretaries employed in the Central Secretariat or in the attached offices are vested with any powers of intermediate or final disposal of cases dealt with by them and if so, what are those powers;

(b) whether any such powers are clearly specified and defined in any Departmental Handbook and if so, where; and

(c) whether, for the expeditious disposal of cases, Government propose to decentralise the existing powers?

The Minister of Home Affairs (Shri Rajagopalachari): (a) to (c). Rules and conventions relating to the disposal of Government business have, from time to time, been adopted. In accordance with these, the authority for the final disposal of certain classes of matters is delegated to different grades of officers. These rules and conventions relate to matters of the internal functioning of the machinery of Government and I must regretfully decline to go into details. Any public discussion of the distribution of internal responsibility which is not statutory would lead to undesirable results.

Irrespective of the level at which any case is disposed of in any Ministry, the responsibility for the decision or action constitutionally rests on the Minister in charge.

N. C. C.

*3744. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Defence be pleased to state whether it is a fact that some members of the N. C. C. were to be interviewed by a Selection Board at Bangalore in April, 1951?

(b) What was the number of such persons called for interview?

(c) Has the interview been held and if so, what is the number of persons selected?

The Minister of Defence (Sardar Baldev Singh): (a) Yes, Sir.

(b) 50.

(c) Yes. Result is awaited.

"A CHILDREN'S ACT"

*3745. **Shrimati Jayashri:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that a Committee was appointed to prepare a model Draft of "A Children's Act";

(b) whether this Committee has prepared this Act;

(c) whether it is the intention of Government to ask the various State Governments to modify their Act, on the lines of this model Children's Act; and

(d) whether Government intend to introduce in the Centrally Administered Area "A Children's Act" on this line?

The Minister of Education (Maulana Azad): (a) Yes.

(b) The Committee has since drafted the Act which is under the consideration of Government.

(c) It will be brought to the notice of Part 'A' and 'B' State Governments so that they may consider falling in line with it.

(d) Yes.

RAM RAJ PARISHAD

*3746. **Prof. S. N. Mishra:** Will the Minister of Home Affairs be pleased to make a statement giving details of the activities of the Ram Raj Parishad which, according to a recent report of the Delhi Correspondent of the *National Herald* has been found by the Government of India to be involved in a big conspiracy to stage a coup d'etat and found a Hindu Kingdom?

The Minister of Home Affairs (Shri Rajagopalachari): Government is not aware of any danger of the kind referred to in the question. I presume the press report mentioned by the hon.

Member is the one published in some papers about the 18th March 1951 under the caption 'Jagirdars Plan Disturbances in Central India'. Government is unable to give the details asked for as they have none in their possession.

CHANGE OF PROGRAMMES OF A. I. R. AT VIJAYAWADA

*3747. **Shri P. Kodanda Ramiah:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the attention of Government has been drawn to the News Articles in *Andhrapatrika* and *Andhraprabhu* the two prominent News Dailies of Madras, about the change of programmes of the A. I. R. at Vijayawada on February 13, 14, 20, 22, 25 and March 22 and 24, 1951 in Vani the official organ of the A. I. R. and the substitution of other items, in which the Station Director of the A. I. R. was alleged to be interested; and

(b) if so, what action has been taken in the matter?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) Government have seen the articles referred to.

(b) The deviations from the scheduled programmes, which occurred on only three of the dates mentioned, were due to the fact that in one case the artist originally scheduled expressed his inability to fulfil the engagement and in the other two cases the normal transmission was extended to include broadcasts by prominent visiting artists. Occasional deviations from scheduled programmes of hundreds of items planned several weeks before are unavoidable in any broadcasting organisation.

CRIMINAL TRIBES ACT ENQUIRY COMMITTEE

*3748. **Shri Saanjivayya:** (a) Will the Minister of Home Affairs be pleased to state whether the report of the Criminal Tribes Act Enquiry Committee has been circulated to the State Governments for obtaining their views on the recommendations made therein?

(b) Have Government received such views from the various State Governments?

(c) If so, has any decision been taken by Government?

The Minister of Home Affairs (Shri Rajagopalachari): (a) Yes.

(b) and (c). The reply of only one State Government has been received so far.

GRANTS-IN-AID TO MADRAS

*3749. **Shri Sanjivayya:** Will the Minister of Home Affairs be pleased to state whether the Government of India have given any grant-in-aid to the State Government of Madras for the welfare of Scheduled Tribes and for the administration of the Scheduled Areas and if so, how much?

The Minister of Home Affairs (Shri Rajagopalachari): No Sir. Allotments can be made only after schemes for development are received and approved. No scheme has yet been received from Madras except a request for Rs. 10,000 to be spent on a preliminary survey to enable formulation of schemes.

GEOLOGISTS SENT TO TEHRI GARHWAL

*3750. **Thakur Krishna Singh:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether the party of geologists sent to Tehri Garhwal, U.P., for survey has submitted its report?

(b) If the answer to part (a) above be in the affirmative, what steps are Government taking to implement the recommendations, if any, of the said party of geologists?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). Yes Sir. A report of a preliminary investigation in Tehri Garhwal has been received and it indicates that further investigations are necessary. The work is, therefore, being continued.

GOLD PRODUCTION

258. **Shri Kamath:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the annual gold production in the whole world during each of the years since 1936; and

(b) the annual gold production in India during each of the aforesaid years?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) and (b). A statement giving information available with the Geological Survey of India is placed on the Table of the House. [See Appendix XXIII, annexure No. 51.]

EXECUTIVE OFFICERS OF CANTONMENT BOARDS

259. **Shri Shiv Charan Lal:** (a) Will the Minister of Defence be pleased to state how selections to the posts of executive officers of Cantonment Boards are made?

(b) Are all the selections made from direct recruitment or also from

among the Board employees and on what proportion?

(c) By whom are these selections made and what is the minimum qualification for candidates?

(d) When will the selections in the year 1951-52 be made?

The Minister of Defence (Sardar Baldev Singh): (a) Partly by direct recruitment and partly by promotion.

(b) and (c). Selection is mainly made by direct recruitment. Vacancies not exceeding 33½ per cent, occurring in the Class II cadre of Cantonment Executive Officers, are filled from amongst the Class III staff of the Service and employees of Cantonment Boards, provided suitable candidates are available.

In the case of direct recruitment, selection is made by the Union Public Service Commission from amongst candidates who qualify at the Indian Administrative, Indian Audit and Accounts, etc., Services examination. The candidates must hold a Degree of a recognised University.

In the case of departmental promotions, selection is made by the Departmental Promotion Committee on the basis of the seniority and confidential reports of the individuals eligible therefor. No minimum qualification has been laid down.

(d) Selection of direct recruits was made on the 14th April 1951. The question of filling the remaining vacancies is at present under consideration.

DELHI MUNICIPAL COMMITTEE, DELHI (GRANTS)

260. **Shri Deshbandhu Gupta:** Will the Minister of Health be pleased to state the total grant given by Government under different Heads to the New Delhi Municipal Committee, Old Delhi Municipal Committee and the Notified Area Committee, Civil Lines Delhi each year during the last 15 years?

The Minister of Communications (Shri Kidwai): A statement containing the information required is placed on the Table of the House. [See Appendix XXIII, annexure No. 52.]

INCOME FROM DISTRIBUTION OF ELECTRICITY IN NEW DELHI

261. **Shri Deshbandhu Gupta:** Will the Minister of Health be pleased to state the amount of income realised by the New Delhi Municipal Committee each year from the distribution of

electricity since the grant of the Licence to the Committee up to the end of 1950?

The Minister of Communications (Shri Kidwai): A statement containing the required information is placed on the Table of the House. [See Appendix XXIII, annexure No. 53.]

D. V. C. CONTRACTORS CLAIMS

262. Shri Jnani Ram: Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) the number of contractors whose claims and bills for the works done at various dam sites before the D.V.C. came into operation have not been satisfied as yet;

(b) the reasons for the same; and

(c) whether any one of them has gone to court for settlement of his claims?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) to (c). The information is being collected and will be laid on the Table of the House when available.

MILK POWDER SENT BY U.N.I.C.E.F.

263. Shri Jnani Ram: Will the Minister of Health be pleased to state:

(a) whether the U.N.I.C.E.F. has sent milk powder for the use of children in India;

(b) if so, the quantity supplied in the year 1950-51; and

(c) the States to which it has been distributed?

The Minister of Communications (Shri Kidwai): (a) to (c). Yes. During 1950-51, the United Nations International Children's Emergency Fund has allotted to India milk powder to the extent of 7,709,724 lbs. costing that Organisation U. S. \$ 154,000. The milk powder is under distribution in the various States in India through the States Governments. A statement showing the quantity of milk supplied is attached. [See Appendix XXIII, annexure No. 54.]

INDIAN COINS IN PAKISTAN

264. Shri Sidhva: (a) Will the Minister of Finance be pleased to state whether Pakistan Government have issued a Notification that Indian coins of all denominations shall not be accepted in Pakistan for encashment with effect from 1st July, 1951?

(b) What is the total amount of Pakistan coins in India?

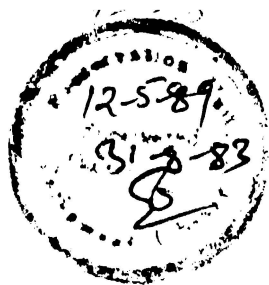
(c) Is there any restriction in India for encashment of Pakistan coins?

The Minister of Finance (Shri C. D. Deshmukh): (a) Pakistan Government have issued a notification in the terms referred to by the hon. Member. Under the Pakistan (Monetary System and Reserve Bank) order 1947, Indian coins were to continue to be legal tender in Pakistan for a period at least one year after the Pakistan Government introduced their own coins. Necessary encashment facilities were to be given by that Government during the period and thereafter so as to ensure gradual replacement of Indian coins by Pakistan coins. Pakistan Government first introduced their own coinage on 1st April 1948 and all Indian coins ceased to be legal tender in Pakistan by 1st September 1950. They were however acceptable at the Government treasuries and offices of the State Bank of Pakistan thereafter. By the recent notification, these facilities cease as from 1st July 1951; but special cases would be considered by the State Bank of Pakistan on merits, up to 30th September 1951.

(b) As Pakistan coins were never legal tender in India the quantity in this country is limited to the negligible amounts that may have been brought in by passengers; the exact amount is not known.

(c) Pakistan coins are treated like other foreign coins. No facilities are given by the Reserve Bank or the treasuries for their encashment but Banks and money changers authorised to deal in foreign exchange, are permitted to make arrangements for conversion of such coins.

Wednesday, 2nd May, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

Third Session

of the

PARLIAMENT OF INDIA

1950-51

THE
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers.)
OFFICIAL REPORT

7914

7915

PARLIAMENT OF INDIA

Wednesday, 2nd May, 1951

✓ The House met at Half Past Eight
of the Clock.

[Mr. Speaker in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-30 A.M.

ELECTION TO COMMITTEES
COUNCIL FOR TECHNICAL EDUCATION.

مولانا آزاد : جناب میں تصویق
کرنا ہوں کہ ایسے طریقے سے جو آنریبل
اسپیکر تھہرا دیں یہ ہاؤس آپے میں
سے ایک ممبر کے چناؤ کی کارروائی
انجام دے - یہ چلناؤ اس لئے ہوگا کہ
کہ آل انڈیا کونسل فار ٹیکنیکل
ایجوکیشن سے پڈڈت لکشمی کانت
متمرا نے استعفا دے دیا ہے - جتنی
مدت ان کی ممبری کی باقی
رہ گئی ہے یعنی ۲۹ اپریل سنہ ۱۹۵۱
تک کی مدت کے لئے یہ چلناؤ کیا
جائے -

[The Minister of Education (Maulana
Azad): I beg to move:

"That this House do proceed to
elect, in such manner as the hon.
the Speaker may direct, a Member

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from among themselves to be a
Member of the All India Council
for Technical Education *vice*
Pandit Lakshmi Kanta Maitra
resigned, for the unexpired portion
of the term i.e. upto the 29th
April, 1952."

Mr. Speaker: The question is:

"That this House do proceed to
elect, in such manner as the hon.
the Speaker may direct, a Member
from among themselves to be a
Member of the All India Council
for Technical Education *vice*
Pandit Lakshmi Kanta Maitra
resigned, for the unexpired portion
of the term i.e. upto the 29th
April, 1952."

The motion was adopted.

CENTRAL ADVISORY COMMITTEE OF
NATIONAL CADET CORPS

The Minister of Defence (Sardar
Baldev Singh): I beg to move:

"That this House do proceed to
elect, in such manner as the hon.
the Speaker may direct, one Mem-
ber to serve on the Central
Advisory Committee of the
National Cadet Corps in accord-
ance with Section 12 of the
National Cadet Corps Act, 1948,
vice hon. Shri Mahavir Tyagi,
resigned."

Mr. Speaker: The question is:

"That this House do proceed to
elect, in such manner as the hon.
the Speaker may direct, one Mem-
ber to serve on the Central
Advisory Committee of the
National Cadet Corps in accord-
ance with Section 12 of the
National Cadet Corps Act, 1948,
vice hon. Shri Mahavir Tyagi,
resigned."

The motion was adopted.

CENTRAL TEA BOARD

The Deputy Minister of Commerce and Industry (Shri Karmarkar): I beg to move:

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, one member from among themselves to be a Member of the Central Tea Board in terms of sub-sections (3) (iii), (4) and (5) of Section 4 of the Central Tea Board Act, 1949, vice Shri Upendranath Barman, resigned."

Shri Brajeshwar Prasad (Bihar): May I know why Mr. Barman has resigned?

Shri Karmarkar: That question should be addressed to Mr. Barman himself. It is a matter of mutual convenience.

Mr. Speaker: This has been raised more than once in the House: it is a question of the Member's convenience. The question is:

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, one member from among themselves to be a Member of the Central Tea Board in terms of sub-sections (3) (iii), (4) and (5) of Section 4 of the Central Tea Board Act, 1949, vice Shri Upendranath Barman, resigned."

The motion was adopted.

COMMITTEE ON PUBLIC ACCOUNTS

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That the Members of this House do proceed to elect, in the manner required by sub-rule (5) of rule 143 of the Rules of Procedure and Conduct of Business in Parliament, one Member from amongst their number to serve on the Committee on Public Accounts for the unexpired portion of the financial year 1951-52 vice Shri Dev Kanta Borooah, resigned."

Mr. Speaker: The question is:

"That the Members of this House do proceed to elect, in the manner required by sub-rule (5) of rule 143 of the Rules of Procedure and Conduct of Business in Parliament, one Member from amongst their number to serve on the Committee on Public Accounts

for the unexpired portion of the financial year 1951-52 vice Shri Dev Kanta Borooah, resigned."

The motion was adopted.

Shri Kamath (Madhya Pradesh): In case a Member who is a Member of a Standing Committee of the House resigns from one of the Committees is it open to him to make a statement on the floor of the House giving the reasons for his resignation if he so desires?

Mr. Speaker: At the present stage, the question is hypothetical. If any Member wishes to make a request to me to allow him to give the reasons for his resignation from a Committee I shall consider it at that time. I do not mean to decide that question just now. Obviously, as was explained by the hon. Minister for Parliamentary Affairs last time, the hon. Member knows that a large number of committees are formed and things are adjusted through elections. It may be inconvenient for a Member to be on a particular committee for various reasons. It may be a case of want of time or the Member may go out of Delhi or he might prefer to serve on some other Committee, when another Member may make room for him and things are adjusted. It is no use putting this question every now and then. If a Member resigns for something serious, I have no doubt that he would like to make a statement. (*Shri Kamath:* Would he be allowed?) Let us not anticipate it: when the occasion arises we shall consider it. I cannot say anything just now.

Mr. Speaker: I have to inform hon. Members that the following dates have been fixed for receiving nominations and holding elections, if necessary, in connection with the following Committees, namely:

	Date for nomination	Date for election
(1) All India Council for Technical Education	3-5-51	7-5-51
(2) Central Advisory committee of the National Cadet Corps		
(3) Central Tea Board		
(4) Committee on Public Accounts		

The nominations for these Committees will be received in the Parliamentary Notice Office upto 12 Noon on the date mentioned for the purpose. The elections, which will be conducted by means of the single transferable vote, will be held in the Assistant Secretary's room (No. 21) in the Parliament House between the hours 10-30 A.M. and 1 P.M.

VISVA-BHARATI BILL—*contd.*

Mr. Speaker: Clauses 2 to 9 have been disposed of. I shall now take up clause 10.

Clause 10.— [*The Paridarsaka (Visitor)*]

Prof. K. T. Shah (Bihar): I intend to move all the amendments to the clause standing in my name.

Pandit Thakur Das Bhargava (Punjab): I do not propose to move any of my amendments but I would like to speak on the clause.

Mr. Speaker: Prof. K. T. Shah's amendments are Nos. 60, 62, 63, 65, 66, 67. He may move them.

Prof. K. T. Shah: I beg to move:

(1) At the commencement of sub-clause (2) of clause 10, insert the following:

"On a formal representation being made to him by any body, authority, or teacher in the University"

(2) In sub-clause (2) of clause 10, after the word "University" where it occurs for the second time, insert the words "or its general or financial administration."

(3) In sub-clause (3) of clause 10, after the word "give" insert the words "at least one clear month's".

(4) In sub-clause (3) of clause 10, after the words "to be made" insert the words "giving the names and addresses of the person, or persons he has appointed to make the inspection or conduct the enquiry".

(5) In sub-clause (4) of clause 10,—

(i) for the words "may address" substitute the words "shall forward to".

(ii) for the words "with reference to the result" substitute the words "the report together with his own views thereon";

(iii) after the brackets and words "(Executive Council)" insert the words "the report of the inspection or inquiry and".

(iv) Omit all the words after the brackets and word "(visitor)" where it occurs for the second time.

(6) In sub-clause (5) of clause 10,—

(i) after the word "shall" insert the following,—

"place before the Samsad all the papers and documents mentioned in the preceding sub-sections, together with its own suggestions regarding the action. it thinks proper and necessary to take in the matter, and shall";

(ii) after the brackets and word "(Visitor)" insert the words "the opinion of the Samsad, together with its directions on the";

(iii) Omit the word "such" occurring after the brackets and word "(Visitor)"; and

(iv) for the word "as" substitute the word "which".

I will explain each amendment, and put it in its proper place in the clause where it occurs. But before I do so, I should like to say that, on principle, I am opposed to the idea of a Visitor in a corporation or a public body like a University and particularly a University of this character. By general agreement a University is regarded as an autonomous body, and it should be an autonomous body in the best interests of learning and advancement of science, art or literature. That being the premise I think the introduction of any external agency, such as a *Paridarshaka*, or Visitor, offends against the very idea of an autonomous corporation like a University. As such it ought,—even if there were no other ground at all,—be objected to.

As a matter of history it would be within the knowledge of many Members of the House that the idea of *Paridarshak* or Visitor in Indian Universities was not included in the first constitution of the oldest Universities in India; and it was not till the time of Lord Curzon that suspicions, perhaps in the minds of the then authorities of the official world so developed regarding the teaching in the Universities, that they thought it necessary to have an overriding authority included in the constitution. Where, therefore, the then authorities felt the Universities were developing a line of independence inconvenient to them, they

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could check it in time. In many Universities, Sir, historic struggles have occurred with regard to the provisions of the Indian Universities Act of 1902 (or was it 1904?), wherein the representatives of the Indian people, the then members of the senates of those Universities, strongly protested against the officialising tendency visible in introduction of changes of this character.

The very presence of an outside authority like the Visitor, and that, too, the head of the State, is an indication, to my mind, an index, of an attitude of suspicion with which the activities of a body-like a University were being viewed. In the official mind the very idea of a perfectly free atmosphere for the cultivation of knowledge, for the advancement of science, for the advancement of thought even, is viewed with suspicion. For those who are interested in maintaining the existing order it is always inconvenient that progressive elements, or elements which may not be satisfied with the mere *status quo*, should be allowed that freedom, that fullness of independence which may prove inconvenient, which may be upsetting their settled order of things.

This origin of the idea of a Visitor,—and I have no doubt that the origin at least was no other than the one that I am describing—even this origin of the presence of a *Paridarshak* or Visitor must be necessarily objected to now, in these days when we claim that, not only are the people and the Government one and their interests identical, but that according to the Constitution, and according to the frequent professions of the leaders of Government, we have every desire to provide the fullest freedom for the advancement of thought, of learning and science. In an institution of this character, particularly where, even in the official days, the original idea of the institution, and the founder of the institution, were synonymous with the atmosphere of freedom that Gurudev stood for, and that he in his various activities symbolised to the chagrin of the then powers that were, the presence of a Visitor cannot but be an anachronism, an obstruction and an absurdity. In his various activities such, for instance, as his surrender of his title to the Government of the day when the Government was acting in a manner repugnant to all their own professions of freedom in a civilised society, the Poet symbolised an idea of academic freedom which the provision of an official Visitor cannot but obstruct. I say in a corporation of this

character, in an institution of this origin and nature the presence of an outside agency, like the *Paridarshaka*, is not only an index of suspicion towards the possible development of this University, or of the activities of this University, but is a negation of your own professions, and an indication that you are feeling uneasy with regard to the growth of free sentiment, free thought in an institution with the traditions such as this institution has.

It is an irony, Sir, that a Government, composed of freedom-lovers such as our present leaders are, should have thought fit to include—and, in my opinion, it is a stigma utterly undeserved—a provision like this in a corporation like the Visva-Bharati, that we all unanimously claim was the dream of a great soul in our country, and whose constitution, whose entire purpose and object should be left as free and uncontaminated and undefiled by our provisions as possible.

On principle, therefore, I would object, and would have suggested the complete deletion of this clause. At the time of the general discussion, this matter was also referred to by several speakers who objected as I do to this clause. In his reply to the objections raised by several hon. Members,—I was not among them—to the very fact of there being a visitor, the hon. Minister said that it is conceivable that there might arise occasions when an outside, independent authority such as the President, may be necessary to give an impartial decision when questions of the character envisaged arise.

I have, of course, no objection to the President giving an impartial decision. What I object to is that the President is not likely by himself to act entirely on his own authority. He would necessarily be advised by his constitutional advisers, probably the hon. Minister of Education for the time being. It is not unlikely that the advice of the hon. Minister of Education may be such, and the President may be made to act upon that advice to such an extent, that the basic interests of the institution may suffer. The points, therefore, made against the inclusion of the Visitor have not, in my opinion, been answered by the hon. Minister of Education.

Even supposing that it is conceivable that in a situation of this character that he dreads some difficulty may arise, there is always the Parliament to save it. The Parliament, which passes this legislation, can also alter it, and can also provide further safeguards. Personally, I have no such apprehension. But if you genuinely fear apprehensive on this score, why do you forget that there is such a body as the

Parliament of India always available in a moment of emergency when it arises in an institution of, as you call it, "national importance". If you fear the infusion of party sentiment, and even if Parliament is guided by Party motives at a time when the amendment of this Act becomes necessary to its mind, that party motive will be in the ordinary arena of party politics, and will not involve the high dignity and prestige which must necessarily be associated with the name of the President. From the propriety of the matter also, I would say that the presence of the Visitor is highly objectionable and at any rate the constitution of the President into a Visitor is indefensible.

Lest, however, this may be regarded as merely a negative attitude, I am trying to make, by my amendments, the provision as harmless as possible, though I fear that it might not entirely neutralise the evil effect of having the President as the Visitor. The first amendment I have suggested would make the President unable to act, except on a representation being made by anybody or authority of the University. Of his own accord the President will not be able to intervene as he is allowed to do in the section as it stands. Only they know the shoe best who wear it and feel where it pinches. In the event of a representation being presented to the visitor by some responsible body like the Court, the Executive Council, the Academic Council, or even a teacher, then only he will go into the matter. Past experience shows that if intrigues occur in a University, as they do elsewhere, they centre more or less round personalities. I have, therefore, suggested that the invitation for intervention should be made by some responsible body or authority which would include, of course, the Executive Chiefs, the Acharya, the Upacharya or even an aggrieved individual, like a teacher. These terms are specifically defined in the Act. I am, therefore, importing no outside notion in proposing this amendment. I am confining, be it noted, the right to make such a representation inviting intervention of the President only to three categories, and not extending it to outsiders or even to all the officers of the University. That is as far as my first amendment is concerned.

As regards my next amendment, I do not wish the right of inspection and enquiry on the part of the Visitor to be a very wide one. I do not want him to set up a roving Commission, as it were. The right must be definitely restricted, although some attempt is made to restrict it in the present sub-clause itself. I would urge the addition

of the words "the general and financial administration". The Visitor should have no right to interfere in purely academic matters. For example, he should have no right to go into complaints about the honesty of the conduct of examinations, or the propriety of certain courses, or the composition of certain syllabi, or the prescription of standards of attainment, or of textbooks. He is entitled morally to intervene, to safeguard the general administration of the University; and because Government make a financial grant, he is entitled to intervene in financial matters. But he should not intervene on the purely academic side even if there is a request.

I have not altered or touched the other things mentioned in this sub-clause, because I take it that they must also be considered from the general or financial point of view. The addition of these two words towards the end will necessarily limit or restrict the function of the visitor in interfering with the University administration to the financial and administrative side only. The academic side should be sacrosanct and free from any such intervention.

My next amendment is:

"That in sub-clause (3) of clause 10, after the word 'give' the words 'at least one clear month's' be inserted."

That, I take it, is so obvious that it ought not to require any special commendation from me. The present sub-clause runs:

"(3) The Paridarsaka (Visitor) shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat."

It does not specify the period of notice. I suggest that there must be some definite minimum period, at any rate, fixed by the Act itself of which notice must be given, so that the various authorities of the University concerned, and the various members of the University, may have time to take counsel together, and be in a position to say whether there is any justification whatsoever of intervention of the kind demanded by the Visitor.

I have not gone into the details of the notice, but it is obvious that the

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notice should not come during the vacation period, when ordinarily the bodies of the University would not be functioning, when many of the members may be absent from headquarters. But I take it that those familiar with the working of the Universities and their habits would see to it that the provision is not abused in a manner as to take undue advantage, or indirectly to undermine the very working of the University.

My next amendment is No. 65.

Mr. Speaker: But that is a consequential amendment.

Prof. K. T. Shah: It relates to the "giving the names and addresses of the person or persons he has appointed to make the inspection or conduct the enquiry." It is necessary for the University to know who are going to conduct the inquiry, if the inquiry is going to be conducted at all. Even if it is made at the invitation of the University Authorities, it is but proper that the party, the Visitor, if he conducts the enquiry should let them know who are the people who are going to conduct the enquiry and what are their addresses. I would, therefore, not dwell much upon it.

The next Amendment is a little more substantial. The first portion of it runs:

"That in sub-clause (4) of clause 10,—

(i) for the words 'may address' the words 'shall forward to' be substituted."

Mr. Speaker: Is that also not more or less consequential?

Prof. K. T. Shah: As it is, it is discretionary: I would like to make it compulsory—"shall forward it to the parties concerned". There should be no discretion allowed to him. Nor should he be given any grounds for excuse. My whole idea is to reduce his intervention to the minimum, and to neutralise the virus of that intervention as much as I can.

The next portion of my amendment is:

"That in sub-clause (4) of clause 10,—

(ii) for the words "with reference to the result" the words "the report together with his own views thereon" be substituted."

The "result" may be stated in a nutshell—that such and such person is to be dismissed, or that such and such a person is to be compensated, etc. It need not give the reasons. The result would mean only the final conclusion, as I read or understand that term. If a university is to be regarded as an autonomous body, I consider it necessary that the Visitor shall forward to the University authorities, through the Vice-Chancellor, his whole report, the report of the enquirers or investigators or inspectors, and his own views thereon. He must not spring a surprise upon them. He must not, in my opinion, sit in judgment upon the University, after the University authorities have communicated their views on the matter; and then he, as it were, sits as a Supreme Court Judge on the total material before him and give his own verdict thereafter. It is not in consonance, in my opinion, with the dignity of the University or of the President.

In so far as you want the President as a Visitor, to be really a friend and well-wisher of the University, in so far as you want the President or the Visitor to act as a peace-maker, as it were, one interested in the smooth-running of the University, I think it but right that even when an occasion arises when he must make an enquiry at the request of the University authorities, or individually, he should forward a complete report of the inspection, or inquiry, together with such views as he has formed, to the University. Until the University is in possession of his own mind and how it works upon the information laid before it. Until and unless the University comes to know the reasons for the report or the result put forward. I am afraid the university bodies will be at sea as regards how and in what manner the Visitor will take action thereafter. They would be all the time on their trial, and would not know how to shape their own reply or rejoinder on a matter like this. After all the intervention of the Visitor will not be a common occurrence: it would be very extraordinary. It means, therefore, that the University would be on tenter-hooks and would be anxious to know as to how the matter has developed. It is, therefore, of the utmost importance, in my opinion, not only that the University should know all the reasons and the complete text of the report and the working of the mind of the Visitor himself. I am not taking away—please note—the right of the Visitor to have, as it were, the last word in the matter. Only, I do not want the Visitor to act as a supreme authority, a supreme appellate authority at a premature stage.

The next part of the amendment is:

"(iii) after the brackets and words '(Executive Council)' the words 'the report of the inspection or inquiry and' be inserted."

Now the communication must be made to the *karma samiti*, of which, of course, the Vice-Chancellor is a member. Usually the President or Chairman guides the *karma samiti* and therefore he would in the normal course give his advice to the *karma samiti* when it meets and considers the report, together with the reports of the *Paridarsaka*.

The next amendment is:

"all the words after the brackets and word '(visitor)' where it occurs for the second time be omitted."

Now, I want, by this amendment, that the Executive Council also should, at the first moment when it considers the report and the views of the Visitor, be free to take any line of action it thinks proper. The Vice-Chancellor also should not prejudice, so to say, the opinion of the *Karma Samiti* or the Executive Council by giving his own views. He will have every time, occasion and opportunity to do so when this *Karma Samiti* sits formally as a body and considers the report. He will be a member of the body, and he will have every opportunity and right to guide the deliberations, if he thinks proper, as to what is the particular line of action to be adopted in reply to the report that is given.

My next amendment deals with sub-clause (5) and runs:

"after the word 'shall' the following be inserted, namely:—

'place before the Samsad all the papers and documents mentioned in the preceding sub-sections, together with its own suggestions regarding the action it thinks proper and necessary to take in the matter, and shall.'

By this amendment the final power is sought to be given to the supreme University authority, namely the Samsad, as to what reply should be given and what line of action should be adopted in dealing with the report that the Visitor has sent to the Vice-Chancellor. The *Karma Samiti* is therefore to meet after considering the report, to report itself to the Samsad. A formal meeting of the Samsad

should be called. That should consider the report and the advice, if any, of its own *Karma Samiti* and then make a final reply to the Visitor. Not any other body but the Samsad, the supreme governing body of the University, should be, and should alone be, the body to give the Visitor its answer on the matter. I, therefore, provide that, not the *Karma Samiti*, not the Vice-Chancellor, but the Court, in proper meeting assembled, shall consider the report, and shall give its advice or opinion to the Visitor, in reply to the Visitor, as it were, defending the University, explaining the University's line of conduct, justifying it, if necessary, and even turning the tables where and if it should be necessary on an unfounded or irrelevant investigation that may have been conducted.

It is true that the University is to be represented at the enquiry. But I am not quite clear in my mind as to what these words mean, namely that the University shall be represented thereat. Does it mean that it will be allowed to be heard or does it mean that it would be included in the personnel of the Committee or it would be included in the personnel of the enquirers? I am not quite clear as to the meaning, reading the words as I do. It may be clear to the draftsmen. It is not clear to me.

I would, therefore, like the hon. Minister when he replies to it to make it clear as to what is included. If it is a mere question of the representative being present—as a prisoner at the bar—it is incompatible with the dignity of the University to be treated, even before the matter is fully discussed, as if it was an accused person. I think the right of the University to be included in the personnel should be made beyond doubt. But in that part I have advisedly not made a suggestion by way of amendment, because I want to give the benefit of the doubt—whether they give me or not—of the best of intentions, and I beg the hon. Minister to make it clear that what is meant by this is that the University's representative shall be on the Committee which conducts the enquiry so that it will be in a position to give a proper advice even at that stage of the proceedings. Even if you do not make it a member—mind you I do not agree with that—even if you do not make it a member of the Enquiry Committee, you must at least give it the position of some sort of advisers or assessors in the matter. You have, therefore, to make it clear that the words in the sub-clause relating to the representation of the University before the Committee of

[Prof. K. T. Shah]

Enquiry must be placed beyond a shadow of doubt.

The last thing is:

"after the brackets and word '(Visitor)' the words 'the opinion of the Samsad, together with its directions on the' be inserted."

The opinion of the Samsad would be forwarded to the Visitor, and also the Samsad's own indication of the line that should be followed in the matter. This is in consonance with my idea, and logically follows from my promise that the University is an autonomous body. The Visitor has brought to its notice some flaw, some defect, some shortcoming, some ground for complaint in its working, and, therefore, has placed the same before it, through unimpeachable authority, after proper enquiry, at which the University was represented; and now the supreme governing body of the University is called upon to give its own line of action. When the supreme governing body takes a line which may be prejudicial or which may not appear to be a proper line, perhaps the Visitor has authority to say the last word. But all these stages in my opinion must be gone through if you want that the Visitor should remain.

I repeat—I will not be tired of repeating—that the very presence of the Visitor is an eye-sore to me. It is an offence to the idea of an autonomous body like a University—and a University of this tradition, of this origin, of these memories. I think, therefore, you should withdraw that clause altogether. But if you must have that clause, if you must inflict this stigma, if you insist on this suspicion in the working of the University, I beg you to make it as innocuous as possible. I beg you to maintain the integrity and autonomy of the University, its dignity and self-respect, to the maximum degree possible, and allow the Visitor to function only as a sort of *amicus curiae*, a friend of the University, and give it proper advice, after independent enquiry, on which the supreme governing body of the University has been represented, and which in the fullness of time may give its own line of action. We cannot assume that the Court of the University will be composed of such partisans, such perverses, as would simply insist obstinately upon their view, and would not listen to the good advice that may come from a friend of theirs. I at least refuse to believe that in respect of any University, much less of a University with these traditions. I trust, therefore, that the various parts

of my amendment will be accepted and that the clause will be modified accordingly.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: Amendments moved:

(1) At the commencement of sub-clause (2) of clause 10, insert the following:

"On a formal representation being made to him by any body, authority, or teacher in the University"

(2) In sub-clause (2) of clause 10, after the word "University" where it occurs for the second time, insert the words "or its general or financial administration".

(3) In sub-clause (3) of clause 10, after the word "give" insert the words "at least one clear month's".

(4) In sub-clause (3) of clause 10, after the words "to be made" insert the words "giving the names and addresses of the person, or persons he has appointed to make the inspection or conduct the enquiry".

(5) In sub-clause (4) of clause 10,—

(i) for the words "may address" substitute the words "shall forward to";

(ii) for the words "with reference to the result" substitute the words "the report together with his own views thereon";

(iii) after the brackets and words "(Executive Council)" insert the words "the report of the inspection or inquiry and".

(iv) Omit all the words after the brackets and word "(Visitor)" where it occurs for the second time.

(6) In sub-clause (5) of clause 10,—

(i) after the word "shall" insert the following,

"place before the Samsad all the papers and documents mentioned in the preceding sub-sections, together with its own suggestions regarding the action it thinks proper and necessary to take in the matter, and shall";

(ii) after the brackets and word "(Visitor)" insert the words "the opinion of the Samsad, together with its directions on the";

(iii) Omit the word "such" occurring after the brackets and word "(Visitor)"; and

(iv) for the word "as" substitute the word "which".

पंडित ठाकुर दास भागवत: जनाब डिप्टी स्पीकर साहब, मैंने बड़े गौर के साथ प्रो० के० टी० शाह की तरफ़ीमान पर जो बहस हुई है उसको सुना है और जहाँ तक उसूलों का सवाल है मुझे बड़ी हद तक उनके साथ इतिफाक है। मैंने खुद कल अर्ज किया था कि जिस तरह का यह विश्व भारती का कान्स्टीट्यूशन (Constitution) बना है उस कान्स्टीट्यूशन से वह गरज हरगिज पूरी नहीं होगी, जॉ दरअसल विश्व भारती से हमने उम्मीदें लगाई हुई थीं। वह कान्स्टीट्यूशन जो इस एक्ट में दर्ज है वह इस तरह का है कि जो एक सेन्ट्रल ख्याल विश्व भारती का है उसका यह एक्ट एक तरह से मुखालिफ़ है। अगर जनाब वाला इस एक्ट में कर्म समिति, शिक्षा समिति, संसद, परिदर्षक, इन सब के अस्तित्थारात का मुलाहिजा फरमायेंगे, क्या अस्तित्थारात इन मुस्तलिफ़ सेक्सनस् (Sections) की रू से उनको दिये गये हैं तो जनाब पर रोशन होगा कि शिक्षा समिति को जो एक तरह से यूनीवर्सिटी की जान है वह फिलवाकया इस एक्ट में एक वेजान बाडी (body) है। शिक्षा समिति जिसको कि पूरे अस्तित्थारात होने चाहिये थे। जहाँ तक पढ़ाई के बारे में या दीगर बातों का सवाल था वहाँ तक उसको पूरा अस्तित्थारात होना चाहिये था लेकिन यहाँ पर इस एक्ट में स्टेट्यूटस (Statutes) आडिननेसेज (Ordinances) या रेगुलेशन (Regulations) को बनाने वाली बाडी यहाँ पर संसद करार दी गई है स्टेट्यूटस संसद बनायेगी लेकिन ड्राफ्ट (Draft) उसका कर्म समिति बनायेगी। एक फिकरा उसमें लिखा हुआ है कि संसद को खुद भी अस्तित्थारात है कि चाहे तो वह बना सके, लेकिन आम

तौर पर उसका सारा ड्राफ्ट कर्म समिति बनायेगी और संसद बैठकर उसका स्टेट्ट बना देगी। इसी तरह से और जितने आडिननेसेज हैं और पढ़ाई लिखाई के मुताल्लिक हैं जो निहायत जरूरी हैं और जो यूनीवर्सन सबसे जरूरी चीज हैं, वह आडिननेसेज कर्म समिति बनायेगी और शिक्षा समिति उसका ड्राफ्ट बनायेगी। शिक्षा समिति को किसी भी आडिननेस को पास करने का अस्तित्थारात नहीं है, वह सिर्फ़ ड्राफ्ट बनायेगी। ड्राफ्ट बन जाने के बाद कर्म समिति उसको आखिरी शकल देगी। मैं अदब से अर्ज करना चाहता हूँ कि दफा २८ और २९ जो इस बिल की हैं वह इस तरह की बनी हुई हैं, जो आम आदमी की समझ में इनका उसूल नहीं आ सकता। चुनांचे दफा २९ में जो अस्तित्थारात शिक्षा समिति के बनाये हुए ड्राफ्ट पर कर्म समिति को है उनको देखने से रोशन होगा कि कई सूक्तों में शिक्षा समिति की तजवीजों को बड़ी हद तक कर्म समिति अलहदा कर सकती है, लेकिन ताहम एक एपीलेट अथोरिटी (appellate authority), रिवीजन अथोरिटी (Revision authority) भी शामिल है और इनमें अगर परिदर्शक चाहे तो उन आडिननेसेज को भी तबदील कर सकता है जो कि शिक्षा समिति तथा कर्म समिति दोनों के अस्तित्थारात से बने हों। मैं अदब से अर्ज करना चाहता हूँ कि इसमें अगर परिदर्शक सिर्फ़ कान्स्टीट्यूशनल हेड (Constitutional head) और जैसा श्री के० टी० शाह का ख्याल है फीगर हेड (figure head) नहीं है बल्कि इसके अन्दर उसकी पावर्स (Powers) एक डिक्टेटर (dictator) जैसी हैं, वह जो चाहे कर सकता है, वह इसको बना सकता है, जो चाहे

[पंडित ठाकुर दास भागवत]

कर सकता है, और चाहे तो बिगाड़ भी सकता है। जब ऐसा अख्तियार उनको दिया गया है और खसूसन आर्डिनेंस के मुतालिक भी इस कदर बर्सीह अख्तियारात उनको परिदर्शक साहब को दिये गये हैं और मैं जनाब की तवज्जह इस जिम्न में दफा २८ की तरफ दिलाऊंगा जहां पर दर्ज है :

"28. Ordinances.—Subject to the provisions of this Act and the statutes, the Ordinances may provide for all or any of the following matters, namely:—

(g) the conditions of residence of the students of the University and the levying of fees for residence in *Bhawanus* (Halls) and *Chatravusas* (hostels) and of other charges.

(i) the maintenance of discipline among the students of the university....."

बहु सी ऐसी चीजें हैं जिनके अन्दर परिदर्शक साहब को बहुत बर्सीह अख्तियारात दिये गये हैं, इसी तरह स्टेट्यूट्स पर भी परिदर्शक साहब को अख्तियार है कि वह अपने इन्स्पेक्शन (Inspection) के जरिये, अपनी विल (will) के मुताबिक चाहे जिस चीज को जिस तरह चाहे, तोड़मरोड़ सकता है और अगर उसके मंशा मुताबिक काम अमल न हो तो वह जवाब तलब कर सकता है तो मैं अर्ज करूंगा कि इस सारे विश्व भारती बिल की जो तरतीब है, अगर परिदर्शक महज कान्स्टीट्यूशनल हेड होता, तो मैं समझता हूँ कि श्री के० टी० शाह की जितनी तरतीब है वह दुस्त भी, लेकिन इस ऐक्ट की सारी तरतीब जैसी बनी है और इसमें शिक्षा समिति को पावर्स सबसे कम दी गई है और कर्म समिति को संसद की पावर्स हैं और

सबसे बढ़कर डिक्टेटोरियल पावर्स परिदर्शक को दी गई है, तो मैं अर्ज करूंगा कि या तो सारे का सारा ढांचा ही इस ऐक्ट का तबदील कर दिया जाय, वरना यह जो उनकी सारी की सारी तरतीबें हैं वह बनायी हो जाती हैं। मैं यह अर्ज करना चाहता हूँ कि लाजिकली (Logically) जब तक यह ऐक्ट इस तरह मौजूद है और जब तक इतनी सख्त पावर्स आपने परिदर्शक को दे रखी हैं कि वह जो चाहे कर सकता है और उसको दफा १० में यह अख्तियार दिया गया है कि किसी गैर शरूब के जरिये परिदर्शक इसका मुआयिना कर ले, किसी गैर शरूब के जरिये इस की इन्क्वायरी (enquiry) करा ले और अपनी राय जब रिपोर्ट पहुंचे उसके मुताबिक गौर भी कर ले, लेकिन मैं यह नहीं समझता कि क्यों उसको खुद को अख्तियार नहीं है कि वह वजात खुद इन्स्पेक्शन कर सके।

مولانا آزاد : اس میں دونوں باتیں
دیکھی گئی ہیں - خود یا کسی کے
ذریعہ سے -

पंडित ठाकुर दास भागवत : मैं अर्ज से अर्ज करूंगा कि मैंने दफा १० को पढ़ा है उसके अन्दर अलफाज है, और वह खुद के साथ कनसिस्टेंट नहीं है, उसमें दर्ज है :

"The *Paridarsaka* (Visitor) shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University....."

مولانا آزاد : میں سمجھ گیا -
یہ کوئی ایک (ادنیاری
سیکشن (ordinary section) نہیں ہوگا - کوئی خاص موقعہ اگر پیش
آئے کہ وزیٹر کو اس میں مداخلت

کوننا ضروری معلوم ہوتے نہیں وہ
مداخلت کریگا اور اس کے لئے اس کو
اس کا اختیار دیا گیا ہے کہ وہ ملک
کے کچھ بہترین ایجوکیشنلسٹس
(educationists) کو مقرر کر سکتا ہے
ایسے آدمیوں کو جن پر اس کا اعتقاد
ہو۔

پंडित ठाकुर दास भागवत : मुझे कोई
शक नहीं है कि मौलाना साहब ने जो
मंशा जाहिर की है, वह मंशा यही है,
कि किसी दूसरे शब्द के मातहत उसको
ठीक करें। लेकिन मैं अबदब में अर्ज
करना चाहता हूँ कि आजकल इस तरह
की युनोवर्सिटीज नहीं रही, जैसी पुराने
जमाने में युनोवर्सिटियां हुआ करती थीं
न वैसे स्टूडेंट्स (students) रहे हैं।
आज के स्टूडेंट्स तो रोजाना आये दिन
हड़तालें किया करते हैं, रोज इम्तिहानों
में से भाग जाया करते हैं और इम्ति-
हानों के परचे बीच में छोड़ जाते हैं,
उस्तादों से आये दिन लड़ते फिरते हैं
और कभी कभी कल तक कर देते हैं,
तो आज के दिन आपको चाहिये कि
परिदर्शक को खुद जाती तौर पर इन्सपेक्शन
करने की भी पावर्स दें। मैं समझता
हूँ कि जो पहले मौलाना साहब का
खयाल था वह निहायत मुबारिक खयाल
है उनका खयाल था कि खुद उसको भी इन्स-
पेक्शन करने का अख्तियार हो। मैं
अबदब से अर्ज करूंगा कि इसके अन्दर
मैंने जरा सी तरमीम करने की कोशिश
की थी जो अक्टोबर नम्बर ६० और
६४ में दर्ज है और वह इस कदर थी
कि अगर कोई ऐसा मौका हो, कोई ऐसी
सिचुएशन (Situation) आ जाय, तो
परिदर्शक जाती तौर पर वहां मौके पर

जा सके और सारे मामले को हल कर
सके। और मैं समझता हूँ कि इस पावर
के लिख देने से किसी किस्म का नुक-
सान नहीं होगा। जो पावर दी हुई
है उनका लाजिकल नतीजा यह निकलेगा
कि वह खुद भी जाकर इन्सपेक्ट कर
सके और ठीक कर सके।
और मौलाना साहब का जो यह
इम्प्रेशन (impression) है उसको
एफेक्ट (effect) में लाने के लिए
मैं उनसे अर्ज करूंगा कि वह मेहरबानी
करके इन दो तरमीमों पर गौर फरमायें
और इनको मंजूर फरमायें ताकि
उनका खयाल कि वह खुद
जाती तौर पर मौके पर जाकर मामले
को निपटा सकेगा, प्रैक्टिकली पोसिबल
(Practically possible) हो जाय।
और शिक्षा समिति को अख्तियार देने
चाहिये, ताकि वह अटोनमस बाडी
(Autonomous Body) हो जाती।
आज इस तरह के अख्तियार जो समद,
कर्म समिति और परिदर्शक को दिये गये
हैं मेरे नाकिस खयाल में देना मुनासिब
नहीं था लेकिन आपको अख्तियार है
कि आप सारी स्कीम में उसके अन्दर
तबदीली कर सकते हैं और जैसा
प्रोफेसर के० टी शाह ने फरमाया है और
आपकी खिदमत में तरमीमों पेज की हैं
उन पर अमल दरआमद कर सकते हैं
मेरी जो तरमीम है, अगर आपका यह
सारे एक्ट का ढांचा दुस्त है तो लाजिम
यह है कि आप खुद परिदर्शक को अख्तियार
दें।

مولانا آزاد : مگر اس میں کوئی
رکاوٹ نہیں ہے - جب وہ ریگٹو مقرر
کو کہا ہے مداخلت ضروری ہے
تو اس کے ایسا کرنے میں کوئی
مشکل نہیں ہے اور جب وہ ضروری

will be prepared by the *Siksha Samiti*. The *Siksha Samiti* has no power to pass any Ordinance; it will only prepare the draft. After the draft has been prepared, the *Karma Samiti* will give it the final shape. I want to submit that clauses 28 and 29 of this Bill are so worded as to have become difficult for the common man to understand. It will be seen from the powers of the *Karma Samiti* which it possesses over the drafts of the *Siksha Samiti* under clause 29 that the *Karma Samiti* in many cases can to a great extent turn down the proposals of the *Siksha Samiti*. Nevertheless, however, there is an appellate authority, a revision authority, and if the *Paridarshaka* so desires he can make changes in the Ordinances made under the authority of both the *Siksha Samiti* and the *Karma Samiti*. Therefore in this Bill the *Paridarshaka* is not merely a constitutional head or a figure head as Prof. Shah thinks, but he has got dictatorial powers. He can do anything, he can make it or mar it. Such are the powers that have been vested in the *Paridarshaka* regarding ordinances. I would like to draw your attention in this connection to clause 28 which says:

"28. *Ordinances*.—Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(g) the conditions of residence of the students of the University and the levying of fees for residence in *Bhawanas* (Halls) and *Chatranasas* (Hostels) and of other charges.

(i) the maintenance of discipline among the students of the University....."

There are many matters in which very large powers have been given to the *Paridarshaka*. Thus he has also got powers with regard to Statutes. He can, by his inspection, twist anything as he likes according to his desire. And if things are not done to his liking, he can demand explanation. I think that the scheme of Visva-Bharati Bill is such that if the *Paridarshaka* were merely a constitutional head, the amendments of Prof. K. T. Shah would have been suitable. But in the present structure of the Bill the *Siksha Samiti* has been given the least powers while the *Karma Samiti* possesses the powers of the *Samsad* and above all dictatorial powers have been given to the *Paridarshaka*. Indeed, the whole

scheme of the Bill needs to be changed; otherwise all these amendments are rendered ineffectual. The Bill, as it is, gives, on one hand, so large powers to the *Paridarshaka* that he can do whatever he likes and under clause 10 can cause an inspection or enquiry to be made by some other person and also give his opinion on the report when it is submitted to him, and, on the other hand, he has not the power to make an inspection himself—I cannot understand how these two things are logically consistent.

The Minister of Education (Maulana Azad): It provides both the things—he may do the inspection himself or get it done through somebody else.

Pandit Thakur Das Bhargava: I would submit that I have read the clause 10 and the wordings there are not consistent in themselves. It says:

"The *Paridarsaka* (Visitor) shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University....."

Maulana Azad: I have understood the point. It is not intended to be an ordinary section. The Visitor will interfere only if there arises some special occasion necessitating the Visitor's intervention. For this purpose he has been given the right to appoint some eminent educationists of the country, in whom he has confidence.

Pandit Thakur Das Bhargava: I have no doubt that as the hon. Maulana Saheb has explained, the purpose is to set things aright through some other person. But I want to submit that the Universities of today as also the students are not like those of the olden times. The students of today strike every now and then, run away from the examinations, leave the examination papers unfinished, often quarrel with their teachers and sometimes even murder them. Hence it was necessary that in the present times the *Paridarshaka* should have been empowered to inspect himself. I think that the original idea of the hon. Maulana Azad was very good that the *Paridarshaka* should himself have the right of inspection. I had tried to bring about a small change which is noted in the amendment numbers 60 and 64, that if any such opportunity arises, if any situation like that occurs, the *Paridarshaka* may personally go there and put everything in order. I think if this power is added, no harm is going to be done. The logical conclusion of the powers that have been given will be that he himself could go and set things aright. That is the im-

[Pandit Thakur Das Bhargava]

pression of the hon. Maulana Saheb also and I would urge upon him to bring it into effect by considering over these two amendments and accepting them so that his impression that the *Paridarshaka* could personally go there and clear the issue, may be rendered practically possible. The *Siksha Samiti* should also be given more powers to enable it to function as an autonomous body. In my humble opinion it was not proper to have given such powers to *Samsad*, *Karmic Samiti* and *Paridarshaka*. But you have the right to change the whole scheme of the Bill and give effect to the amendments put forth by Prof. K. T. Shah. So far as my amendment goes, if the structure of the whole Act is all right, the *Paridarshaka* should logically be given this power.

Maulana Azad: But there is no restriction about it. When he has been appointed, a Visitor, there is no handicap for his intervening when he deems it necessary. When he thinks it desirable he can himself set aright the matters and such a situation can also arise when he may appoint some other person. There is no such restriction in it.

Pandit Thakur Das Bhargava: I fully agree with the hon. Maulana Saheb that such an occasion would be rare when a personal intervention may be necessitated. But with the existing wordings in clause 10 it would not be correct to say that the right of personal inspection is included in the powers vested in him. In this connection I beg to submit that if a particular procedure of doing something has been prescribed by law, that thing can be done only in that prescribed manner and not otherwise. It is a point of law regarding which if any authority is required in support I can in support of it cite High Court and other authorities. Take for instance the case of the confession of a criminal. The manner of writing the confession has been laid down in section 164 of the Criminal Procedure Code. But if that is not written in the prescribed manner and if the criminal himself writes the whole confession then that statement would be invalid. It is a principle of law that when you have laid down some power, it must also be seen that they are given effect to. I would submit that your real purpose with which I am also in full agreement cannot be fulfilled by clause 10. I would therefore request that with the inclusion of these few words:

"Shall have the right to inspect or cause an inspection to be made" your purpose as well as ours would be

served; otherwise, if you do not do it, there would be left a lacuna regarding personal intervention in rare cases.

Dr. S. P. Mookerjee (West Bengal): This clause, from some points of view, is one of the most important clauses in the Bill. I do not wish to say much on the general question of policy of giving large powers of inspection to the visitor, who happens to be either the Head of a State or the Head of the Indian Union. We will have to work for creating conditions so that the university may function in an atmosphere of freedom. Of course, the Government is responsible not only for finding funds, but also for ensuring that the universities get a machinery which will enable them to perform the functions which are allotted to them by the statute. Here, the powers which are given to the President as visitor are extremely wide in character. The powers given here include not only the right to inspect or order inspection regarding administrative and financial matters, but regarding academic questions also. I would like to suggest for the consideration of the hon. Minister a compromise which I think should meet the exigencies of the situation. Obviously, when grants are made to a university, it should be somebody's business to see that so far as administration and financial management of the university go, there is nothing that can be complained against. If the visitor feels that occasionally enquiries should be made or if complaints are made against such administration justifying an enquiry, let us have a provision to that effect. But, to have a provision of this type enabling the visitor to direct inspection regarding every academic matter which may come within the purview of a university, and then also to be the final deciding authority as regards the implementation of any recommendation which may be made by such a committee of enquiry, I think, is extremely harmful for the proper development of such a university as we are contemplating. It practically means that the entire academic policy of the university under the law may be subject to directives which may be issued by the visitor. Of course, the hon. Minister may say that these are intended for really emergent occasions. If such an emergent occasion should arise when a university, such as the *Visva-Bharati*, is found to neglect the academic responsibilities which are entrusted to it, then, the university, which is a creature of statute, may be dealt with in so many other ways. You can stop the grant; you can amend the law; you can influence the decision of the university through pressure of public opinion. I would

therefore suggest this to the hon. Minister. I am not suggesting any formal amendment, because I am leaving the matter in the hands of the Education Minister. If he is prepared to accept this idea, then his advisers and draftsmen may prepare a proper draft amendment of this clause so as to keep the powers of inspection in the hands of the visitor in regard to administration and financial matters; but with regard to academic matters, let the visitor have the power to bring to the notice of the university any matter concerning its academic activities, and to make any suggestions for their improvement if such suggestions are really called for. Obviously, if we follow such a procedure, then, any university worth its name, specially one of the character that we are contemplating will not do anything which may go against the real academic needs of the country or of this special institution. I would beg of the hon. Minister not to endow the visitor with such wide powers so that on any and every matter concerning the university he may direct an enquiry and also force the results of such enquiry and his decisions thereon upon the university. So far as I have been able to find, Sir, such a drastic procedure is not in existence anywhere. The universities in England enjoy a special autonomy and they are extremely reluctant to part with such autonomy even though they are in receipt of large funds from the Government. As you know, the University Grants Commission is working in the U.K., consisting of distinguished educationists and other administrators, and by co-operation and understanding with the universities, they are able to influence the working of the universities in a way which is fully consistent with national interests. Also, the right vests in the Parliament of England to appoint a Royal Commission from time to time if such an occasion arises for enquiring into the affairs or activities of particular universities. Of course, we are working under a different pattern. I hope gradually our universities will be completely free from any sort of control or interference from Government. I am not saying this because Government interference is bad as such; but we are visualising the development of our country on democratic lines and naturally the powers of Government will vest in parties which may be ruling over the destinies of the country for the time being. It is of the utmost importance that our universities should function as really independent organisations where the teachers and the workers will be entitled to express their view points on matters which concern their academic activities and also on matters

of national importance completely free from fear or from expectation of favour. That is also the policy which the hon. Minister has in view. The compromise which I am suggesting, I think, will meet both the points of view. If the hon. Minister is agreeable, then, instead of continuing the discussions now on this clause, he may instruct his advisers to prepare a draft which may be brought into the House half an hour later. Meanwhile, we may continue with the other amendments.

Mr. Deputy-Speaker: Are there such far-reaching powers given in the Benares Hindu University Act?

Dr. S. P. Mookerjee: I have not been able to find any such provision.

Mr. Deputy-Speaker: In the Aligarh University Act?

Dr. S. P. Mookerjee: I have not seen the Aligarh University Act. But, I have seen the recommendations of the Radhakrishnan Commission which make no reference to them.

مولانا آزاد - میں جناب کی اطلاع کے لئے کہہ دوں گی یہ اختیارات اس میں بھی دئے گئے ہیں -

[Maulana Azad: Sir, I may tell for your information that these powers have been given in this as well.]

Dr. S. P. Mookerjee: I do not know if a proposal has been made for amending the Act in this manner. In any case, so far as the Visva-Bharati is concerned, it is functioning on a different plan altogether, and it cannot be the intention that the visitor should be clothed with such large powers.

مولانا آزاد - میں آڈیبل شہاما پرشاد مگر جی کو جہاں تک سمجھا ہوں وہ یہ ہے کہ جہاں تک وزیٹر (visitor) کے اختیارات کا تعلق ہے انسپکشن اور انکوائری (inquiry) کے تو وہ یونیورسٹی کی ساری باتوں کے لئے یہ کر سکتے ہیں - مگر جہاں تک دوسری چیزوں کا تعلق ہے جو academic council گورنمنٹ کے ہونے کی شکشا سمیٹی ہے اس کو وہ ایسی

مولانا آزاد

دائے بھیج دیں گے - لیکن یہ نہیں
 ہوگا کہ آخر میں جو وہ فیصلہ کر
 دیں وہ ہو - یہ فرق ہے - اس پرنسپل
 (principle) کو سامنے رکھ کر میں
 غور کرنے کے لئے تیار ہوں -

[Maulana Azad: So far as I understand what has been said by the hon. Syama Prasad Mookerjee, it is that so far as the powers of the Visitor are concerned, he can use them for inspection and enquiry purposes and for other similar things of the University. But for other things he would only send his opinion to the academic council, and it would not be that his decision would be final. This is the only difference. Keeping this principle in view I am prepared to consider this suggestion.]

Mr. Deputy-Speaker: Then, let the discussion on this clause stand over.

Shri Kamath (Madhya Pradesh): Is it going to be held over?

Mr. Deputy-Speaker: Yes; I shall proceed to clause 11.

Clause II.—[The Pradhana (Rector)]

Dr. Deshmukh (Madhya Pradesh): I do not wish to move my amendment; I will speak on this clause.

Mr. Deputy-Speaker: Why not the hon. Member reserve his observations to some other clause? They are all so intimately connected that if the hon. Member wants to make a few observations he can make them in connection with any other clause. Why not I put this clause now to the House?

Some Hon. Members: There are other amendments to this clause. Prof. Shah has some.

Mr. Deputy-Speaker: Very well.

Prof. K. T. Shah: I beg to move:

For clause 11, substitute the following:

"11. The Pradhan (Rector).—(1) Whenever the Samsad finds it necessary so to do, it may, by a resolution, passed by not less than two-thirds of the members present and voting at a meeting of the Samsad convened specially for the purpose, resolve to institute the post of a Rector of the University.

(2) The Rector shall be elected by the Samsad, at a meeting of that body called specially for the purpose, and by a majority of not less than two-thirds of all the members present and voting at the meeting, from amongst the names submitted by the Karma Samiti for the purpose.

(3) Within three months after the Samsad has resolved to institute the post of the Rector, the Karma Samiti shall prepare and submit to the Samsad a panel of no more than three names for election by the Samsad as Rector.

(4) The Rector shall hold office for three years from the date of his election, unless earlier resigned, or removed from his office by a resolution of the Samsad passed by not less than three-fourths of the total members of that body present and voting at the meeting.

(5) The Rector shall have power to supervise the administration of the University and for that purpose do all things necessary, call for any document, report, or officer for any explanation he finds necessary on any matter relating to the University."

Sir, this section, like the preceding one, is objectionable on principle, at least in my view. It is part, of course, and parcel, of the Government's attitude in the matter of officialising this University and departmentalising it completely. In one case you put the Head of the State, or rather the Head of the Union, as the Visitor, and endow him with very wide powers of intervention at any time and in any matter relating to the University, and the University is reduced to a mere skeleton without life, purpose, or soul. In the next case, you create the Head of the State in which geographically the University is situated, the Rector, both equally objectionable.

The term Rector, in its origin, is ecclesiastical. It really means someone who maintains discipline, someone who keeps you in order, so to say, someone, therefore, who is a kind of a dictator in your University. To have a dictator in the University is not a desirable thing in itself; but to have a dictator of the kind you want to create in the University from the official world, and to make the Governor of West Bengal ex-officio Rector is, to my mind, negating the very idea of this University.

This is, of course, I repeat it again, in tune with the idea that the Government seems to have. Everywhere they

want to have someone, for the miserable pittance of two or three lakhs that they are pleased to give this University as against a Trust or Endowment or Foundation of Rs. 15 crores or so that my hon. friend mentioned as being necessary for carrying out the functions of this University in a fitting manner. To quote a Biblical idiom—you want to sell the heritage of this University for a mess of pottage. Government gives two or three lakhs of rupees; and for that consideration you give wide powers to the Head of the State, and to the Governor of West Bengal who apparently does not even have any connection with the University. You want to make him the Rector entrusted with very considerable powers in his own sphere.

Rectors in British universities, free from Ecclesiastical influence, are selected from amongst men of eminence and have a nominal connection with the university concerned. The Rector of the University of Glasgow, of Edinburgh or of Aberdeen has a very limited connection with the university. They are really "*nam-ke-vaste*". These people as it were, add ornaments or dignity to the bodies of which they happen to be lifelong members. Here, of course, the office is to be co-terminous with the period for which the Governor happens to be the Governor of West Bengal. I think, therefore, that on principle this is objectionable and for my part I would like deletion of the clause.

Once again, however, with the desire that is characteristic of me, to be as reasonable as possible, I am trying not to negative it altogether but to meet as much as I can the opposite side if only they would be reasonable at all. I have, therefore, suggested to give the power to the University, if they so think, to have a Rector if they think one necessary.

For that purpose, the procedure I suggest is as follows: In the first place, let their supreme governing body resolve that there shall be a Rector, that the post of Rector shall be instituted. If they consider, from a variety of reasons, all bearing upon the University's needs and not from outside considerations, that it is necessary to have, after the Acharya and the Upacharya, a Rector, let them have one by all means. Let them make that post a paid one or an honorary one just as they think it proper. But the initial step, the first *demarche*, should be that of the University's supreme governing body—the Samsad. The Samsad should resolve that there shall be a Rector. And lest there should be any misuse, lest there should be occasion for wire-pulling or intrigue, I

provide for a specific majority, that it should not be a chance or scratch vote. It must be a decision after due consideration, and after deliberately and properly thinking out the needs, requirements, and the duties, powers and functions and terms of office and all that.

The next step is: when the resolution is passed to institute the post of Rector. Having instituted the post the next step is to appoint the person.

I suggest that the appointment must be by election by the body which institutes the post. That the election should become a matter of intrigue, I further provide that there shall be a panel of names regarded fit for this post, to be prepared by the Executive Council—the *Karma Samiti*—and presented to the electing body—the Samsad. This is a guarantee that the Executive Council will consider much more the fitness and the propriety and the suitability of the individual suggested to be the Rector, and to be really of the University, for the University and in the University, and really choose the man most suitable.

Lest, however, the University's Executive Council be also misled. I provide that the election by the Samsad, from amongst the names suggested by the *Karma Samiti*, must be by a very specific majority of two-thirds of those who are present and voting at a meeting specially convened for the purpose. The members will have notice that this item is on the agenda, so that as many of them as possible would be present and there would not be a chance vote, or an election by a mere nominal majority.

The term of office of the Rector I prescribe is not only definitely three years, but I provide for the contingency that he might resign. It does not follow necessarily that the post is permanent. It may be instituted, in the first instance, for two or three years as the case may be. If an incumbent, at any given time resigns, dies, or is removed from office, the same procedure may be followed or the post kept vacant as the Samsad may like. The important point is that it is not an *ex-officio* post which will always be filled, whether an individual is competent or incompetent, or whether he desires to have any connection with the University or not. This is the tradition of the old British Government in India, which, I think, the sooner we depart from the better for the University. I would, therefore, suggest here as in the previous case that the University should not be tied to the official leading strings, and that for no consideration whatsoever.

[Prof. K. T. Shah]

The right of removal is the crux of applying the principle, as I view it in this. The right of removal must be vested, in the Samsad so that the Rector does not consider himself apart from, or independent of, the University. The Governor of West Bengal must not consider himself and conduct himself as something not belonging to the University, something quite apart from and independent of the university. The Rector chosen by the University, or elected by the University authorities by a given procedure, should not be so independent, indifferent, or careless about the University's opinion. Even if such a person should feel or act in any manner that may seem objectionable, the proper University authority, the supreme governing body should have the right to remove him.

The right to remove in my opinion is a much more important sanction in the hands of public bodies than the right to appoint. The right to elect does not give a charter of misbehaviour for the period of election. I hope and trust that all those of us who want to have elective offices, all those who claim to possess the confidence of our electorates or our people, should also bear in mind the responsibility, *viz.* that the election, once completed, does not give us a right to misbehave for the period of election. We must feel responsible for every moment. And in order that the responsibility should not be forgotten or lost sight of, even by a person of the level of the Rector of the University, I suggest that the right to remove him should be provided for. He must not be made in any sense utterly independent of the University. I know that the right can possibly be misused. I have, therefore, suggested that the removal resolution cannot be passed except at a meeting specially convened for the purpose, and by a three-fourths majority. Whereas in the previous case I was content with providing for a two thirds majority, so that no injustice may be done or there may be room for intrigue, here I ask for a still larger majority for similar reasons. The right to remove is important as well as needed. Let me give an example. Supposing he is found drunk at his post. There must be some power or authority to remove him, to bring him to book or call him to account and then remove him. This is too big an office for ordinary disciplinary action to be effective. You may take disciplinary action against a member of a party, and threaten him with removal. But a Rector of the University must not be threatened

with mere disciplinary action of this kind; nor must we give him the position of snapping his fingers at the University. The disciplinary action must be one and one only, namely his removal from the office.

I hope I have made out a sufficiently good case in the place of the *ex-officio* Rectorship of the Governor of West Bengal.

Mr. Deputy-Speaker: Amendment moved:

For clause 11, substitute the following:

"11. *The Pradhan (Rector).*—(1) Whenever the Samsad finds it necessary so to do, it may, by a resolution, passed by not less than two-thirds of the members present and voting at a meeting of the Samsad convened specially for the purpose, resolve to institute the post of a Rector of the University.

(2) The Rector shall be elected by the Samsad, at a meeting of that body called specially for the purpose, and by a majority of not less than two-thirds of all the members present and voting at the meeting, from amongst the names submitted by the *Karma Samiti* for the purpose.

(3) Within three months after the Samsad has resolved to institute the post of the Rector, the *Karma Samiti* shall prepare and submit to the Samsad a panel of not more than three names for election by the Samsad as Rector.

(4) The Rector shall hold office for three years from the date of his election, unless earlier resigned, or removed from his office by a resolution of the Samsad passed by not less than three-fourths of the total members of that body present and voting at the meeting.

(5) The Rector shall have power to supervise the administration of the University and for that purpose do all things necessary, call for any document, report, or officer for any explanation he finds necessary on any matter relating to the University."

The amendment is self-explanatory and after the lucid exposition by the Mover I do not think it is necessary to have a discussion. (*Interruption*). Hon. Members have a right to speak on any amendment and we have so many clauses and amendments. However, I would like to limit the speaker to five minutes.

Shri Kamath: It is a new rule you are promulgating for discussion on a Bill.

Mr. Deputy-Speaker: It is not a rule but only a desire.

Shri Kamath: Sir, there is much to be said for the amendment just moved by my hon. friend Prof. Shah. The House will see that even as regards the Acharya and Upacharya (The Chancellor and the Vice-Chancellor) the successors to the first Acharya and Upacharya will be elected, by the Samsad in the case of the Acharya, and in the case of the Upacharya the Board of appointment shall be as laid down in the statute. I am referring to clauses 13 and 14 of the Bill.

The House will also see that the power to make statutes has been conferred on the Samsad, that is the University Court. The only exception, so far as I can see, to this very sound provision as regards election to the various offices of the University, is this office of the Rector or *Pradhan*, who throughout will be the Bengal Governor *ex-officio*.

The Constitution lays down that the Governors shall be nominees of the President, that is to say, the President acting upon the advice of his Council of Ministers at the Centre. Therefore the *Pradhan* of Visva-Bharati is going to be always a nominee of the Central Government. I for one am afraid that this provision stipulating that the Rector will be the Governor, in other words the nominee of the Central Government or the President, militates against the spirit of freedom from interference and control of Government, which ought to pervade a true university, particularly a university that has been nurtured on spiritual foundations by Guru Dev. I fail to see why when even in regard to the Chancellor and the Vice-Chancellor the power has been conferred on the Samsad to elect them—I am referring to the successors to the first Acharya and the Upacharya—the Rector alone should be the Governor of West Bengal *ex-officio*. My friend Prof. Shah has in his lucid speech made it clear why it is desirable and necessary that the Rector or *Pradhan* of Visva-Bharati should be elected by the Samsad, as he seeks to do in his amendment.

Mr. Deputy-Speaker: What are the powers of the Rector?

Shri Kamath: I am coming to that also presently, namely the second point adverted to.

11 A.M.

It is strange that the Bill is completely silent on the powers and functions of the Rector. The only reference is the one line reference to the *Pradhan* that so-and-so shall be the Rector of the University. Throughout this Bill of over 44 clauses and laying down as it does the powers, duties and functions of the various bodies and other officers of the University, it is strange indeed that the Bill should be completely silent as regards this particular matter. If he is going to be a mere ornamental officer, if this Rectorship or *Pradhan's* office is going to be an ornamental office, even then I feel that the *Samsad*, the University court must have the power to elect him just as that power has been conferred on that court so far as the *Acharya* and the *Upacharya* are concerned. I would therefore ask the Minister to tell us whether he has at all tried to consider what exactly the functions, powers and duties of this Rector will be and why he has thought it fit to make him a nominee of the Central Government, of the President, always and why a different mode has been adopted or prescribed for the appointment of the *Acharya* and the *Upacharya*, that is to say by the Samsad "as laid down in the statute", the statute itself to be made by the Samsad. This is the only exception to the rule which so far as I can see militates against the spirit of a true University and especially of a University of the Visva-Bharati type. I therefore support the amendment moved by my friend, Prof. K. T. Shah and earnestly appeal to the House to give consideration to this matter and see that the *Pradhan* of Visva-Bharati does not continue to be a nominee of the President.

Dr. Deshmukh: In my view there are too many persons concerned with the administration of this University. We have the Visitor, then we have the Rector and then the usual Chancellor and Vice-Chancellor are there. As has been pointed out by my friend already no functions have been assigned to the *Pradhan* except to give him certain rights of nomination contained in clause 18 (xv), which reads: "persons nominated by the *Pradhana* (Rector)". Now, in the statement of objects and reasons in paragraph 4 it has been stated:

"4. It is, therefore, proposed to make such a declaration and have the Visva-Bharati constituted as a Central University. The constitution that is proposed to be given

[Dr. Deshmukh]

to Visva-Bharati is in conformity with the recommendations made by the University Education Commission with such modifications as are considered necessary to preserve the tradition and special features of the institution."

I would like firstly to point out that the University Commission never recommended a constitution like the one proposed in the Bill. In fact it visualized something much simpler. Secondly, I have the University Commission's report before me and I do not find anything therein suggesting the appointment or any recommendation with regard to the office of the Rector as has been suggested here. I therefore urge that this unnecessary office may easily be done away with. After all, we will have to have somebody as a Chancellor and if we look to the report of the University Commission on this point it will be found that the Governor is suggested as more or less the usual person who will be the Chancellor. In paragraph 40 on page 421 the Commission says:

"Present practice varies but in most provincial universities the Governor of the Province is *ex-officio* Chancellor. This arrangement has worked well, especially in Province with only one University. Where there are several universities in one province the Governor himself may feel that he cannot give to all of them as much personal contact as is desirable. This is a question which should be settled by each Province (or State) for itself."

So far as the Chancellor's office is concerned we will have either the Governor or somebody else chosen by the Samsad. Then what would be the necessity for the Rector's office? As has been pointed out, no functions are to be performed by him, and since this is a Central University and since we propose that the President should be the Visitor with extensive powers, I think the policy should be to minimise these officials and not to increase them because it does create more complications which should be our policy to avoid.

I am not moving an amendment but I think this is a superfluous office which could easily be dropped. In any case the Governor of the State would be there in some shape or the other and even if he is not there since it is a Central University there would be no harm. I suggest that the Chancellor, the Vice-Chancellor and the Visitor

should be the only officers of the University. And since the drafters of the Bill themselves could not assign any function to the Rector's post, it is quite obvious that it is being left to the Samsad to find out what functions he should perform and to search out what he should do. It is no good having an office first and then finding out work for the holder of that office. It would be much better to decide the functions that a person should perform and then to make provision for his appointment.

श्री इन्द्र विद्यावाचस्पति : जो संशोधन इस समय आपके सामने है उसके बारे में मैं माननीय शिक्षा मंत्री से कुछ निवेदन करना चाहता हूँ। इस संशोधन के स्वीकार होने की कोई आशा न होते हुए भी मेरा निवेदन उनसे यह है कि जिस संस्था की रक्षा के लिए वह यह कानून बना रहे हैं उस संस्था की रक्षा ही के लिए यह आवश्यक है कि रेक्टर (Rector) का पद जिस तरह रखा गया है उस तरह न रखा जाय। इस संशोधन के इतने हिस्से से मैं बिल्कुल सहमत हूँ कि एक एक्स-आफिशियो रेक्टर (Ex-officio Rector) नहीं बनाना चाहिये और बंगाल के गवर्नर (Governor) को यह पद देने की कोई जरूरत नहीं है। न सिर्फ यह अनावश्यक है बल्कि यह हानिकारक भी हो सकता है। एक राष्ट्रीय संस्था को जो पिछले इतने सालों से और इतने अच्छे नेतृत्व में देश का काम करती रही है, तो इस समय जीवित रखना है और बनाना है न कि उसको समाप्त करना है। इस तरह के और कानून जब अप अन्य राष्ट्रीय संस्थाओं के बारे में बनायेंगे और उनको चार्टर (charter) देंगे तब उनका उद्देश्य यह होगा कि संस्थाओं की रक्षा की जाय और उनको बढ़ाया जाय न कि यह कि उनको दबाया जाय या उनका नियंत्रण किय जाय। माननीय शिक्षा मंत्री ने

प्रारम्भ में कहा था कि वह इस कानून को बनाकर यह चाहते हैं कि विश्व-भारती जैसा था उसको वैसे का वैसे ही रखा जाय और उसकी आत्मा को भी वैसे का वैसे रहने दिया जाय। राष्ट्रीय संस्थाओं में काफी कार्य करने के कारण और उनका अनुभव होने के कारण मैं एक बात आपसे कहता हूँ कि अगर वह इतने सालों तक सरकारी सहूल्यता न होते हुए भी जीवित रह सकी है और उसकी आत्मा बाकी रह गई है तो इसका कारण केवल यह है कि वह सरकार के पांव के नीचे नहीं थी। उसकी स्वतंत्रता ही उसकी आत्मा की रक्षा करने वाली थी। अब जब कि हमारी अपनी सरकार है, अपना शासन है, तब तो यह बिल्कुल स्वाभाविक है कि राष्ट्रीय सरकार यह समझे कि हमें राष्ट्रीय संस्थाओं का संरक्षण करना है। जैसा कानून का संरक्षण आज आप विश्व-भारती को दे रहे हैं वैसे आप कल और संस्थाओं को भी दे सकते हैं। उसका उद्देश्य होगा उन संस्थाओं की आत्मा की रक्षा करना, जिसकी रक्षा आज तक हुई है आजादी की वजह से। अगर आप उस आजादी को कम करके उन पर शिकंजा कसोगे तो उनकी आत्मा की रक्षा नहीं हो सकेगी। इस बिल (Bill) में एक और बड़ी भारी कमी यह है कि इससे संस्था पर इतने अफसर लद जायेंगे कि नियंत्रण बहुत भारी हो जायगा। आपने परिदर्शक या देखने वाला बना दिया है प्रेसीडेंट साहब (President) को। बहुत अच्छा है। उनके अधिकार बहुत बड़े हैं। वह चाहें तो किसी सरकारी आदमी से या किसी बाहर वाले से उसका निरीक्षण करवा सकते हैं।

फिर आप बंगाल के गवर्नर को भी वहां रखते हैं और आगे आपने एक जगह, उसकी संसद् में, वहां के शिक्षा मंत्री को भी रख दिया है। आप यह सोचिये कि इतने अधिकारियों के होठे हुए वह संस्था कैसे उन्नति कर सकेगी। कैसे उसमें इनीशियेटिव (Initiative) आ सकेगा, कैसे उसमें आजादी रह सकेगी। मैं तो समझता हूँ कि सबसे अच्छा यह है कि रेक्टर की पोस्ट (post) को आप ड्रॉप (drop) कर दें। और अगर आपको रखना ही है तो जैसा अभी कहा गया, उसको भी आप प्रेसीडेंट के पास दे दें। एक ही दोनों काम करें, विजिटर (visitor) का भी और रेक्टर का भी। लेकिन जितने पद आप बढ़ा देंगे उतनी ही मुश्किल होगी। हर एक यूनिवर्सिटी (University) में जो चान्सलर (Chancellor) होता है वह उसकी जान होता है। मैं तो समझता हूँ कि अगर चान्सलर और विजिटर सब प्रेसीडेंट ही रहें तो अच्छा है। यहां दिल्ली में दोनों पद एक में ही हैं तो कितना अच्छा काम चल रहा है। इस से आप यह समझ लें कि अगर कोई और चान्सलर हो तो एक ही आदमी होना चाहिये। दो दो को रखना तो उसको बरबाद कर देगा। मैं माननीय शिक्षा मंत्री जी से यह प्रार्थना करूंगा कि इतने अधिकारियों को बढ़ाकर एक राष्ट्रीय महत्व की संस्था, एक स्वतंत्रता से चलने वाली संस्था पर बहुत सा बोझ डालना, यह रेड टेपिज्म (Red tapism) की पराकाष्ठा हो जायगी। एक विजिटर दूसरा रेक्टर, एक निरीक्षक, दूसरा निरीक्षक वह किस किस को पृच्छेंगे। इससे यह विषयों एक दिन बहुत ही बड़ जायेंगे।

[श्री इन्द्र विद्यावाचस्पति]

और बड़ी मुश्किल पैदा हो जायगी। जब आपने राष्ट्रपति को उसका विजिटर बना दिया तो बंगाल के गवर्नर को रेक्टर बनाने की आवश्यकता नहीं है और न किसी और पोस्ट की आवश्यकता है। और केवल यह नहीं है कि उससे कुछ काम नहीं होगा बल्कि उससे हानि होगी आपसे मैं यह इस संस्था की स्वाधीनता के लिए कह रहा हूँ इस संस्था की स्वतंत्रता की रक्षा के लिये कह रहा हूँ कि आप प्राविशियल कंट्रोल (Provincial control) उस पर न रखें। नहीं तो जो उसका देश व्यापी रूप है वह नहीं रह सकेगा। आप तो विश्व भारती को सारे संसार के लिये बनाते हैं, आप उसको भारत की ही नहीं रखते आप बंगाल के गवर्नर को उसमें जोड़ देते हैं, उसके रखने का क्या मतलब है आप अगर बंगाल के गवर्नर को उसका विजिटर बना दें और प्रेसीडेंट को न रखें, तो यह बात तो समझ में आ सकती है। लेकिन जब प्रेसीडेंट को रखते हैं तो बंगाल के गवर्नर को नहीं रखना चाहिए। मेरा निवेदन है कि माननीय शिक्षा मंत्री इस पर विचार करें। आजकल शायद चान्सलर हमारे प्रधानमंत्री हैं मैं तो कहूँगा कि वह भी विचार करें कि जिस चान्सलर के ऊपर दो दो अफसर हो जायेंगे वह चान्सलर कैसा चान्सलर रहेगा, और वह वाइस-चान्सलर (Vice-chancellor) कैसा वाइस-चांसलर रहेगा, इसलिए जितनी भी स्वाधीन और स्वतंत्र संस्थाओं की रक्षा आप करना चाहते हैं उनके लिए यह विचार ध्यान में रखें कि इतने ज्यादा अधिकारी नहीं। नहीं तो उनकी आत्मा मर जायगी और आत्मा

के साथ उनका शरीर भी मर जायगा। यहां इतनी बड़ी बड़ी यूनिवर्सिटियां मरी पड़ी हैं। उनके आगे यह छोटी छोटी संस्थायें कहाँ चल सकेंगीं। यह तो चल सकती हैं स्वतंत्रता के बल पर, रूह के बल पर, आत्मा के बल पर, इसलिए इस कंट्रोल (Control) को आप बन्द कर दें, इसको आप ड्रॉप (drop) कर दें बाकी जितनी चीजों में सुधार करना है वह आप कर दें, लेकिन यह चीज तों जरूर निकाल दें।

(English translation of the above speech)

Shri Indra Vidyavachaspati (Uttar Pradesh): I want to submit to the hon. Minister of Education, something about the amendment which is before the House. In spite of there being no hope of this amendment being carried through, it is my submission to him that for the preservation of the institution, for which he is enacting this law, it is essential that the proposed post of Rector should be omitted. I quite agree with this part of amendment that there should be no *ex-officio* Rector and there is no necessity of giving this place to the Governor of West Bengal. Not only it is unnecessary but also it may prove harmful. Our aim is to preserve this national institution, which has been giving a good lead to other institutions of the country, and not to close it. When you will enact similar laws and grant charters to other national institutions, the aim of those will be the preservation and development of these institutions and not their suppression and annihilation. The hon. Minister of Education stated earlier that by enacting this law he wants Visva-Bharati to continue as it is and to preserve its spirit. I tell you from my own experience of long association with the national institutions that if this institution could continue for so many years even without the Government aid, and could keep up its spirit, the only reason is that it was not under the control of the Government. Its freedom was the protector of its spirit. Now, when we have our National Government, it is natural that the Government should realise that they have got to preserve the national institutions. As you are affording legal protection to Visva-Bharati today, similarly you can extend the same protection in future to other institutions also. The aims and objects

of such protection would be to preserve the spirit of those institutions, which so far has been preserved due to their freedom. If you curtail their freedom and exercise rigid control on them, their spirit cannot be preserved. There is a great drawback in this Bill that there would be too many officers to exercise supervision over it and the problem of its control would become cumbersome. It is indeed very good that you have appointed the President as the Visitor of this institution. He has been vested with great powers. He can appoint any Government servant or outsider to inspect that institution if he so likes. You have made provision for the Governor of West Bengal and also for the inclusion of the Minister of Education of that state in the court of that institution. You may just think how this institution will be able to develop itself having so many officers to supervise it? How it can have initiative and how it can maintain its freedom? I am of the opinion that it would be the best course to drop the post of Rector. If you are keen on keeping this post, then this also can be held by the President himself. Both the offices of Visitor and Rector can be held by one man. The more you increase the number of posts, the more difficulties will be faced by that institution. The Chancellor of a University is the life and soul of a University. I am of the view that it would be better if the President is appointed Visitor and Chancellor both. In Delhi University, the work is going on very smoothly as both the posts are held by the same person. This is a good example for us to come to the conclusion that only one man should hold both these posts. The appointment of two persons will destroy the very spirit of that institution. I would request the hon. Minister of Education that it would be the limit of red-tapism if we burden this institution of national importance and of an independent character by appointing so many officers. There is a Visitor, a Rector and one Superintendent, whom will they consult? This will simply create more difficulties in future. When you have appointed the President as the Visitor of the institution, there is no need to appoint the Governor of West Bengal as the Rector and there is no necessity of creating any other post. Not only that it will have no advantages at all but on the contrary it will be detrimental to the interests of the institution. I am suggesting it for the sake of independence of this institution not to keep any provincial control on it otherwise it will lose its national character. By introducing this Bill you are aiming to give it an international importance.

and do not confine it to India only. Then why do you involve the Governor of Bengal in it. His appointment will serve no purpose. If you were to appoint the Governor of Bengal as its visitor and do not appoint the President on that post, then it may have some meaning but the Governor of Bengal should not be appointed when you have already appointed the President. My submission is that the hon. Minister of Education should give due consideration to it. Perhaps our Prime Minister is the present Chancellor of this institution, I would request him to think over the situation if two officers were appointed over the Chancellor how would that Chancellor be able to perform his duties as a Chancellor, as also a Vice-Chancellor as Vice-Chancellor. Therefore if you want to protect all the independent institutions, you should keep in view that there should not be too many officers, otherwise their very spirit would die and with it their physical existence too. There are so many big universities functioning in our country, how could these small institutions function in comparison to them. Such institutions can only run on the strength of their independence and spirit. Therefore, you should do away with this control and drop the idea. No doubt you can move amendments with respect to other provisions, but this must be deleted.

مولانا آزاد - یہ چیز جو رکھی گئی تھی تو اس کا مقصد یہ تھا کہ یہ انسٹی ٹیوشن بلکال میں ہے - گورنمنٹ بلکال اس میں دلچسپی لیتی رہی ہے اور آئندہ لیتی رہے - اور خود وشو بھارتی کی جو اتھورٹی (authorities) ہیں ان کے مشورہ سے یہ بات تھپرائی گئی تھی کہ گورنر بلکال کی یہ جگہ رکھی جائے -

श्री कायत : अब यह नेशनल इम्पाटंस की चीज बन गई ।

مولانا آزاد - نیشنل اہمیتوں کی بن گئی - لیکن اس کے ساتھ کوئی خاص اختیار ریگٹر کو نہیں دیا گیا - آپ پورا اس کو پڑھیں کہ وہ انسٹی ٹیوشن

[مولانا آزاد]

کے کاموں میں کہاں مداخلت کر سکتا ہے - جو بھی چیز رکھی گئی ہے وہ کسی خاص قسم کے حالات کے لئے رکھی گئی ہے - ورنہ وہ کافلی ہے - جو اختیار ہے وہ ریگٹر کو دیا گیا جو کہ پریسیڈنٹ ہوگا - یہ چیز جو رکھی گئی ہے تو اس خیال سے رکھی گئی ہے کہ بلکل کا بھی ایک تعلق اس سے ہونا چاہئے اور دلچسپی ہونی چاہئے - کوئی اس کے اختیار پر اس کا اثر نہیں پڑتا اور اس لئے ہمیں تو سمجھنا ہوں کہ یہ چیز رھلی چاہئے -

श्री कामत : उसके क्या फंक्शन (function) हैं ?

مولانا آزاد - پریکٹیکل (practically) یہ ایک آنریری چیز ہوگی گورنر بلکل کے لئے کہ اس انسٹی ٹیوشن سے اس کا تعلق ہوگا - کوئی خاص فنکشن اس کا نہیں ہے -

(English translation of the above speech)

Maulana Azad: The purpose of this provision was that as the institution is located in Bengal so Government of Bengal, which is taking interest in this Institution may continue to do so in future also. That the Governor of Bengal should be appointed at this post was settled in consultation with the authorities of Visva-Bharati.

Shri Kamath: Now this institution has attained the national importance.

Maulana Azad: No doubt it has assumed the status of national importance, but at the same time the Rector has not been given special powers. You may study it thoroughly and see as to how far he can interfere in the affairs of the institution. Whatever has been laid down in the Bill, has been done, keeping in view the unique position of Visva-Bharati, otherwise it

is as good as a paper scheme. All these powers have been vested in the President. The Provision has been laid there only with this idea in view that Bengal also should have some say and interest in it. It does not effect the powers of the Visitor in any way and therefore I think that this provision should remain.

Shri Kamath: What are his functions?

Maulana Azad: Practically the Bengal Governor would be connected with this institution in an honorary capacity. There is no special function assigned to this post.

Shri R. K. Chaudhuri (Assam): What are his functions?

Mr. Deputy-Speaker: The functions are to have an eye upon the institution. The question is:

For clause 11, substitute the following:

"11. The Pradhan (Rector).—(1) Whenever the Samsad finds it necessary so to do, it may, by a resolution, passed by not less than two-thirds of the members present and voting at a meeting of the Samsad convened specially for the purpose, resolve to institute the post of a Rector of the University.

(2) The Rector shall be elected by the Samsad, at a meeting of that body called specially for the purpose, and by a majority of not less than two-thirds of all the members present and voting at the meeting, from amongst the names submitted by the Karma Samiti for the purpose.

(3) Within three months after the Samsad has resolved to institute the post of the Rector, the Karma Samiti shall prepare and submit to the Samsad a panel of not more than three names for election by the Samsad as Rector.

(4) The Rector shall hold office for three years from the date of his election, unless earlier resigned, or removed from his office by a resolution of the Samsad passed by not less than three-fourths of the total members of that body present and voting at the meeting.

(5) The Rector shall have power to supervise the administration of the University and for that purpose do all things necessary, call for any document, report, or officer for any explanation he finds necessary on any matter relating to the University."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill.

Clause 12.— (Officers of the University)
Amendment made:

After part (iii) of clause 12, insert the following new part:

"(iiia) Karma-Sachiva (Registrar)".

—[Shri B. K. Das]

Prof. K. T. Shah: I beg to move:

Renumber clause 12 as sub-clause (1) of that clause and add the following sub-clause as sub-clause (2):

"(2) All the officers mentioned in sub-section (1) shall be elected by the Samsad of the University in such manner as may be prescribed in that behalf by the Statutes:

Provided that the Statutes may lay down different periods for the duration of the different officers."

What I want to bring out is the elective character of these officers. The term is used in this Bill rather indiscriminately. In one place the word 'appoint' is used and in another the word 'elect' is used. I think it is but proper that we should have uniform phraseology and this should relate to the elective character. If you leave these things to be determined by statutes, as you have provided here, I have no objection. But I do want to stress the elective character of these officers. They are a part and not apart as it were from the University bodies with which they have concern. They should be properly elected according to the procedure provided by the statute and there should be no question of appointment or selection. The principle of election is the most important thing to my mind. Secondly, the mode or procedure of election shall be also determined by statute. I can conceive of the term of office of a Vice-Chancellor being different from that of the Chancellor and similarly the term of office of the Artha Sachiva may be different from that of the Karma-Sachiva whom we have added just now. But I want that all these people should be elected and hold office during the term to be prescribed by the statute.

I commend the amendment to the House.

Mr. Deputy-Speaker: The question is:

Renumber clause 12 as sub-clause (1) of that clause and add the following sub-clause as sub-clause (2):

"(2) All the officers mentioned in sub-section (1) shall be elected by the Samsad of the University in such manner as may be prescribed in that behalf by the Statutes:

Provided that the Statutes may lay down different periods for the duration of the different officers."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clause 13.— [The Acharya
(Chancellor)]

Shri Biswanath Das (Orissa): I have given notice of an amendment to this clause.

Mr. Deputy-Speaker: But it was given only at 10-30. At any rate is the hon. Minister prepared to accept it.

مولانا آزاد - نہیں - مجھ سے
اتفاق نہیں ہے -

[Maulana Azad: No. I do not agree to it.]

Mr. Deputy-Speaker: Then there is no point in moving it.

Dr. Deshmukh: Sir, this article refers to the election of the Acharya (Chancellor) and it is provided that the successors to the first Acharya shall be elected by the Samsad (Court) in the manner prescribed by the Statutes.

Now, Sir, although it is left to the statutes to determine as to how the Chancellor shall be appointed, I submit, Sir, that there is every reason why it should be indicated in the Act itself as to how the Chancellor shall be elected.

So far, under the British Rule the Chancellorship of a University always went to the Governor of the province and the provision here for the election of an Acharya is evidently due to the fact that the West Bengal Governor

[Dr. Deshmukh]

has been given some other office and, therefore, the Chancellor has got to be elected. I have no quarrel with the powers of the Samsad of electing a Chancellor, but whether it should be merely left to the choice of a court or whether the selection should not be a matter of some concern to the Central Government who have taken over this institution of national importance is a question which has been agitating my mind. I should really have thought that the Minister in the Centre or the Government of India should have some say not only in regard to the appointment of the Acharya, but also of the Upacharya (Vice-Chancellor) with a view to seeing that a suitable person is elected. Wherever you may look, our experience is that the method of election has not been very happy in all such cases. So far as this question is concerned, the University Commission has made certain recommendations. They were not absolutely convinced about the method of election, but they think that these officers should continue to be elected. They have, however, suggested that the election should be left to the Executive Council, that is the *Karma Samiti* must take the responsibility of sending up only one name and that should be the name which should be accepted by the Chancellor for appointment. If we do it so far as the Vice-Chancellor is concerned, I think, Sir, it should be done with regard to the Chancellor also. My suggestion, therefore is that it should be laid down in the body of the Bill itself that the Samsad should recommend about five names and the freedom of appointing a particular person who would be best suited to carry on the traditions and the work of the University should be left to the Central Government.

I hope you will permit me to offer some remarks so far as the Vice-Chancellor's appointment is concerned for which I have given notice of an amendment.

Shri Biswanath Das: I had given notice of an amendment to omit sub-clause (4) of clause 13. I am sorry, Sir, I was absent during the discussion of this most important Bill. But I feel very strongly that the Universities should not have the power of conferring honorary degrees.

It has become a rather very unfortunate part of the activities of our Universities to go about begging for conferring honorary degrees on persons, however eminent they may be. These degrees mean nothing for persons of eminence like our hon.

Education Minister or our leader Pandit Jawaharlal Nehru. Is it, on the other hand, a recognition of the University that confers degrees on them? Why should the Universities be so very anxious to run after politicians and educationists for conferment of honorary degrees upon them? It took me a life away when I read comments of the daily newspaper which stated very succinctly: "Why wait on deputations for conferring degrees? Why not all the universities come to one place and then confer degrees on gentlemen of respect and repute?" Sir, that is the position with regard to the conferment of degrees.

Sir, this reminds me of the glorious traditions of our universities of yore. You look into *Maha Bharata*, *Bhagavata*, or *Ramayana*. You see what glorious traditions our universities set up. You read of King Parikshit who goes to a university as an ordinary citizen without any pomp or glory. He goes there, passes remarks and quick comes the reply from a *vidhyarthi*.

Mr. Deputy-Speaker: How does the omission of this clause improve the position?

Shri Biswanath Das: If you omit this clause, the University at least will be spared of the privilege of conferring honorary degrees and give up sycophancy. That is what I want to plead with the hon. Minister for Education as also with the hon. Members of this House.

Mr. Deputy-Speaker: Does the hon. Member think there must be a positive prohibition otherwise?

Shri Biswanath Das: I do not want any prohibition. I want that this clause may be omitted so that this University, which is a University of international reputation, will be spared from that blessing, which I consider a misery, for any University to have the right or the privilege of conferring an honorary degree on any individual. I am very sorry that the Government of India have not found their way to come forward with amending Bills to save the reputed Universities of Banaras and Aligarh from the shackles of official interference. Now that this University was free from these shackles, you have brought in many. Why put a further humiliation on it by conferring this so-called 'power'? It is not a power. I join issue that in these hard and difficult times this is no privilege either. This is a positive danger—danger to the freedom of the University, danger to the reputation of the University, danger to the sanctity

of the University and for what it stands for. Time there was when our Universities did not care to confer degree for the man and his culture was gold, for all that. But now unfortunately you want them to have a stamp and you authorise the University to give the mark. By all means give it, if you so desire. But do not go further than what is absolutely necessary. Gurudev stood for a very high ideal. It reminds me of the days when reference was made by the Indian National Congress to Gurudev regarding *Vande Matharam*. He withstood like a rock against public opinion from Bengal, which was all against him. He ruled out of order certain passages in it without caring for the public opinion of the people of Bengal. That is the sturdy independence which was displayed by the founder of this great University to which you want to give statutory recognition. I appeal to you and to the hon. the Education Minister to do nothing to impair that independence which he so scrupulously maintained and the spirit which he inculcated in the minds of his followers. Under these circumstances I appeal to the hon. the Education Minister to see that not only sub-clause 4 is wiped off but also the sub-clauses in clause 26 connected with the conferring of honorary degrees are also wiped off. If you want to respect the honour, the dignity, I should also add the honesty, and the independence of these Universities, I think, it is better that Visva-Bharati and with it all the other Universities be saved from these 'powers'.

बाबु रामनारायण सिंह उपसभापति महोदय, संसार का नियम है कि यदि पसीने की कमाई सबको मिलती रहे तो दुनियां में किसी को कोई बाधा नहीं हो सकती। आज संसार में जितने झगड़े आप देख रहे हैं, उनकी वजह यह है कि मंगनी का खाने वाले और मंगनी से प्राप्त करने वाले बहुत हो गये हैं। मैं श्री विश्वनाथ दास जी के सुझाव का बहुत जोर के साथ समर्थन करता हूँ, कि यह मंगनी की उपाधि क्यों दी जाय। अरे, लोग पढ़ेंगे, लिखेंगे उनकी परीक्षा होगी, तब कोई उपाधि उनको मिलेगी, जबरदस्ती कोई उपाधि क्यों दें। चाहे कोई व्यक्ति किसी

उपाधि के पाने योग्य हो या अयोग्य हो अगर ऐसा होता है तो मैं कहूंगा कि यह तो आज्ञादी भंग हो जाती है। विश्वभारती विश्वविद्यालय के विषय में बहुत सी बातें चल रही हैं और उचित यह था कि विश्वभारती हर प्रकार से सर्वथा स्वतंत्र रहता, लेकिन मैं देख रहा हूँ कि उसमें बंगाल के गवर्नर भी बीच में आ गए हैं और हमारे राष्ट्रपति को भी बीच में ले आया गया है और शायद और कोई भी आ जाये। मेरी राय में उचित तो यही था कि जो यूनिवर्सिटी (University) में काम करने वाले हैं जहाँ के ह्राथ में सारा अधिकार रहता और यह नियम के मुताबिक कर दिया जाये कि जो जिस के योग्य हो, वह उसको उपाधि मिले। मैं मंगनी की उपाधि के विल्कुल खिलाफ हूँ और मैं इस संसद् से विनय करता हूँ कि इस मंगनी की प्रथा को एक दम से खत्म कर दिया जाये। क्योंकि जैसा मैंने पहले कहा, होना यह चाहिये कि जो कमाये, सो खाये, और जो परिश्रम करे और उसके लिए अपना पसीना बहाये, वही उपाधि पाये जो उस के लिए योग्य हो और कोई परीक्षा पास करे, वही उपाधि पाये। मंगनी से क्यों किसी चीज़ की प्राप्ति होती है, इससे तो उल्टे अनर्थ होता है कि जो योग्य नहीं है उनको मिलती है। इस वास्ते मैं फिर से एक बार संशोधन का समर्थन करता हूँ और उम्मीद करता हूँ कि माननीय मंत्री जी भी जो खुद परिश्रम करने वाले हैं आज इस बात को कि मंगनी से कोई उपाधि मिले, स्वीकार न करें, और इस संशोधन को मान लें

(English translation of the above speech)

Babu Ramnarayan Singh (Bihar): It is the way of the world that if every person may go on earning an honest living, none would be put to any difficulty. The root cause of all the conflicts in the world at present is the increasing number of such persons as depend on others' alms. I strongly support the proposal of Shri Biswanath Das challenging the practice of conferring honorary degrees. People should receive degrees only after undertaking some sort of studies and passing certain examinations meant for the purpose. A person may or may not deserve it but he should not be decorated with an honorary degree in any case. If such a practice prevails, I may say, our freedom will be lost. Many things are being said with respect to Visva-Bharati University. It would have been quite in fitness of things if Visva-Bharati would have been kept quite independent. But I find that the Governor of Bengal and also our President have already been involved in this institution and it is just possible that some others may also be involved. To my mind the better course would have been to vest the University men themselves with all the power and the degrees would have been conferred on the deserving candidates alone. I am totally opposed to conferring any honorary degrees and I, therefore, submit to the House to do away with this practice. As I said earlier just as one should not depend on others' alms, in the same way degrees should also be conferred on only such persons as really deserve them or pass some examinations by labouring hard. If certain thing is achieved after begging for it, it does not do any good but on the other hand, it only tends to bring some harm. The same thing can be said in respect of honorary degrees as well, for in this way even the non-deserving persons also get them. So I once again support the amendment and sincerely hope that the hon. Minister, who himself is a hard-worker, will not like the practice of conferring honorary degrees and will accept this amendment.

مولانا آزاد - اگر آپ میری ذاتی رائے پوچھیں تو مجھے یہ کہنے میں بالکل تحمل نہیں ہے کہ میں خود آنریری ڈگری دینے کے خلاف ہوں اور

میں اس کو پسند نہیں کرتا - خصوصاً ہمارے ملک میں جس طرح اس کا استعمال ہو رہا ہے اس نے بعد تو مجھے شک ہے کہ کوئی بھی شخص اس کا خواہشمند ہو سکتا ہے - اب میں آپ کو بتاؤں کہ جب یہ بل سامنے آیا تو اس میں یہ چیز کھوں جوڑ دی گئی - اس میں یہ اس لئے جوڑی گئی کہ آپ کو معلوم ہے کہ وشو بھارتی ایک ایسا انسٹیٹیوشن ہے جو حقیقتاً ایک انٹرنیشنل یونیورسٹی ہے - آج ہم اس کو ایک یونیورسٹی مان رہے ہیں لیکن حقیقتاً وہ پہلے دن سے ایک یونیورسٹی کی حیثیت سے گم کر رہی ہے اور اسے خود شری ریبلندر ناتھ ٹیکور نے انٹرنیشنل یونیورسٹی کہا تھا اور بہت ممکن ہے کہ باہر کے ملکوں سے کچھ ایسے لوگ آئیں باہر کی یونیورسٹیوں کے لوگ یہاں پر آئیں اور جو بڑے بڑے انسٹیٹیوشنس ہیں ان کے خاص خاص آدمی آئیں اور اس انسٹیٹیوشن میں تھہر کر اس کو دیکھنا چاہیں اور یہ انسٹیٹیوشن یہ محسوس کرے کہ ان کو کوئی ڈگری کنفر (confer) کرنی چاہیئے - تو اس لحاظ سے اس کا پرابوزن (provision) رکھنا چاہیئے لیکن ہم اس کا دروازہ بالکل بند کر دیتے ہیں تو پھر ایسا کر سکتے کا موقع نہیں ملے گا اور میں سمجھتا ہوں کہ شاید اس موقع کا ملنا خود اس انسٹیٹیوشن کے لئے بہتر ہوگا اور

میں یہ صاف کو دیکھا جاتا ہوں کہ
 محض انٹرنیشنل حیثیت کو سامنے
 رکھ کر یہ چیز کی گئی ہے - یہاں
 اس بارے میں کوئی زور نہیں دیا
 گیا ہے - یہاں صرف یہ کہا گیا ہے
 کہ اس طرح کی کوئی تجویز آئے تو یہ
 ضروری ہوگا کہ چانسلر (Chancellor)
 اس تیجوری کو کنفر کرے اس روپ
 میں یہ چیز یہاں پر رکھی گئی ہے -
 میں سمجھتا ہوں کہ اس کے انٹرنیشنل
 پہلو کو سامنے رکھتے ہوئے آپ یہ دروازہ
 اگر اس پر بند نہ کریں تو بہتر ہے -

(English translation of the above
 speech)

Maulana Azad: If my humble opinion is asked in this connection, I have no hesitation in saying that I am opposed to conferring honorary degrees and I do not like such a practice. Particularly in view of the way in which these degrees are being abused in our country, I am doubtful if any person, whosoever, can like it. May I tell you why this provision was made in this Bill. Visva-Bharati is an institution which can be said to be an international university in the true sense. We are going to give it a form of university only today but as a matter of fact it has been functioning as a university since the very first day. Shri Rabindra Nath Tagore had himself called it an international university. It is possible that some great men from big universities and institutions of foreign countries may come here and pay a visit to this institution. Under these circumstances, this institution may feel the desirability of conferring some degrees on such persons. So we should look at this provision with these things in view. Should no such provision be made, it would not be possible to get an opportunity to confer degrees on these distinguished visitors. I believe probably such an opportunity will only do good to the institution itself. I wish to make it quite clear that it is merely in view of its international status that this provision has been made. This provision does not lay down compulsion, it merely provides if such a proposal is made it will be necessary for the Chancellor to con-

fer the honorary degree. That is why such a provision has been made here. In view of its international aspect, it would be better if the practice of conferring honorary degrees is not done away with.

Shri B. K. Das (West Bengal): Was not an honorary degree conferred on the poet himself?

مولانا آزاد - مجھے معلوم نہیں ہے -

[Maulana Azad: I do not know.]

Mr. Deputy-Speaker: There are no amendments to this clause.

The question is:

"That clause 13 stand part of the Bill."

The motion was adopted

Clause 13 was added to the Bill.

Clause 14 was added to the Bill.

Clause 15 was added to the Bill

New Clause 15A

Amendment made:

After clause 15, add the following new clause:

"15A. The *Karma-Sachiva* (Registrar) shall act as the Secretary to the Samsad (Court) and the *Karma Samiti* (Executive Council) of the University and shall perform such functions as may be prescribed by the Statutes and the Ordinances and the manner, the terms and conditions of the appointment of the *Karma-Sachiva* shall be laid down by the Statutes."

—[Shri B. K. Das]

New clause 15A was added to the Bill.

Clauses 16 to 19 were added to the Bill.

Clauses 20 and 21

Prof. K. T. Shah: Here I should like to point out one thing. On a previous occasion I had suggested in an amendment that along with the word 'powers' the word 'duties' should be added. I was then told that it was a question of drafting. I again point out that in this clause the heading reads thus: "Powers and duties of the Samsad" and the words 'powers and duties' are included together. Therefore, I hope it would not be within the sole and absolute discretion of the draftsman to take or not to take it.

Mr. Deputy-Speaker: Have we not passed that clause?

Prof. K. T. Shah: It was left as a matter of draftsmanship when I suggested that the word 'duties' should be there along with the word 'powers'.

Mr. Deputy-Speaker: The draftsman will take note of that. The question is:

"That clauses 20 and 21 stand part of the Bill."

The motion was adopted.

Clauses 20 and 21 were added to the Bill.

Clauses 22 to 25 were added to the Bill.

Clause 26.—(Statutes)

Amendment made:

In part (c) of clause 26, after the words "powers" insert the words "functions and duties".

—[Shri B. K. Das]

Shri B. K. Das: I am not moving my amendment No. 89 in the list but I may point out that on a previous occasion, we have inserted the word 'employees' instead of 'servants'.

مولانا آزاد - میں کوئی خاص وجہ
نہیں سمجھتا کہ اس کو بدلا جائے -
آخر ہم سب پبلک سرورینٹس ہیں -

[Maulana Azad: I do not see any particular reason to change it. After all we all are public servants.]

Mr. Deputy-Speaker: The question is:

"That clause 26, as amended, stand part of the Bill."

The motion was adopted.

Clause 26, as amended, was added to the Bill.

Clause 27.—(Statutes how made)

Dr. S. P. Mookerjee: I beg to move:

For sub-clause (1) of clause 27, substitute the following:

"(1) The first Statutes shall be framed by the First Acharya (Chancellor) and shall be subject to the approval of the Paridarsaka (Visitor)".

I have to submit, Sir, that the hon. Minister is willing to accept this amendment. It has been suggested to me that it would be better if we only say "by the First Chancellor". He will of course appoint a committee for the purpose.

Mr. Deputy-Speaker: Amendment moved:

For sub-clause (1) of clause 27, substitute the following:

"(1) The first Statutes shall be framed by the First Acharya (Chancellor) and shall be subject to the approval of the Paridarsaka (Visitor)".

Pandit Kunzru (Uttar Pradesh): Are Government accepting this amendment, Sir?

Mr. Deputy-Speaker: Yes.

Pandit Kunzru: I am very glad to note that the Education Minister has at last been good enough to realize the desirability of the Statutes being framed, not by the Central Government autocratically, but by those connected with the University, that is going to be established. As the future administration and character of the University Visva-Bharati will depend almost entirely on the Statutes, it is of the utmost importance that they should be made in such a way as to take account of the experience of other universities and also bear in mind to what extent the recommendations made by the University Commission should be modified in their application to the Visva-Bharati.

Mr. Deputy-Speaker: The question is:

"(1) The first Statutes shall be framed by the First Acharya (Chancellor) and shall be subject to the approval of the Paridarsaka (Visitor)".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 27, as amended, stand part of the Bill".

The motion was adopted.

Clause 27, as amended, was added to the Bill.

Clause 28.—(Ordinances)

Shri Venkataraman (Madras): I only wanted to suggest that after the words "the admission of students to the University" in sub-clause (a), the words "and the qualifications for such admission" be added. It is a suggestion.

which, if acceptable to the hon. Minister, may be considered.

Mr. Deputy-Speaker: His point seems to be that ordinances should provide for qualifications also.

مولانا آزاد : مگر ایڈمیشن میں
کوالیفیکیشن تو آ جانی ہے ۔

[**Maulana Azad:** But admission covers qualifications as well.]

Mr. Deputy-Speaker: All right; admission includes qualifications also.

Amendment made:

"In part (e) of clause 28, after the word "conditions" insert the word "and"."

—[*Shri B. K. Das*]

Shri B. K. Das: I do not want to move my next amendment. But, I may just point out that the conditions of residence of the students of the university have been laid down, but no provision is made as regards the appointment of provosts and superintendents. The creation of such posts is not prevented; but I think it will be better if it be put down here definitely.

مولانا آزاد : اس کی ضرورت نہیں
ہے ۔ وہ تو کیا جا سکتا ہے ۔

[**Maulana Azad:** It is not needed. It can be done.]

Mr. Deputy-Speaker: Here is a clause (1) which says "any other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances." Any other thing as may be necessary, will be done. The question is:

"That clause 28, as amended, stand part of the Bill."

The motion was negatived.

Clause 28, as amended, was added to the Bill.

Clause 29.— (*Ordinances how made*)

Amendment made:

98. In part (b) of the proviso to sub-clause (1) of clause 29, after the word "conditions" insert the word "and".

—[*Shri B. K. Das*]

Dr. S. P. Mookerjee: I have got two amendments. I beg to move:

(i) In sub-clause (4) of clause 29,—

(a) after the words "meeting to cancel" occurring in line 3, insert the words "vary or revise"; and

(b) for the words "be void" substitute the words "will stand varied, revised or cancelled as the case may be".

(ii) In sub-clause (5) of clause 29, after the word "Ordinance" occurring in line 4, insert the words "on the ground that it is inconsistent with or repugnant to the provisions of the Act".

The Bill provides that if an Ordinance is proposed, it goes to the court or samsad. Under sub-clause (3), the samsad may consider the proposal. Under sub-clause (4), the samsad has the right to cancel a particular ordinance by not less than a two-third majority. I enquired of the hon. Minister what exactly are the rights of the samsad: can it only approve or cancel or can it also vary or revise? Suppose, it cannot vary or revise, and it decides to cancel, there will be a deadlock. There is no provision in the Bill to provide for such a contingency. But, I was assured by the hon. Minister that when an ordinance will be placed before the court, the court may also vary or revise. So, I suggest that that may be made absolutely clear. When the ordinance goes to the court, it may do one of four things: either approve or vary or revise or cancel; in the case of the latter, it must be done by not less than a two-third majority. That is one aspect of my amendment.

Mr. Deputy-Speaker: I think "cancel or modify" any such ordinance, would be better.

Dr. S. P. Mookerjee: Yes; modify may be accepted.

The other is about the powers of the Visitor.

The Minister of State for Transport and Railways (Shri Santhanam): In that case, the latter half should also be suitably modified.

Dr. S. P. Mookerjee: That would be consequential.

The other amendment is about the powers given to the Visitor, regarding approval of the ordinances. According to the Bill, ordinances deal with:

[Dr. S. P. Mookerjee]

academic matters. In the opinion of some of us, the Visitor should not be given large powers to cancel any ordinances or direct the university to accept whatever he decides. Here, the powers of the Visitor will be limited to two items: first, if the Visitor considers that there is any matter which is inconsistent with the Act or is repugnant to the Act, then his decision shall be final and he can cancel any ordinance and that cancellation shall be binding. The second is, under sub-clause (7) if there is a difference of opinion between the executive council and the academic council regarding the justification of a particular ordinance, then, that matter will have to be finally decided by some one and that may be left to the Visitor to decide as proposed in the Bill. These are the purposes for which I am suggesting these amendments, which the hon. Minister has seen and his advisers also have looked at from the drafting point of view. They may be accepted.

Shrimati Renuka Ray (West Bengal): I have an amendment to sub-clause (5).

Mr. Deputy-Speaker: Let me dispose of sub-clause (4). I shall come to that presently.

مولانا آزاد : سب کلاز ۴ میں
جیسا میں نے ابھی اپنے دوست سے
کہا کہ اس کی کوئی رپورٹ موجود
نہیں ہے۔ مگر اگر وہ یہ چاہیں گے
کہ اس کو کچھ امید کریں تو
اس کی روک ہے۔ مگر اگر کچھ
سیف گارڈ اس کے لئے چاہتے تو اس
کے لئے کہا گیا کہ ۲۱۱ کی مہجارتی
سے وہ کرے۔ بہر حال اگر وہ یہ چاہتے
ہیں کہ اس چیز کو اور صاف کر
دیا جائے تو چونکہ اس کے پرنسپل
سے مجھے اتفاق ہے۔ مجھے اس کے
کرنے میں کوئی تامل نہیں۔ لیکن
اگر اس کے ورکنگ کو ڈرافٹسمن پر
چھوڑ دیا جائے تو بہت بہتر ہوگا۔

[Maulana Azad: As I have just now said to my friend, there is absolutely

no restriction in the sub-clause 4. But if they would like to make some amendments they cannot do so; on the other hand if they want some safeguards they can have them with the help of two-third majority. But if they want that we should make it more clear, I will have no hesitation in doing so because I agree with its principle. But at the same time it would be better if its wording would be left to the draftsman.]

Shrimati Renuka Ray: I want to change a word in sub-clause (4).

Mr. Deputy-Speaker: What is that?

Shrimati Renuka Ray: After the word "meeting" in the third line, substitute the following:

"to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution, stand modified or cancelled accordingly."

Shri Sondhi (Punjab): Where is the amendment? Sir, amendments of which notice has not been given and which have not been circulated are being moved and accepted.

Shrimati Renuka Ray: It is a very slight modification that I am suggesting.

Shri Venkataraman: Probably it would be better to have the words "as the case may be" at the end.

Mr. Deputy-Speaker: I have got the amendment here and I shall put it in the proper form. The question is:

In sub-clause (4) of clause 29 for all the words occurring after the word "meeting" in the third line, substitute the following:

"to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution, stand modified or cancelled, as the case may be."

The motion was adopted.

Mr. Deputy-Speaker: Then we come to sub-clause (5) and Dr. Mookerjee has already moved his amendment. He has suggested a modification and Shrimati Renuka Ray wants substitution.

Shrimati Renuka Ray: I am not moving my amendment. If Dr. Mookerjee will accept a little change in his own amendment, I will not move mine. I want the words "if the Ordinance is repugnant or contravenes any of the provisions of the Act" to be added.

Dr. S. P. Mookerjee: The language will be looked into by the draftsmen; that is what the hon. Minister has said.

Mr. Deputy-Speaker: If this is agreed to, I shall put it accordingly to the House.

The question is:

In sub-clause (5) of clause 29, after the word "Ordinance" occurring in line 4, insert the words "on the ground that it is repugnant to or contravenes any of the provisions of this Act".

The motion was adopted.

Shri A. C. Guha (West Bengal): I do not like to move my amendment, Sir; but I say that in view of the changes now made in sub-clauses (4) and (5) sub-clause (6) also requires re-drafting. Otherwise the President will have power to suspend any of the Ordinances.

Dr. S. P. Mookerjee: That is not necessary. The consideration of the matter by the Visitor may take not more than a month only. Even if he decides not to approve of any Ordinance on the ground that it is repugnant or contravenes any of the provisions of the Act, he will require some time and the maximum time given is one month. And so far as the powers are concerned, they are limited under sub-clause (5).

Shri A. C. Guha: Well, if it is not considered necessary by the Government I do not press it.

Mr. Deputy-Speaker: The question is:

"That clause 29, as amended, stand part of the Bill."

The motion was adopted.

Clause 29, as amended, was added to the Bill.

Clauses 30 to 43 were added to the Bill.

Mr. Deputy-Speaker: No amendments are moved to clause 44?

Dr. S. P. Mookerjee: I have suggested an amendment which the hon. Minister has kindly agreed to accept. Clause 44, as you will find Sir, is an important one which gives the power to remove difficulties. First the Court will have to be constituted, also the other bodies; and this power was given in the Bill to the Central Government. I have suggested—and the hon. Minister has kindly agreed to this suggestion—that these very important powers should really vest in the Visitor and

not in the Government and the Visitor should act in consultation with the Vice-Chancellor of the University so that the academic aspect of the matter may be properly kept in view.

Amendment made:

In clause 44, for the words "the Central Government" substitute the words "the Paridarsaka (Visitor) in consultation with the Vice-Chancellor".

—[Dr. S. P. Mookerjee]

Mr. Deputy-Speaker: The question is:

"That clause 44, as amended, stand part of the Bill."

The motion was adopted.

Clause 44, as amended, was added to the Bill.

Mr. Deputy-Speaker: Now I had overlooked it. Dr. S. P. Mookerjee has to move his amendment regarding a new clause after clause 33.

New Clause 33A

Dr. S. P. Mookerjee: Yes, I shall move it now, though it concerns more the Finance Minister than the Minister of Education. I beg to move:

After clause 33, insert the following new clause:

"33A. There shall be paid from out of the Consolidated Fund of India a sum of not less than Rs. 4½ lacs and such additional sums as may be required for revenue and capital expenditure and recommended by the Central Government."

The Government has made the following note, on page 16 which embodies the memorandum attached to the Bill, dealing with the financial provisions.

"The new University will also require a maintenance grant to the extent of Rs. 4½ lakhs per year."

And it also says that certain capital grants and some interest free loans will have to be granted to the University in order to enable it to carry out its activities. The last paragraph in the financial memorandum states:

"No specific reference to the grants proposed to be paid by the Central Government has been made in the draft Bill."

I do not wish to make a long speech. The provision of a statutory grant for a university is a very necessary factor

[Dr. S. P. Mookerjee]

not only for the purpose of enabling it to carry on its activities but also for clothing it with the necessary security and freedom. I do not wish to embarrass the Government by suggesting a higher grant than what the Government has already agreed to accept. I think from every point of view, even as a gesture, it will be a good thing if the Finance Minister agrees—I am sure the Education Minister will not object to it—to make a statutory provision in favour of Visva Bharati. There is no additional obligation on the Government to pay more than 4½ lakhs which Government has decided to pay to the University and it is only making a statutory provision, so that there may not be any ambiguity and the University may be given full security and freedom to carry on its activities.

Shri Santhanam: May I suggest that the latter half of the amendment is wholly out of order. It suggests that such unlimited amounts as may be recommended by the Central Government may be paid. The first half of the amendment may be all right if the hon. Finance Minister agrees. But no payment can be made without express provision by law. If it is sanctioned by Parliament it will come under the Budget. The latter part of the amendment is out of order.

Dr. S. P. Mookerjee: It is only a technical point. To satisfy him I can say "approved by Parliament".

Shri Santhanam: If it is approved by Parliament crores may be paid. It is wholly unnecessary. The Parliament has precisely the power of disposal of the Consolidated Fund. When a thing is approved any amount may be paid.

Mr. Deputy-Speaker: This Parliament passes the legislation. So far as particular legislation is concerned power is given to Government to make a grant. They will make the provision.....

Shri Santhanam: Specific provision may be made, not provision for an uncertain amount. So far as that is concerned it depends on the Government to make a recommendation and the Parliament may approve. We cannot make a law that in future the Central Government may make a recommendation and the Parliament may sanction an uncertain amount.

Mr. Deputy-Speaker: Apart from the question of taking the Minister by surprise I do not think there is any technical objection. It is Parliament that

passes the legislation and empowers suitable grants to be made by the Central Government. No doubt the Central Government would include it from year to year.

The Minister of Finance (Shri C. D. Deshmukh): I am afraid this will be a very unusual kind of provision. It is likely to prove an embarrassing precedent. Also I am not sure if in actual practice it will serve any useful purpose. Our general experience has been that the minima are never possible to adhere to and it may be that the needs of the University will require larger sums. (*Interruption.*) I do not know but it may work that way, not necessarily but that is the general experience. You may cast your mind back on the grants with which the various universities started and compare them with the grants they are getting now. There is a general tendency that way. I do not think it serves any practical purpose and I think it is likely to prove in other respects an embarrassing precedent. I am sorry I am not able to recommend its acceptance to my hon. colleague.

مولانا آزاد : یہ تو میں کہہ سکتا
ہوں کہ تین سینتھریل یونیورسٹیاں
یعنی بڈارس - علیگڈہ اور دلی - جن
کو سینتھریل گورنمنٹ گرانٹ دے رہی
ہے - ان کے ایکٹ میں کوئی خاص
رقم نہیں دکھی گئی ہے -

[**Maulana Azad:** I can say this much that there are three central universities of Banaras, Aligarh and Delhi which receive grants from the Central Government. No amounts have been specified for them in the acts concerned.]

Dr. S. P. Mookerjee: It was suggested by Mr. Santhanam that the latter portion may be omitted and the amendment confined to the first part, which is already covered by the recommendation in the Financial Memorandum.

Shri C. D. Deshmukh: I did not confine myself to the second part at all. I confined myself more to the first part.

Mr. Deputy-Speaker: The grant proposed to be paid by the Central Government has not been made in the Bill itself.

Shri C. D. Deshmukh: That is intentional, because all the grants are not statutorily provided for.

Dr. S. P. Mookerjee: There are some which are provided for.

Shri C. D. Deshmukh: I am not aware: I cannot think of any precedent for this. I do not know if my hon. colleague is aware of any grant which is provided statutorily as a minimum grant for a university.

Shri Santhanam: The amendment cannot be moved without the recommendation of the President.

Mr. Deputy-Speaker: So far as the recommendation is concerned I have my doubt. I would like to hear the Finance Minister about this matter. If Members will refer to the Bill this matter has been recommended. (*Interruption.*) Order, order. Hon. Members must have the patience to hear me. This Bill involves commitment by the Central Government of expenditure from out of the Consolidated Fund. In the Financial Memorandum which is under the rules attached to a Bill specific reference is made to this and therefore the President has given his sanction for the consideration of this Bill to the extent of 4½ lakhs. He wants to introduce the sanction granted by the President as a clause in the Bill. I do not think the sanction stands in the way.

Pandit Kunzru: I think the President alone has the privilege of recommending to us provisions for money grants. I do not think that it is in the power of any private Member to bring forward a provision asking Parliament to make a grant, simply because its principle has been approved by Government. Government must not merely approve of the principle but also come forward with a motion asking for a grant of the money by Parliament. Apart from this I think the suggestion made by my hon. friend Dr. Mookerjee should not be accepted. There are many central universities and not one of them gets its grant except in the ordinary way: that is by inclusion in the Education budget. This gives an opportunity of considering, if we so desire, the affairs of these universities. But if the grant is to be paid out of the Consolidated Fund there will hardly be any discussion on it. I think this is highly undesirable. I know that many years ago it was desired that the Bose Institute should be placed in this position, namely that it should get its grant out of the Consolidated Fund. That is, the grant should not be open to discussion by the Legislative Assembly.

Shri Sondhi: That is a non-voted grant.

Pandit Kunzru: It should become a non-voted grant. Happily this proposal was never placed formally before the Government. I am surprised that so experienced a Parliamentarian as my hon. friend Dr. Mookerjee should have come forward with this proposal. I respect his love for the Visva-Bharati. Perhaps he thought it his duty as an admirer of Guru Dev, who was the founder of the University to come forward with this proposal. I entirely agree with the Finance Minister that the acceptance of this proposal would create an undesirable precedent and further would place undue restriction on the power of Parliament to discuss a grant before voting on it. I am therefore strongly opposed to it.

Shri C. D. Deshmukh: I wanted to point out that apart from anything else the notice of this amendment has been too short. I understand it was not circulated at all and in a matter like this one ought to set a precedent, which would make for safety, that it should have been properly circulated so that we should have time to consider it. Then, the point that you made, sir, that it has been referred to negatively in the sense that we have not made a provision, that is to say we deliberately came to the conclusion that it would not be appropriate to make a provision, if a provision is to be made I consider that it does require the recommendation of the President—under rule 84 of the Rules of Procedure the recommendation of the President has to be attached to the amendment. From that point of view also I do not think it is possible to accept that amendment.

مولانا آزاد : اور میں عرض کروں گا کہ جہاں تک وشو بہارتی کے فائدے کا تعلق ہے اس کے لئے اس کی بھی ضرورت نہیں ہے۔ جوہا کہ ابھی بعض دوستوں نے یاد دلایا ہے۔ تین یونیورسٹیاں ہیں جن کا تعلق سہیلتوں گورنمنٹ سے ہے۔ بلارس علیحدہ اور دلی۔ میں کہہ سکتا ہوں کہ ان تینوں میں سے کسی کے ایک میں بھی رقم نہیں رکھی گئی ہے۔ ان کے لئے ابتدا میں تین لاکھ سالانہ کی رقم رکھنا تجویز ہوا تھا لیکن

[مولانا آزاد]

آج بیس بائیس لاکھ روپیہ ہر سال
بجٹ میں رکھا جاتا ہے - تو میں
نہیں سمجھتا کہ آپ کسی انٹریسٹ
کو نقصان کربلئے اگر اس ایکٹ میں
جسکو کہ آپ چند مدت کے اندر
پاس کرنے والے ہیں - کوئی خاص رقم
نہیں رکھیں گے - اور میں سمجھتا
ہوں کہ اس کا کوئی سوال بھی نہیں
تھا - اس کے علاوہ یہ ترمیم اچانک
آگئی - اس کے پہلے نہ تو یہ بھیجی
گئی تھی اور نہ دیکھی گئی تھی -

[Maulana Azad: I beg to submit that it is not needed at all so far as the interests of the Visva-Bharati are concerned. Some of my friends have just now reminded me that there are three universities which are connected with the Centre. These are Banaras, Aligarh and Delhi. I can say this much that no provision whatsoever has been made for any specific amount in all the acts which relate to them. It was proposed in the beginning to sanction a sum of rupees three lakhs for them per year, but now a sum of rupees twenty lakhs to twenty-two lakhs is being sanctioned for them every year in the Budget. And I do not think that you are doing anything against their interests if you do not specify any amount in the Act which you are going to pass within a few minutes; I think there was no question about it too. Besides it this amendment has come all of a sudden. Before this neither any notice was given of it nor was it ever seen.]

Dr. S. P. Mookerjee: I have no desire to embarrass Government in any way. The principle of making statutory grant is nothing new—it has not been flung upon the House or anybody else—but I quite appreciate the difficulty that the Finance Minister and the Education Minister pointed out. I do not wish to press the amendment. The matter may be examined by Government independently.

Schedule

Mr. Deputy-Speaker: Very well. Now we shall take up the Schedules. We

have already adopted yesterday a motion to add a Schedule on clause 6. That will be the First Schedule and the Schedule to clause 7 which I shall now put to the vote of the House will be the Second Schedule.

Shri Kamath: There is a new word in this Schedule, Sir, which is unknown to me at least. It says:

"The area known as Santiniketan in the District of Birbhum in West Bengal, *admeasuring* 11.5 square miles....."

It says "admeasuring".....

Shri Venkataraman: Admeasuring is a word known to everybody.

Mr. Deputy-Speaker: Both mean evidently the same thing. The question is:

"That the Schedule stand part of the Bill."

The motion was adopted.

The Schedule was added to the Bill.

Clause 10.—[*The Paridarsaka (Visitor)*—*contd.*]

Mr. Deputy-Speaker: Clause 10 was held over. Has any agreement been arrived at?

Dr. S. P. Mookerjee: Yes, I am moving an amendment in that connection. I beg to move:

For sub-clause (6) of clause 10 substitute the following:—

"(6) When the *Paridarsaka* (Visitor) has, in pursuance of this section, addressed the Upacharya (Vice-Chancellor) in connection with any financial or administrative matter relating to the University and the Karma Samiti (Executive Council) does not, within a reasonable time, take action to the satisfaction of the *Paridarsaka* (Visitor) in respect thereof, the *Paridarsaka* (Visitor) may, after considering any explanation furnished or representation made by the Karma Samiti (Executive Council) issue such directions as he may think fit and the Karma Samiti (Executive Council) shall comply with such directions."

Some Hon. Members: This amendment has not been circulated.

Pandit Kunzru: We should have a copy of that amendment before us before any discussion takes place.

Mr. Deputy-Speaker: I shall read it slowly so that Members can write it

down. We held over clause 10 so that Government may look through it. If further time is to be taken up things will not proceed. Hon. Members, I suppose, have paper and pencils.

Shri Kamath: We are not being supplied with pencil and paper nowadays.

Mr. Deputy-Speaker: They are usually supplied.

Shri Kamath: We have not got them now.

مولانا آزاد : یہ امینڈمنٹ ایسا

ہے کہ جس پر اتفاق ہو گیا ہے۔

[Maulana Azad: It is an amendment on which agreement has been reached.]

Prof. K. T. Shah: Sir, if the agreement is only to be between the hon. Minister and Dr. Mookerjee, and the rest of the House does not know it then I do not know.....

Mr. Deputy-Speaker: That is not the intention. Agreement means agreement of the whole House. All that the hon. Minister says is that on behalf of the Government he agrees to the amendment. Now I will read the amendment slowly for hon. Members to follow it.

"(6) When the Paridarsaka (Visitor) has, in pursuance of this section, addressed the Upacharya (Vice-Chancellor) in connection with any financial or administrative matter relating to the University and the Karma Samiti (Executive Council) does not, within a reasonable time, take action to the satisfaction of the Paridarsaka (Visitor) in respect thereof, the Paridarsaka (Visitor) may, after considering any explanation furnished or representation made by the Karma Samiti (Executive Council) issue such directions as he may think fit and the Karma Samiti (Executive Council) shall comply with such directions."

Shri Santhanam: There is hardly any difference—the original clause seems to be as good as the amendment.

Dr. S. P. Mookerjee: My friend, Professor Shah said that the draft as proposed is not entirely acceptable to him. Nor is it to me, but this is the amendment which Government is prepared to accept in order to accommodate the various points of view which were expressed on the floor of the House. If

hon. Members would refer to clause 10 as it stands, they will find powers are given to the Visitor to direct an inquiry to be made or inspection to be made into all affairs of the University and such affairs may relate to its buildings, library, equipment, any institution maintained by the University, examinations, teaching and other work conducted or done by the University. Once that inquiry is ordered then the University will also be entitled to be represented thereat. Later on, the visitor may address the Vice-Chancellor with reference to the result of such inspection and enquiry and call for the comments of the University. After receiving the comments, the Visitor may, according to the draft as it is before us now, direct that certain changes should be made or that certain steps should be taken by the University and such directions shall be entirely binding on the University. Some of us had felt that this clause should not be there at all, and that the President should not be given such wide powers of inspection at all. It is felt by others that even if the powers are given, they should not relate to academic matters at least, which means that the enquiry must be confined to administrative or financial matters alone. This amendment which is acceptable to the Government provides that while the visitor will have the right to direct an enquiry to be made into all matters, administrative, financial or academic, without any restriction being put upon his discretion, the final directives which may be issued by him to be binding on the University will relate not to academic matters but only to financial and administrative matters. In other words, if any proposals are made relating to academic questions, those proposals will be sent to the University and the University will be asked to consider them. How far they can be implemented will be a matter for the University to decide. To that extent, we have made a positive gain. The visitor will not have the power to give any final directions to the University regarding academic matters. If the powers of the Visitor could be removed altogether, even in respect of the enquiry to be made, it would be perhaps acceptable to Prof. Shah and others, but the Government feels that the right to order an inspection need not be curbed but the final decision to implement conclusions in respect of academic matters may be left to the University. This may not be a cent. per cent. compromise.

Pandit Thakur Das Bhargava: What about Section 29 which deals with Ordinances?

Dr. S. P. Mookerjee: The hon. Member was not here; there also a very important change has been accepted.

Pandit Thakur Das Bhargava: I was here and I know how far it has been amended. But still, you can amend and cancel.

Dr. S. P. Mookerjee: No. With regard to Ordinances, let us be very clear about one thing. The only power which the visitor will now have will be in respect of two things. One is that if there is any Ordinance proposed which is repugnant to the Act or which contravenes any of the provisions of the Act, then obviously the visitor may say that such an Ordinance shall be void. It is nobody's case that the University may be given the liberty or the licence to do things repugnant to the Act which Parliament is passing. The second thing is that if there is a difference of opinion between the Academic Council and the Court, then somebody has to decide. There should not be a deadlock. There the power has been given to the visitor to intervene, but if all the bodies of the University can come together and agree on some formula, then obviously the visitor will not interfere. Then, with regard to the right of inspection, under clause 10, although inspection may cover all matters, the right to issue final directives is confined only to administrative and financial matters and does not extend to academic matters. Speaking from the University's point of view, I think this is a substantial change and if later on the powers are abused either by the visitor or by the University then the Parliament is here wide awake to its responsibilities and it can do whatever it likes at any stage.

Mr. Deputy-Speaker: Amendment moved:

For sub-clause (6) of clause 10 substitute the following:

"(6) When the Paridarsaka (Visitor) has, in pursuance of this section, addressed the Upacharya (Vice-Chancellor) in connection with any financial or administrative matter relating to the University and the Karma Samiti (Executive Council) does not, within a reasonable time, take action to the satisfaction of the Paridarsaka (Visitor) in respect thereof, the Paridarsaka (Visitor) may, after considering any explanation furnished or representation made by the Karma Samiti (Executive Council) issue such directions as he may think fit and the Karma Samiti (Executive Council) shall comply with such directions."

Maulana Azad: I accept it.

Pandit Kunzru: I want to say a word with regard to the amendment proposed by Dr. Syama Prasad Mookerjee. His amendment, if accepted by the House, would enable the visitor to issue directions to the Vice-Chancellor with regard to the carrying out of the recommendations made by the Committee of Enquiry appointed by him only in respect of financial and administrative matters. But I see no reason why the power of the Visitor to issue instructions to the Vice-Chancellor should be confined only to such of the recommendations of the enquiry committee as are concerned with financial and other administrative matters. It is quite possible that the standard of teaching in a University may go down; it is possible that the examinations may be made so easy as to make its degrees almost entirely worthless. We know that at least in the case of one.....

Mr. Deputy-Speaker: I am afraid the hon. Member was not here when....

Pandit Kunzru: I was here throughout.

Mr. Deputy-Speaker: Order, order. A number of amendments were moved by Prof. Shah and following that speeches were made. Dr. Mookerjee also spoke on this matter and wanted to introduce an amendment. Considering the volume of opinion, Government thought that they must go half-way. Not that I am objecting to the hon. Member speaking on this matter now. But I thought that it was agreed that in academic matters the Visitor ought not to have such extraordinary powers. The hon. Member may go on if he likes.

Pandit Kunzru: I was present here when this was done.

Mr. Deputy-Speaker: It would have been better if the hon. Member had intervened then and tried to shape or influence the opinion of Government.

Pandit Kunzru: But I was not given an opportunity to intervene; things were managed so quickly. The matter was postponed for further consideration till a draft in the proper legal language had been placed before the House. So this is the first opportunity that I have of expressing my opinion on this matter.

I was saying, Sir, that we know that at least in the case of one University the Government was compelled to institute an enquiry into its affairs, not on financial or administrative grounds, but on academic grounds. Such a thing may happen again. I hope it

will never happen in the case of the Visva-Bharati. But Visva-Bharati too is a human institution. Its affairs too may need to be looked after by sympathetic supervisors sometimes. And if we are prepared to allow the Visitor to issue instructions to the Vice-Chancellor in respect of financial and administrative matters, there is no reason why we should doubt his *bona fides* when after making a proper enquiry on which the University will be represented he tells the university that he feels satisfied that its academic affairs are not being properly managed and that certain steps must be taken in order to bring them into order. In the absence of this power the Visitor or the Government will be able to intervene in two ways: either an Act will have to be passed by Parliament authorising the Visitor or the Central Government to issue instructions to the Visva-Bharati in respect of academic matters, or the grant will have to be stopped in order to compel the Visva-Bharati to improve its academic side. Now, is it desirable, Sir, that either of these extreme steps should be taken? I think it would be a lesser evil if the Visitor continued to enjoy the powers proposed to be conferred on him by the Bill before us rather than drive Government to any of the alternatives, mentioned by me, in an emergency. I do not think therefore that the amendment put forward by my hon. friend Dr. Syama Prasad Mookerjee ought to be accepted by this House, and I cannot congratulate the hon. the Education Minister on having been in a hurry to accept the suggestion made by Dr. Mookerjee on the spur of the moment.

Dr. S. P. Mookerjee: Not on the spur of the moment, and not suggested by me alone but by so many Members.

Pandit Kunzru: My hon. friend Dr. Mookerjee has great experience of administrative and academic affairs of a big University and what he says is entitled to our respectful consideration. But I venture nevertheless to submit that on the grounds that I have placed before the House his amendment should not be accepted. There is time yet for the Government to reconsider its position. I repeat that it would be much better to allow the Visitor to be invested with the powers proposed to be conferred on him by the Bill rather than make the change proposed by Dr. Mookerjee and then compel Government either to stop the grant to the Visva-Bharati or to get legislation passed in order to bring its academic affairs into order.

Prof. K. T. Shah: It was on account of my amendment that the change was

necessitated and the clause was held over and therefore I may be allowed to say a few words.

I am not going to say a word about Dr. Kunzru's remarks, because there seems to be a radical difference of opinion. He does want to have the Visitor and plenary powers to the Visitor, whereas I do not want the Visitor at all. So there is no argument about that.

As regards the amendment, let me say at the outset that it may be an improvement up to the point it goes, but it does not explicitly remove the academic matters from inspection or enquiry by the Visitor at all. My understanding was that these matters would be completely taken out of the powers of the Visitor, to order an enquiry or make an inspection or make suggestions.

I recognise the distinction, now made. The distinction made is that in the first case, that is to say, in respect of financial and administrative matters, which may be within the legitimate purview of the Visitor, when they do not take action within a certain time to his satisfaction, the Visitor may issue directions and they will have to be binding. In the second case they would be merely in the nature of a suggestion. I see the distinction. But I do not see the distinction represents agreement, so far as Dr. Mookerjee and myself are concerned. I want academic matters to be completely removed, and an express statement to be included in sub-clause (1) that these inspections shall be confined only to administrative and financial matters.

If a mere suggestion is to be made by such an exalted personage as the Visitor of this University, who will be the President of the Union, these suggestions will have the force, if not of command, of very weighty recommendations and as such they cannot be lightly ignored. I do not regard even that as a desirable feature in a University constitution. That an outside authority, acting on its own—I had made the suggestion that his action should be at the request of the University which is not included—should make even suggestions on academic matters is objectionable on principle, and to that extent, therefore, this does not represent what I thought would be the accepted idea of the Government.

Pandit Malaviya (Uttar Pradesh): I should like to submit in this matter that the question of academic or other control, which Government should

[Pandit Malaviya]

exercise over universities is a matter of far-reaching importance. The tendency all over the world is that while grants are to be given by Governments to universities, they must have some machinery, some method of ensuring that the grants which the Government makes to those universities are spent correctly and are utilized for the purposes for which they are made. To that extent, there is provision for control and inspection and all that. Beyond that, even if there is some technical provision for the interference of the administrative set-up in university affairs, the tendency everywhere is, not to welcome that and not to allow that and particularly in the matter of academic affairs. I submit, that the universities should be trusted to look after their own standards and not only by themselves; there is an institution like an Inter-University Board in India in which every university is represented and which meets from year to year to discuss and decide about common problems, about matters of standards, policy, etc. Even then, if there are to be universities with different standards, it may not, after all be any great catastrophe. We know in America there are so many universities about which—it is not a concealed fact—official lists are given saying that these are Grade A Universities, these are Grade B Universities and these are grade C Universities etc. That helps in the spread of higher education and I submit that if higher education is to be worth the name, the less of Government interference, the less of Government control, the less of enquiry and inspection from the administrative machinery of the day—after all, all this means interference by the Government—the less of it there is, the better will be the chances of the growth of real higher education in this country (*Hear, hear*). The proposal which has been accepted by Government is in the right direction. I do not wish to go into the larger question of the powers which the Visitor will have, of instituting inquiries and all that. On the one hand, I am anxious that the University should work and function in the most correct manner and should always be open to criticism and visits and inspection by all those who may be interested in them because there is always a desire on the part of Universities to set right any mistake, any shortcoming which may be there, but on principle.....

Pandit Maitra (West Bengal): There is also the Central Advisory Board of Education which meets every year in different sub-committees.

Pandit Malaviya: So far as principles are concerned, I think the progressive nations all over the world, in England and in America are more and more insistent that grants should be given to universities. Sir, the Cambridge and Oxford Universities receive grants from the British Government which sometimes equal to 75 per cent. of their total expenditure. But there is a University Grants Commission in England—and our Universities Commission also strongly suggested it—and it confines its activities to inspection and visits, and they are very frequent to see that the grants which are given to those universities are properly utilized for the purposes for which they are made. That is a very different matter. Therefore, I think—the financial matters and even administrative matters are there—that it will be in the right direction if academic matters are left out. I should have preferred that they should have been left out altogether even in the earlier clause. If they are not left out there, at least they should be left out in this clause which has been accepted by the Government, which I feel is in the right direction and I hope the amendment will be carried.

Shri Syamanandan Sahaya (Bihar): Sir, enough has been said on this subject already and there is hardly any time now. Even then, I thought an amendment like the one which is proposed by Dr. Mookerjee deserved my support and that of this House. I was surprised, to say the least, to hear what I heard from Pandit Kunzru. In fact, one of the merits of this amendment is that it is perhaps the golden mean between the extreme views of Pandit Kunzru and those of my hon. friend Prof. Shah. Pandit Kunzru has mentioned about the powers of interference which in certain circumstances he considers necessary, by the Paridarsaka. One has to make a choice in academic matters as to whether such a power, howsoever necessary, must lie in the hands of one person even as high as the Paridarsaka or in the hands of the different bodies which constitute a university. I have no doubt in my mind that on a careful consideration it will be agreed that in academic matters, the powers ultimately must lie in the hands of the different bodies constituting the university. With regard to powers of inspection and ordering of enquiry left in the hands of the Paridarsaka, even in regard to academic matters, my hon. friend Prof. K. T. Shah gave away his case when he said that the recommendations of the Paridarsaka will in any case be weighty recommendations. I see no reason why they should not be weighty. After all, if the President

of the Indian Union feels that in a certain university certain recommendations have to be made in the interest of the University and the country, it is as well that he should do so in the larger interests of the country and it is as well that the recommendations should be considered weighty enough. Therefore, I extend my wholehearted support to the amendment and I hope the House will accept it.

Shri Kamath rose—

Mr. Deputy-Speaker: We have had enough discussion on this.....

Shri Kamath: When I was about to speak, you said that the clause had been held over.

Mr. Deputy-Speaker: Hon. Members can insist on their rights.

Shri Kamath: I rose to speak then and you said that the clause had been held over. It was an assurance given by you, Sir.

Mr. Deputy-Speaker: All right. Mr. Kamath.

Shri Kamath: The voice of Pandit Kunzru who has been nurtured all his life on liberal traditions, and who has been an advocate, I almost said apostle, of liberty and freedom, sounded strange in the House today. If his views are accepted in their entirety, it will mean that Government would be invested with the power to interfere with the working of this university at every step and at every stage. It has been observed by a philosopher that that Government is best which governs least. Whatever may be said for that in other spheres of governmental activity, at least in the educational sphere, so far as universities are concerned, I wholeheartedly agree with that observation of the philosopher, and Government should interfere the least. I therefore would have wished that even this unfettered right conferred on the Paridarsaka, the right to cause inspection or enquiry, should not have been unrestricted or unfettered. It has been the tendency of the Government, especially during the last four or five decades, or two or three decades to be more exact, to interfere in every sphere of human activity, right from food to God. The Upanishadic sage said, "Annarn Brahma".

Mr. Deputy-Speaker: How is God a human activity?

Shri Kamath: Without God, there is no human activity at all.

Shri Naziruddin Ahmad (West Bengal): God is everywhere.

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Shri Kamath: Without God, you would not be there, Sir, and we would not be here..

I was saying that this tendency has been on the increase of late, I mean this tendency to interfere with the universities, and some governments in Europe and also in Asia have tried to make universities centres of their own propaganda, for propogandizing their own ideology. I believe Germany and Italy tried to do it in the third and fourth decades of this century and also in Moscow I believe there is a tendency in this direction. And recently in the papers we read that Peking Government had stepped in and tried to dictate to a certain ancient university in that land. I do not suggest that our Government or our Paridarsaka are cast in that mould or want to arrogate to themselves the right and the power to interfere in any manner they like in our universities, particularly in Visva-Bharati which was founded, nurtured and brought to this stage by Gurudev Rabindranath Tagore. But, Sir, the danger is always there and with due deference to the President, the Paridarsaka and the Ministers who will guide him and advise him in all matters, there is no guarantee that the future Paridarsaka or the future advisers will be of the same calibre or of the same type. As Sardar Patel used to say, there is nothing permanent in this transitory world. We wish the Paridarsaka and our Ministers were permanently here, but there is a God above who guides the destinies of the world and in His wisdom He may ordain otherwise. Therefore, Sir, as we in this Parliament desire to legislate for as long and as far as we can see, and make provisions for emergencies that might arise, I say that this right to be conferred on the Paridarsaka to enquire into the affairs of the University without any invitation or request made to him from the University is a dangerous provision, and to my mind it is an objectionable provision. The Minister has agreed to the amendment moved by Dr. Mookerjee—I had almost said, agreed in a half-hearted manner to the amendment,—but clause 10 as it stands is very defective and dangerous. I only pray to God that he may vouchsafe wisdom to the Paridarsaka and his advisers here not to interfere at their sweet will and pleasure, not to interfere in the sacred precincts of learning according to their whim, fancy or caprice, but to do so only when really and truly the situation demands it, when there is real dissatisfaction within the University and that state of affairs has been conveyed to them from

[Shri Kamath]

a reliable and competent quarter. Otherwise, I for one am afraid that this provision is likely to be abused by the Paridarsaka, and human nature being what it is, I should not be surprised if the advisers of the Paridarsaka, if not to-day, at some later stage try to make even this Visva-Bharati University, whose heritage we all know so well a centre for the propagation of their own ideology or any particular idea that may catch their fancy at any time.

Yesterday this House voted down a suggestion for the incorporation of the words "*Shantam, Shivam Advaitam*", or the Supreme Being. Suppose in the near future this is taken up, and if some professor or *Adhyapak* or anybody else in the University teaches in the name of the Supreme Being that is *Shantam, Shivam and Advaitam*, am I to take it that the *Paridarsaka* or his advisers who have been invested with absolute power under this section will interfere even in that matter?

Mr. Deputy-Speaker: Not under the amendment.

Shri Kamath: They can interfere certainly and that is derogatory to the spirit of Visva-Bharati. Clause 10(2) gives the *Paridarsaka* unfettered right to inquire into any matter at any time and without giving any reason whatsoever. Therefore even at this stage I would request that Prof. Shah's amendment be accepted. I would however, omit the word "teacher" from the amendment and have it only as "On a formal representation being made to him by any body or authority in the University." Only then should the power of the *Paridarsaka* be exercised in the matter.

1 P.M.

Mr. Deputy-Speaker: The question is:

For sub-clause (6) of Clause 10, substitute the following:

"(6) When the *Paridarsaka* (*Visitor*) has, in pursuance of this section, addressed the *Upacharya* (*Vice-Chancellor*) in connection with any financial or administrative matter relating to the University and the *Karma Samiti* (*Executive Council*) does not, within a reasonable time, take action to the satisfaction of the *Paridarsaka* (*Visitor*) in respect thereof, the *Paridarsaka* (*Visitor*) may, after considering any explanation furnished or representation made by the *Karma Samiti* (*Executive Council*) issue such directions as

he may think fit and the *Karma Samiti* (*Executive Council*) shall comply with such directions."

The motion was adopted.

Mr. Deputy-Speaker: Does Prof. Shah want to press his amendments?

Prof. K. T. Shah: Yes, Sir.

Shri Santhanam: When we have passed this amendment, the other amendments cannot arise.

Mr. Deputy-Speaker: Instead of giving a ruling I shall take the vote of the House. The hon. Member has raised the point that the other amendments are barred.

Pandit Kunzru: Prof. Shah's amendment is totally inconsistent with the amendment just now accepted.

Prof. K. T. Shah: There are other parts to the amendment.

Mr. Deputy-Speaker: I shall put to the House No. 60.

Pandit Kunzru: May I suggest that No. 60 cannot be put to the House.

Mr. Deputy-Speaker: I cannot agree with the hon. Member. It only says that the initiation of proceedings by the *Visitor* may be made under certain restrictions.

The question is:

(1) At the commencement of sub-clause (2) of clause 10, insert the following:

"On a formal representation being made to him by any body, authority, or teacher in the University,"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

(2) In sub-clause (2) of clause 10, after the word "University" where it occurs for the second time, insert the words "or its general or financial administration".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

(3) In sub-clause (3) of clause 10, after the word "give" insert the words "at least one clear month's".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

(4) In sub-clause (3) of clause 10, after the words "to be made" insert

the words "giving the names and addresses of the person or persons he has appointed to make the inspection or conduct the enquiry".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

(5) In sub-clause (4) of clause 10,—

(i) for the words "may address" substitute the words "shall forward to".

(ii) for the words "with reference to the result" substitute the words "the report together with his own views thereon".

(iii) after the brackets and words "(Executive Council)" insert the words "the report of the inspection or inquiry and".

(iv) Omit all the words after the brackets and word "(Visitor)" where it occurs for the second time.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

(6) In sub-clause (5) of clause 10,—

(i) after the word "shall" insert the following:

"place before the Samsad all the papers and documents mentioned in the preceding sub-sections, together with its own suggestions regarding the action it thinks proper and necessary to take in the matter, and shall";

(ii) after the brackets and word "(Visitor)" insert the words "the opinion of the Samsad, together with its directions on the";

(iii) Omit the word "such" occurring after the brackets and word "(Visitor)"; and

(iv) for the word "as" substitute the word "which".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clause 1.—(Short title and commencement)

Prof. K. T. Shah: I beg to move:

"In sub-clause (1) of clause 1, after the word "the" insert the words "Rabindranath Tagore".

I do not want to make any remarks on this part, I will do so on the Preamble. I commend this amendment to the House.

مولانا آزاد : یہ غیر ضروری ہے اس لئے کہ تیسرے کی جگہ دیکھتے ہوئے یہ جمل اس بات کا محتاج نہیں ہے کہ ان کے نام کو یہاں جگہ دی جائے۔

[Maulana Azad: It is unnecessary, because when we see Tagore's place in the world, it is felt that this Bill does not lack in any way if his name is not mentioned in it.]

Mr. Deputy-Speaker: The question is:

"In sub-clause (1) of clause 1, after the word "the" insert the words "Rabindranath Tagore".

The motion was negatived.

Mr. Deputy-Speaker: Then Pandif Thakur Das Bhargava's amendment is barred, Shrimati Rajji's amendment refers only to a question of spelling, Shri Hazarika's amendment is also barred. The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title was added to the Bill.

Enacting Formula

Prof. K. T. Shah: I beg to move:

After the long title of the Bill, add the following Preamble:

"Whereas it is right and proper to recognise and perpetuate the work and teachings of the poet and philosopher, Dr. Rabindranath Tagore, and to set up and maintain a fitting memorial to his life of dedication to the cultural revival of this country;

And whereas the late Dr. Rabindranath Tagore founded an institution known as the Tagore Vishva Bharati at Shantiniketan in the district of West Bengal Birmhum in West Bengal, donating all his land and property in that area, and endowing that institution

[Prof. K. T. Shah]

with the whole amount of his Nobel Prize as well as the income from all his copyright works, the objects of which are such as to make the institution one of national importance."

The point that I would like to make is a very simple one. I would associate officially in the title of the University the name of the founder. There is no dispute, there is no suggestion that anybody else but Dr. Rabindranath Tagore is the founder of this University. There are plenty of precedents whereby the names of founders or even donors have been associated with the Universities in this country as well as abroad. You have the famous Smithsonian Institute of America. Most people do not know who Smithsonian was who founded the Institute. He was a chemist who gave some funds for its foundation, he did not live to see the Institute inaugurated. He only made a grant of money. He died and his will was so complicated that, but for Government intervention, the University would not have come into being. His only service was the donation, whereby his name has been perpetrated. Similarly, in the case of the Cornell University.....

Mr. Deputy-Speaker: In India you have got the Annamalai University.

Prof. K. T. Shah: That is all the more reason why we should incorporate the name. The Cornell University was also founded by the grant of land. The donor did not survive, but his successors founded the University in his name. In this country, we have the recently established Sayyaji Rao University. The Annamalai University also was founded on a donation. The Osmania University also is in the same footing. It perpetuates the name of the Osmanias.

Shrimati Renuka Ray: In any case, the name will be there when one reads clause 2.

Prof. K. T. Shah: My point is why not perpetuate the name here? If you do not want it, you can reject it. That is not my concern.

Shri Santhanam: We have passed clause 2 which says all that the hon. Member wants. We have also adopted a convention that we will not accept amendments to the Enacting Formula.

Mr. Deputy-Speaker: As Mr. Santhanam has pointed out, is not this covered by clause 2?

Prof. K. T. Shah: Everything is not covered. Clause 2, I may humbly

submit, is really a part of the Preamble, namely, it recognises only perfunctorily the original foundation by the Poet to which also full justice is not done. I want this institution to be associated with the name that everybody knows and not merely that the name should be known by reading clause 2 of this Act. I have given some illustrations to show how Universities are known by name. In my opinion, this Visva-Bharati also should be known by the name of Poet Tagore.

Mr. Deputy-Speaker: But the House has rejected that amendment.

Prof. K. T. Shah: That is so far as Tagore Visva-Bharati is concerned. It was only consequential in that clause 2. Here, the Preamble is distinct and separate and I submit that any decision of the House previously does not bar my moving an amendment to the Preamble. Nor is my amendment out of order. (An hon. Member: Read it.) I wanted to read it, but the Chair declared that it should not be read. May I read it, Sir?

Dr. S. P. Mookerjee: May I make an appeal to the Chair that we should discuss this particular matter with all solemnity? The name of the University was given by the Poet himself and if we really want to honour it, it would be much better to keep it as Visva-Bharati as the Poet himself had styled it and not change it in any way whatsoever.

Mr. Deputy-Speaker: On a point of order, after the Constitution has come into force, we have not been having any Preambles. Therefore, I rule this amendment which relates to the "Preamble" out of order. The hon. Member should not refer to ancient practice; let us follow the recent practice. The question is:

"That the Enacting Formula stand part of the Bill."

The motion was adopted.

The Enacting Formula was added to the Bill.

مولانا آزاد : جناب - مہن یہ
تعدیک کرتا ہوں کہ یہ بل جس طرح
امید کیا گیا ہے - پاس کیا جائے -

[Maulana Azad: I beg to move:

"That the Bill, as amended, be passed."]

Mr. Deputy-Speaker: I find several hon. Members want to speak. I shall adjourn the House now.

The House adjourned till Half Past Eight of the Clock on Thursday the 3rd May 1951.