

17th August 1943

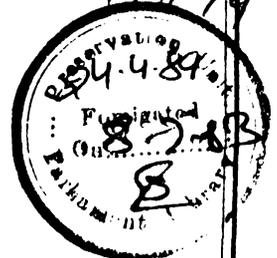
TO
THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume III, 1943

(26th July to 25th August, 1943)

EIGHTEENTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1943



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LEGISLATIVE ASSEMBLY.

President:

The Honourable Sir ABDUR RAHIM, K.C.S.I.

Deputy President:

Mr. AKHIL CHANDRA DATTA, M.L.A.

Panel of Chairmen:

[From 27th July to 19th August, 1943.]

Syed GHULAM BHIK NAIRANG, M.L.A.

Mr. K. C. NEOGY, M.L.A.

Mr. HOOSEINBOY A. LALLJEE, M.L.A.

Sir HENRY RICHARDSON, M.L.A.

[From 20th August, 1943.]

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Dr. P. N. BANERJEA, M.L.A.

Sir F. E. JAMES, M.L.A.

Secretary:

Mian MUHAMMAD RAFI, Barrister-at-Law.

Assistants of the Secretary:

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Khan Bahadur S. G. HASNAIN.

Marshal:

Captain Haji Sardar NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions:

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Mr. M. GHIASUDDIN, M.L.A.

Sardar SANT SINGH, M.L.A.

Mr. N. M. JOSHI, M.L.A.

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LEGISLATIVE ASSEMBLY

Tuesday, 17th August, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN:

Mr. Saiyid Rashid-uz Zaman (Government of India: Nominated Official).

SHORT NOTICE QUESTION AND ANSWER.

BRINGING INTO FORCE OF THE RECIPROCIITY (AMENDMENT) ACT.

Dr. P. N. Banerjee: Will the Honourable Member-in-charge of the Overseas Department be pleased to state:

(a) whether the debates in the Central Legislature on the Pegging Legislation in South Africa have been taken into consideration by the Government of India, and, if so, whether any decisions have been reached thereon; and

(b) the approximate date on which the Reciprocity Act Amendment Bill recently passed by the Central Legislature is likely to be brought into force.

The Honourable Dr. N. B. Khare: (a) Yes. Government have taken the debates into consideration. I am not yet in a position to disclose what decisions, if any, have been reached.

(b) Owing to the amendment which was accepted in this House the Act automatically comes into force on the 1st September, 1943.

Dr. P. N. Banerjee: With regard to (a), may I know when the Honourable Member expects that the decision on this question would be reached?

The Honourable Dr. N. B. Khare: I am sorry I cannot give you the exact date, but it would be announced as early as possible.

Mr. Lalchand Navalrai: May I know from the Honourable Member if a copy of the debate which took place in this House on this question has been sent to the African Government.

The Honourable Dr. N. B. Khare: Sir, I want notice of that question.

Mr. Lalchand Navalrai: May I also know whether the question of retaliation which has been debated here has been brought to their notice?

The Honourable Dr. N. B. Khare: I want notice of that question also.

Mr. Govind V. Deshmukh: May I know, Sir, whether the Government has started making any rules to give effect to the Reciprocity Act? If not, why not?

The Honourable Dr. N. B. Khare: The framing of draft rules—both general and particular—has already been taken in hand.

Mr. Govind V. Deshmukh: May I know whether the Government has realized that this is the best time when exports from India of jute bags and import of wattle products from South Africa should be stopped.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech.

Mr. Govind V. Deshmukh: Sir, I am not making a speech; I am seeking information. I merely want to know whether this is the best time to put an embargo on the export of jute bags and import of wattle products from South Africa?

The Honourable Dr. N. B. Khare: The question does not arise.

Mr. Lalchand Navalrai: On a point of order. May I know, Sir, whether it is proper for the Honourable Members to say that they want notice when the information asked for is within their reach and they have not to gather it from outside?

Mr. President (The Honourable Sir Abdur Rahim): That is no point of order at all.

Mr. Lalchand Navalrai: In what way shall I put it then?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

MOTION FOR ADJOURNMENT.

FAILURE TO PREVENT EXPORT OF RICE FROM BENGAL.

Mr. President (The Honourable Sir Abdur Rahim): I have received three notices of adjournment motions: from Dr. Banerjea; from Mr. A. C. Datta; and from Mr. Abdul Ghani. They all want to discuss a definite matter of urgent public importance, namely, the failure of the Government to prevent export of rice from Bengal.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): Sir, may I explain? My adjournment motion seeks to refer to the export of rice from Bengal. . . .

Mr. President (The Honourable Sir Abdur Rahim): I do not want the Honourable Member to make a speech. Does the Honourable Member wish to proceed with the motion?

Dr. P. N. Banerjea: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): I have seen the statement issued by three Chambers of Commerce in Calcutta on the 13th of August as well as the communique by the Government of India which appeared in the press on the next day. I should like to know from Dr. Banerjea when were these exports made and what was the quantity.

Dr. P. N. Banerjea: The exports have taken place very recently.

Mr. President (The Honourable Sir Abdur Rahim): I want to know the dates if the Honourable Member can give me.

Dr. P. N. Banerjea: The exports have taken place after the debate which took place in this House, and in the course of the debate. . . .

Mr. President (The Honourable Sir Abdur Rahim): I do not want any speech. I simply want to know certain facts.

Dr. P. N. Banerjea: I did not catch your words. The news was published on the 14th of August last.

Mr. President (The Honourable Sir Abdur Rahim): I want to know the exact dates.

Dr. P. N. Banerjea: The exact dates have not yet been ascertained. But those are questions of fact which can be brought out in the course of discussion of the subject. . . .

Mr. President (The Honourable Sir Abdur Rahim): Wait a minute. What was the quantity?

Dr. P. N. Banerjea: As regards quantity, there are disputes. . . .

Mr. President (The Honourable Sir Abdur Rahim): I want to know your figures.

Dr. P. N. Banerjea: The four Chambers of Commerce said that a large quantity of rice was exported whereas in the communique it is stated 'very small quantities were sent'. However, those are questions of substance which can only be discussed when the adjournment motions are taken into consideration. These are not points of order. The Chair can rule out this motion only on the grounds mentioned on page 19. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not tell me what the Chair should do.

Dr. P. N. Banerjea: Those are points of substance which should not be discussed now. . . .

Mr. President (The Honourable Sir Abdur Rahim): Order, order. I have seen the statement made by certain Chambers of Commerce recently. In fact, since the announcement was made that rice would not be exported from Bengal or elsewhere there was exportation of some rice to South Africa. The statement issued by the Government of India says that only a small quantity. . . .

Dr. P. N. Banerjea: That is a disputable point.

Mr. President (The Honourable Sir Abdur Rahim): . . . about 727 tons—was exported to South Africa for the use of the Indian seamen—most of whom are Bengalis, I believe.

Dr. P. N. Banerjee: But these are points. . . .

Mr. President (The Honourable Sir Abdur Rahim): Order, order. These being the facts I hold that the motion is out of order.

Dr. P. N. Banerjee: Sir, my motion does not refer to the export of rice to South Africa, but the general question of the export of rice from Bengal.

Mr. President (The Honourable Sir Abdur Rahim): That is the only one that has been mentioned. Then there is another motion by Mr. Datta.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): I do not think I can usefully add anything to it.

Mr. President (The Honourable Sir Abdur Rahim): Mr. Ghani's motion is the same thing.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Mine is about any kind of foodgrains.

Mr. President (The Honourable Sir Abdur Rahim): I hold that the motion is out of order.

THE DELHI UNIVERSITY (AMENDMENT) BILL—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): Now the House will proceed with the discussion of the clauses of the Delhi University Bill.

I ought to make it clear to Honourable Members who have given notice of amendments that they must themselves be on the alert to move their amendments and rise in the order in which their names appear. They must not expect the Chair to call out the names of the Members.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, before I continue my speech, with your permission I wish to raise a point of order.

Mr. President (The Honourable Sir Abdur Rahim): With reference to what?

Nawabzada Muhammad Liaquat Ali Khan: With reference to the amendments to the Statutes that we are considering now. It is a general point of order that will cover all the Statutes that we are considering.

Mr. President (The Honourable Sir Abdur Rahim): I do not understand you.

Nawabzada Muhammad Liaquat Ali Khan: I submit that under section 29 of the Delhi University Act of 1922, the power of amendment or addition to, or repeal of Statutes has been given to the Court of the University, and therefore as you ruled the other day, the Legislature will be usurping the function of the Court in amending these Statutes.

Mr. President (The Honourable Sir Abdur Rahim): Does not arise now.

Nawabzada Muhammad Liaquat Ali Khan: I will refer to section 29. You were good enough to remark. . . .

Mr. President (The Honourable Sir Abdur Rahim): You mean as regards recommending certain Associations to the Court.

Nawabzada Muhammad Liaquat Ali Khan: Yes.

Mr. President (The Honourable Sir Abdur Rahim): But that is a different matter. That is in the Act itself.

Nawabzada Muhammad Liaquat Ali Khan: This is also in the Act. Section 29 says: "The first Statutes shall be those set out in the Schedule". Then it says: "The Statutes may be amended, repealed or added to by statutes made by the Court in the manner hereinafter appearing". Then it lays down a very elaborate procedure for the amending of these Statutes.

Mr. President (The Honourable Sir Abdur Bahim): But that does not bar the Legislature.

Nawabzada Muhammad Liaquat Ali Khan: According to this, I submit that the first Statutes can be amended by the Court only, unless the Legislature first amends this section. . . .

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member realize that the whole Act can be amended or repealed by the Legislature, including the Statutes and everything?

Nawabzada Muhammad Liaquat Ali Khan: Yes, that is so. What I submit is that the Legislature cannot do anything against the Act that it has itself passed.

Mr. President (The Honourable Sir Abdur Rahim): I am afraid the Honourable Member is wrong. The Honourable Member can now go on with his speech.

Nawabzada Muhammad Liaquat Ali Khan: Anyhow, I had made a suggestion which might I thought end this debate. But it seems my point of order has not met with favour: so I will continue with my speech.

I was speaking on the amendment that was moved by my Honourable friend, Mr. Nairang, wherein it says that the number "fifteen" should be raised to "sixteen", half of whom shall be Muslims. This refers to the nomination to the Court by the Chancellor. Before the House adjourned on Friday, I was stating that we on this side of the House demand a definite share in the various bodies of the University as Mussalmans. The objection has been raised by the Government that they cannot accept any proposition based on communalism.

Sir, with your permission I would like to refer the House to the Statement of Objects and Reasons which was attached to the Delhi University Bill when it was introduced in 1922. That Bill, if the Honourable Members would refer to it, laid down certain principles which were to govern the Delhi University Bill. One of those principles was that it had provided for communal representation to a limited degree and no provision was made for such representation in the Academic Body. The original Bill had provided communal representation for the Mussalmans and that Bill was based on the Dacca University Act as is stated in the Statement of Objects and Reasons that was attached to that Bill.

Then, Sir, I would refer the House to the Report of the Joint Select Committee on that Bill. The majority report eliminated those particular clauses which referred to communal representation and the reasons are given in the Select Committee's report:

"We have eliminated from this clause the proviso to sub-clause 6 which was designed to secure a certain percentage of Muhammadan members on the Court. We desire it to be clearly understood that our motive is prompted purely by a disinclination to recognise communal dissensions of this nature in statutory provisions. We have no doubt that the Chancellor will consider any deficiency in the representation of any particular community at the time of making his nomination, and will rectify any inequality in so far as he is able."

Sir, the sentence that follows is very significant:

"We earnestly hope that Muhammadans will fully participate in the benefits of the University and that their interest will be represented upon its bodies."

Now, Sir, the Select Committee at that time eliminated those particular clauses because it hoped that the interests of the Mussalmans would be adequately represented on the various bodies of the University. I submit that later events have shown that that hope has been falsified. As I have stated in one of my previous speeches, Muslim representation on the various bodies of the University is very inadequate.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member has said that before.

Nawabzada Muhammad Liaquat Ali Khan: I was only pointing out that the Government today are saying that they did not like the idea of communal representation. My point was that in the original Bill communal representation was provided for and it was only taken out because the Joint Select Committee expected that those who happened to be in a majority would give a fair deal to the Mussalmans. So, what I submit is this: that now that experience has shown that the minority has not received a fair deal, it is the duty of the Government to provide statutory provisions for Muslim representation. That is the point that I am trying to make. Then, at that time, in one of the minutes of

dissent, the only Muslim Member Mr. Abdul Kasem who attended the meetings of this Joint Select Committee definitely stated:

"That the Muslim community and the public interested should have a voice in the selection of the Mussalman members of the Court. I therefore suggest that provision should be made in the statutes to the effect that one-third of the members elected by the different electorates should be Mussalmans."

So, from the very beginning, it was in the minds of those who framed this Act of 1922 that Mussalmans should have adequate representation. It would have been provided in the Statutes, I submit, but for the fact that the majority of the members of the Select Committee thought that the Mussalmans will receive a fair deal from the majority community. This experience of twenty one years has shown that the Mussalmans have not received their due share in the various bodies that administer the University of Delhi. Therefore, I submit that it is the duty of the Government now, after this experience of twenty one years to make adequate provision that Mussalmans will be adequately represented on the various bodies of this University, and I submit that their excuse that they cannot countenance any communal representation is a very lame one. . .

Mr. President (The Honourable Sir Abdur Rahim): All that has been said already.

Nawabzada Muhammad Liaquat Ali Khan: That is so, but I cannot impress this fact too much upon this Government. That is why I have to rub it in all the time, in the hope, which seems to be hoping against hope, that sometimes some wisdom may dawn on them.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 16 of the Bill, in clause (6) of Statute 2 in the proposed Schedule for the word 'fifteen' the word 'sixteen' at least half of whom shall be Muslims' be substituted."

The motion was (after the Chair had asked for a show of hands) negatived.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I move:

"That in clause 16 of the Bill, in clause (6) of Statute 2 in the proposed Schedule for the word 'fifteen' the following words be substituted, namely:

'twenty-five, of whom not less than eighteen shall be appointed to secure the representation of minorities not otherwise in his opinion adequately represented'."

The amendment itself requires little explanation. It aims at increasing the number of those who come to the Court by the direct intervention of the Chancellor, but is framed in such a way that the Chancellor shall be bound to use eighteen at least of the nominations to give representation to minorities. Of the present number of fifteen, seven of the Chancellor's nominees are Muslims. To judge from the names of the other eight, I am doubtful whether any other minority, as such, is represented. The present amendment, if adopted, will pointedly bring to notice the claims to consideration of other minorities. At the same time it should afford an opportunity for a substantial addition to the Muslim element in the court. I am well aware that there are quarters in this House where the principle of nomination is not favoured and where any addition to the nominated element will be unwelcome. But the principle of nomination to the Court or to the corresponding body of a university is found in the constitution of at least thirteen Indian universities. Out of the total numbers in Courts or Senates, which vary between 100 and 150, I find that the Chancellor nominates—in Madras as many as 80, in Bombay 40, in the University of the Punjab 60 out of 75 ordinary fellows, and in my friend Dr. Banerjee's University of Calcutta, 80 out of 100 ordinary fellows. In Delhi, if this amendment is adopted, the nominated element will number 25 out of about 135 members of the Court; and in increasing the number from fifteen to twenty-five, we propose to bind the Chancellor to restrict his choice for three-fourths of that number to members of minority communities whose improved representation, I am sure, will generally commend itself to the House as a laudable aim.

The Honourable Member from Sind, Mr. Lalchand Navalrai, asked me pointedly when I was moving my amendment to clause (4) of Statute 2 whether

[Mr. J. D. Tyson.]

Government had changed its policy during the debate on the Bill and whether it was now the policy of Government to introduce communal representation into education. The reply to that is "Yes and No". The Bill as introduced was for a limited purpose. We had no intention at that time of taking up matters of representation at all in this Bill except so far as was necessary for the very limited purposes of providing for women and professors in the Executive Council of the University; nor was any question of representation of communities raised in the second reading debate before the Bill went to Select Committee. The matter, however, has been raised, and indeed given prominence, in the subsequent debates. While we have not in this Bill been able to accept the remedy put forward by the Party opposite, we have felt that the elected bodies in the University do not reflect the numbers and weight of the various communities, and we are now taking the opportunity, though it was, I grant, not within the ambit of our original limited purpose, to do what we think is the fair thing. To that extent, out of deference to feelings not confined to one quarter of the House, we have expanded the original very limited purposes of the Bill, and the answer to that part of Mr. Lalchand Navalrai's question is, if I may say so, a qualified affirmative. We do not, however, regard ourselves as "introducing communal representation" into the Delhi University Act by the mere expansion of provisions which are in the Act already. As regards the suggestion that we have introduced these amendments to placate any Party in the House, I would only say that in deciding to introduce these amendments we had no reason to suppose that we would placate any one. Honourable Members who listened to the very earnest maiden speech of Mr. Piare Lall on Friday, will realise that these two new amendments which I have moved have the goodwill of certain persons in the House. On the other hand, I see that my Honourable friend, the Deputy Leader of the Muslim League Party, has come down to the House in "battle dress" armed with further amendments. We are not moving these amendments because we expect to placate any particular Party, but because we are not satisfied with the present position, and we consider it the best thing and a fair thing to take the opportunity open to us to do something to remedy it. My other amendment directed to this end was stigmatised by the Party opposite as a wishy-washy thing, a "milk and water" measure. I hope the House will find more spirit in the present amendment, though I hesitate to commend it on that ground to my Honourable friends of the Muslim League Party.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 16 of the Bill, in clause (c) of Statute 2 in the proposed Schedule for the word 'fifteen' the following words be substituted, namely:

'twenty-five, of whom not less than eighteen shall be appointed to secure the representation of minorities not otherwise in his opinion adequately represented'."

Nawabzada Muhammad Liaquat Ali Khan: My Honourable friend, the Education Secretary, is perfectly right when he says that his amendment cannot satisfy the legitimate demand of the Mussalmans.

Mr. J. D. Tyson: Those are not my exact words.

Nawabzada Muhammad Liaquat Ali Khan: The language may be different but the meaning is the same. My Honourable friend has referred to battle dress. It is perfectly true. Our battle like our dress is clean, pure and spotless, and there is no camouflage about it. My Honourable friend has stated that this is one of the methods by which the Government think that some justice will be done to the Mussalmans as far as their representation on the Court is concerned. It reminds me of that well known saying:

"Gur khayin aur gulgulon se nafrat."

I do not know how to translate it into English, but I am sure my Honourable friend has been long enough in this country to understand what I have stated. Government recognise the fact that Muslim representation is inadequate on the various elected bodies. They recognise that some Mussalmans are needed on the Court of the Delhi University, but they do not accept the method which we

suggest, a method which would satisfy the Mussalmans and would give them an effective representation on the Court. I do not wish to cast any reflection on the Chancellor, but as I have stated before, it is not the Chancellor who knows what type of people and what kind of people are being nominated to the Court. He does not know the individual qualifications of various persons. In the end it would really be some others who would recommend to the Chancellor for these nominations. And at the time of nominations it is a well known fact that other considerations than merit weigh when this question is dealt with. Like his other amendment I do not wish to oppose it, but I wish to make it quite clear that what we have been fighting for and will continue fighting for till this Bill is finished is representation of Mussalmans by people who would fearlessly and boldly put their point of view before the various bodies of the University, which I am afraid will not be possible under the provision which is sought to be made by means of this amendment.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadan Urban): I oppose this amendment on two grounds. In the first place, I am opposed to the policy of increasing the power of Government over the Delhi University. If this amendment is accepted Government will have greater power over the Delhi University. Instead of 15 members they will have on this body 25 nominated members. And what sort of men are these members likely to be? They will not be men who will be able to show courage and independence, nor would they necessarily be men who are experienced in educational affairs. It is possible that these men will be nominated because of their subservience to Government officers, in that view of the matter I think the Government should not be allowed to extend its power over the Delhi University. My Honourable friend Mr. Tyson pointed out a few minutes ago that in almost all the universities the system of nomination exists. I admit that in the Calcutta University the Chancellor nominates a large number of members of the Senate but this he does in accordance with an Act which was passed nearly 40 years ago. A great deal of water has now flown down the Jumna Bridge and we should no longer take steps which were found to be necessary in 1904.

But there is also another ground on which I oppose this amendment, and that is that the Government is seeking to introduce communal representation by this amendment, although in an indirect way. I am one of those who think that the Delhi University should have a proper representation of all persons who are interested in its affairs. If in the past the minority communities have not had their due share in the different bodies of this University, the fault does not lie entirely with the major community. It has been due, it seems to me, to various causes. The present situation has been due as much to lack of interest, to backwardness in education and to other factors on the part of the minority communities as to want of foresight and lack of a proper appreciation of the changed circumstances on the part of the majority community. Now, the time has come when the majority community should adopt a more enlightened policy towards the minority communities and minority communities should also give up their policy of exclusiveness. That is the way to mend matters in the University. That is the way to create a better atmosphere in the University and for that purpose I wish to offer a concrete alternative suggestion. I should like to refer to the amendment of which notice has been given by my Honourable friend Pandit Lakshmi Kanta Maitra to the effect that 10 members may be co-opted by the Court. Now, Sir, if instead of the Government amendment the amendment of my friend is accepted I am sure there will be greater spirit of accommodation and greater attempt to arrive at a mutual understanding between the different communities. That would be a better and more healthy method of dealing with the question of minority representation than the method which has been proposed by my Honourable friend Mr. Tyson.

Sir, the different communities will have to live in India

Mr. President (The Honourable Sir Abdur Rahim): You need not go into all that.

Dr. P. N. Banerjea: If I am not allowed to develop my own arguments, I

[Dr. P. N. Banerjea.]

will leave my place here and now. This morning you treated me very badly. I am not going to stand all this. If you will not allow me to develop my argument, how can I speak? I did not say a single word which was irrelevant.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member did not even hear me. I said that these general considerations are out of place when this particular amendment is under discussion.

Dr. P. N. Banerjea: These general considerations are not out of place. I want to refer to these considerations in order that I may develop my argument. If you will not allow me to do that, there is no use in my sitting here. We will all walk out.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better proceed with his speech, if he wants to say anything more on this amendment.

Dr. P. N. Banerjea: I was saying that the different communities in India will have to live together; and in order that they may live together peacefully and secure the progress of the country there must be mutual give and take. We want this particularly in the educational sphere. That is my own view, and that is the view of my Party, that there should be educational progress not only for the majority community but for all the minority communities. Therefore, I suggest that the Government should accept the amendment of which notice has been given by my Honourable friend Pandit Maitra and withdraw their own amendment. If that is done, the members of the Court will sit together and find out whether the different communities have been properly represented or not, and in a spirit of accommodation they will help the admission of more members of the communities which have not been properly represented. They will try to rectify inequalities. This method will be of very great use to the educational advancement of the country.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhamadnan): I do not want to take up much of the time of the House in discussing this. We find ourselves rather in an uncomfortable position when we see that the amendment which has been moved by the Government does not really satisfy any part of our demands. As the Deputy Leader of my Party has made it definitely clear, what we want is the representation of our people through our people who would have more courage and strength and take a more independent view on questions relating to Muslim education. However, we do not object to the amendment moved in the present instance and I must confess to a feeling of surprise that Dr. Banerjea has tried to oppose this amendment on the plea that it accepts communal proportion in that body of the University Council. Every one of us in this House and outside the House knows that in this country the communal issue has been the most predominating issue of the time and in all organisations, whether political or educational, we take our stand according to the colour we have in the matter of religion. The Honourable Member Dr. Banerjea had to admit that he does not mind if the Members of the Court, sitting together, nominate people to see that the disproportionate representation of a certain community which has not been able to get in by election is remedied, which means that he also concedes that point, of communal representation except that he tries to make the authority for making the choice somebody different from the Chancellor of the University. I do not know how far my Honourable friend Dr. Banerjea can take his stand on that issue. He has himself agreed to the principle. The only difference now is that he should have a wider choice. We say that we should have the right of choice and the Mussalmans should be able to send their own men. Dr. Banerjea feels that the members of the Court should have the right of choice and if they find that a certain community has not been adequately represented, they should co-opt members from that community and thus get them represented there. Government has come with an amendment to the effect that that choice should be in their hands. If they find that the representation of the minority communities, not only the Muslims but others as well, is not adequate, they will make that representation

good by their nomination. I am not very much against this amendment but, as I said, it does not satisfy us as much as our amendment would have satisfied had it been accepted by the Government. With these few remarks, I take my seat.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, the Bill, as it has emerged from the Select Committee, wants 15 members to be appointed by the Chancellor on the Court. The amendment that was put in by the Muslim League Party wanted that the number be increased to 16, half of them should be Muslims. The Leader of my Party has referred to an amendment which has been put in by my friend Pandit Lakshmi Kanta Maitra. That amendment seeks to increase the number of members by 10 but not by nomination by the Chancellor but by co-option by the Court.

Now, let me, first of all, try to point out what is the effect of these amendments. Originally, they did not ask for 15 members with a view to give any representation to any minority community, but the amendment of the Muslim League required that it should be on the communal basis. The other amendment that has been put in by Pandit Lakshmi Kanta Maitra does not say that these 10 members who have to be appointed should be appointed on the ground of giving representation to the Muslim community. It is a general amendment requiring 10 members. Therefore, my Honourable friend Mr. Muhammad Nauman cannot assume that the Leader of my Party is more or less conceding the communal representation. Our Party is opposed to communal representation. Not only in this case but in all other matters communal representation should now cease. It has lived long and it should now die out. Unfortunately, it is not dying out even from the University and the educational sphere where on the contrary it is being created. We say that it should be stopped. There should be no communal representation in the sphere of education. That is my humble submission which I have been making from the very beginning.

Now, I come to the remarks made by the Honourable Mover of this amendment. The reply that he gave was 'yes' as well as 'no'. That is blowing hot and cold at the same time. I do not think that should be the policy of the Government. I also find that the Muslim League Party is also blowing hot and cold. Whenever they ask for communal representation, they should not say that they would be satisfied with a lesser number and they should not accept any amendment which would give them a lesser number. On this point, they are not formidable; they are lukewarm. Therefore, I say that the reply from them is also 'yes' and 'no'. What I maintain is that there should be either communal representation or no communal representation. We say that communal representation is very pernicious and therefore it should not stand any more in any sphere.

Now, Sir, coming to the amendments themselves, I am against any nomination being made by the Government. I have already had a taste of that nomination in the Delhi University when my resolution was put in the University Court with respect to this three years course. I know what the situation was at that time. I looked all round and I found that there were professors, graduates and such other persons who have something to do with education and they were all under the control of the Educational Commissioner and also under the control of the Vice-Chancellor. Therefore, they did not show that courage which they otherwise would have shown. They did show that courage when the matter was decided by ballot. That is a proof to show how things are being done in the University when there is Government control and when persons are being cowed down. If you are adding to them the nominated members, which would be in the hands of the Vice-Chancellor, what do you expect they will do? They will all lean on the side of the Vice-Chancellor and the Government. Therefore, I am against any nomination. So far as co-option is concerned

Mr. President (The Honourable Sir Abdur Rahim): The question of co-option is not under discussion now.

Mr. Lalchand Navalrai: This amendment is certainly for nomination, but I wanted to show that any increase by nomination or by co-option by the Government or by the Chancellor should not be allowed as it will give rise to communal representation. I submit that so far as the Government attitude is concerned, Mr. Tyson says that the Government are not following a communal policy.

12 Noon. But my Honourable friend will excuse me if I say that in practice he is introducing communalism, though by lip profession he says, Government are not introducing communal representation. If the numbers are going to be increased not for the purpose of helping the minorities but for other purposes, that is a different thing. If you say that you are not going to help the communities on the communal basis, still you want to help the minorities for that purpose. Who are the minorities in India? The most important of them are the Muslims, they are the greatest in numbers. The other day an Honourable Member Mr. Piare Lal came forward and made a vehement speech asking the Government to support the Depressed classes, and Government say that that moved the Government. Was this speech made before or after the change of policy? It cannot be therefore said that he has moved the Government. I submit that their interests are already vouchsafed properly. The Muslims and other minorities feel that the Government can be cowed down and be made to side them for their own purposes. They take advantage of it and the minorities cry for more and more rights. When the minorities are given something, they say they want more and more. In like manner, the Depressed classes also from time to time put forward their claims, following blindly the example of the Muslim League. I submit the Depressed classes ought to be thankful that they have got a full-fledged and most able man on the Treasury Benches from their own community. What more do they want now? Their interests are quite safe. It is all lip assertion to say that a thing is going to be done not on account of Muslims but for Depressed classes. It is all wrong. My humble submission is that this is only change of policy to placate Muslims. The Muslims again come by the back door. (Interruption.) If you want to come by the front door, by all means do it. You are however refused there. Not that you should always come by the back door. That is wrong on your part. If you want to come by the front door, do so. But if you fail to come by the front door, then you should not say "I do not mind the back door. Give us something". This is not right. This should not have been done. It lowers the prestige of the Government when owing to some pressure in the shape of a large number of amendments or owing to some long arguments which they are confronted with, the Government yield and agree to change their policy slightly, which I call, 'yes and no' policy; the Muslims then come forward and demand something by the back door. I warn the Government that if they agree to this, they will have to agree in the case of others also. That will not be a good policy. Nor will it do Government any credit.

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): Mr. President, I have been carefully listening to the speeches of my Honourable friends Dr. Banerjea and the Leader of the Muslim League Party and the one conclusion to which I have come is that representation of minorities in the Delhi University is not resented by anybody in this House. But the question is, is representation of minorities communalism? Is representation of a particular community, communalism? Is representation of the majority, communalism? The Government admit that the minorities should be represented. Now, Sir, the representation of minorities in educational service is to be according to a certain ratio—Muslims, Hindus and other communities. It may not be in the University itself. But to say that in the whole education Department, we have not got representation of minorities is baseless and absolutely wrong. Rights of Minorities are being considered, whether they be Muslims, Depressed classes or Sikhs, they are all being represented today in every walk of life, in every Department of Government, in Education Department, in military services and so on. Why should we pick up quarrel over

things which exist and which we admit do exist today. Sir, in the very beginning when the Delhi University Bill was brought forward, I had a talk with my Honourable friend Mr. Lalchand Navalraj and I was impressed with his arguments that officialism was being increased by the present Bill. They want to give greater powers to the Chancellor and I was opposed to it on that ground. But today if we analyse the position, who is responsible for increasing this officialism in the Delhi University? Is it the Muslims or the Hindus or the Government? The Muslims demand that a particular representation should be given them in the Delhi University. Our brethren the Hindus concede that minorities may be represented, but that they must be represented not by the front door but by the back door. What is the result? The result is the Government are in a very safe position. They come forward and say, we will nominate. Our Hindu brethren come and criticise this back door policy of the Government. Yes, it is a wrong policy. I am not sure that the Muslims will be really represented on the Delhi University by the proposed amendment. It will be at the sweet will and pleasure of the Chancellor to nominate whomsoever he likes. Do we not know how Muslims are nominated in this House? Are the Muslim nominated Members in this House the same as the Members of the Muslim League? Take for instance the Hedjaz pilgrimage question. The Muslim nominated Members did not vote for the Resolution that arrangements should be made for the pilgrimage to Hedjaz. Can the nominated Members act independently of the Government? We have got to look to our constituency? The nominated Members have got to look to their constituency. They fully represent the constituency from which they come. I give credit to my Muslim brethren who are nominated. Really they have got the good of their constituency at heart, just as we have got the good of our constituents at heart.

The Honourable Sir Sultan Ahmed (Leader of the House): I do not think they supported the Government on that either.

Some Honourable Members: Yes, some of them did support the Government.

Qazi Muhammad Ahmad Kazmi: At least they did not support us. Anyway, it is useless, it is camouflage and this camouflage, we want to remove. We want to finish this officialism once for all. How can we finish this officialism? Only if we agree today that so many Muslim Members are to be represented in the Delhi University, then all nominations will go away. If we agree that so many persons of the depressed classes should be represented on the Court of the Delhi University, the whole thing vanishes. We fight among ourselves and give a handle to Government and both of us complain that officialism is increasing. No one is satisfied, but Government also can say with justice that they cannot satisfy us because if they give representation to one side there is clamour on the other, and so as they cannot placate everybody they will reserve the power of nomination and consider the needs of the communities which are most vocal. And then the Chancellor will nominate them. It will not be in the hands of Government or of the Honourable Member in charge, but in the hands of the Chancellor or the Vice-Chancellor who is not even present here during this debate. We are today giving power to a gentleman whom we do not know and as such in whom we can have no trust. And this is being done only because we shirk the clear representation which is demanded by the Muslim League. The demand may be too big or too great but it cannot be met by either giving power to Government or giving the power of co-option to the members of the Court instead of to the Vice-Chancellor. So my humble suggestion is that it will be to the interest of the university and of doing away with communalism that a certain proportion of Muslims should be admitted to the university. Will the Chancellor or Vice-Chancellor consider the case of Muslims? He will only nominate persons with whom he has come into contact. There are no qualifications for persons to be nominated; therefore we do not know what sort of nominations will be made.

[Qazi Muhammad Ahmad Kazmi.]

I say that the adoption of any system of nomination is a definite denial of representation to minorities. It only creates a vicious circle which goes on continuously. Therefore it is time for us to understand this complicated position and instead of shirking the representation of minorities in the name of communalism we must admit it and avoid officialism and nomination of Members by Government.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, we Mussalmans do not want anything which we are not ready to give to others. That has been our policy always; we do not want to be unjust to others while demanding our own rights. There is a feeling among certain people that Mussalmans while making their demands want to be unjust to other communities. But I can assure them that there is no such idea and we do not want to encroach on the rights of other people or introduce communalism in the working of the university. On the contrary we think the university cannot function properly without adequate Muslim representation on the various bodies, and education in Delhi as a whole cannot improve unless all the sections of the population of Delhi are represented there. My Honourable friend Mr. Tyson has made one thing clear that he recognises this principle; though he has enlarged the number of nomination, it will not satisfy the Mussalmans. Certainly it will not satisfy them and his amendment falls far short of their demands. Apart from the point that nominated members cannot be as alert as to the education of Mussalmans as the elected members, I will point out that in the Government of India services we had this principle that 33 per cent. of seats were reserved for minorities; which after some fighting 33 per cent. of posts were reserved for all minorities. The result was that after some time whenever a post fell vacant and went to some member of a minority community, a large number of people wanted to be included among the minorities in order to get these jobs, and the list was added to every year. Sikhs, Anglo-Indians, Parsis and others all came in, then Jains and others also were included and the Mussalmans got only one out of eight. Representations were made to Government and in 1933 or 1934 we had a discussion with the then Home Member and the Home Secretary,—both of whom later became Governors of my provinces—and they agreed that this giving of 33 per cent. to all minorities would not secure due representation for Mussalmans; and the principle was changed. Now by saying that 18 seats will be given to minorities I am not sure how many will go to Mussalmans and how many candidates will spring up from other minorities. Many communities will call themselves minorities and will demand representation. My Honourable friend Mr. Tyson said that at present out of 15 seats seven have gone to Mussalmans but I do not know how many out of 18 will go to them. Therefore it does not satisfy us to include Mussalmans along with the other minorities. I do not want to compete with the other minorities; I want to secure for them their due rights at the same time as I fight for my own rights.

It is a pity that my Honourable friend Mr. Lalchand Navalrai gave a lecture to the depressed classes who number 8 millions. He said, what more do they want when they have got a stalwart and well-fed man on the Treasury Benches. He thinks the claims of these depressed classes have been thereby met and nothing more is wanted. It may appeal to him but it does not appeal to Mussalmans. I do not want these 8 million people who are called the scheduled classes to be excluded on any ground whatever. Their rights should surely be preserved and their education should be given an impetus when they cannot support themselves. If they have not been able to get proper education it is the duty of Government and of the country to give them that education and thus bring them up to the same level as that of other communities. My friend, as a Caste Hindu, would not like to see them come up to the same level. But I belong to a community and religion which makes no distinction between an Arab and an Abyssinian: Bilal, who came

from the community which were called "slaves" at that time, was as much respected as any of the Hedjazis or even an aristocrat Quraish. We think that this community deserves proper education and in order to give them an impetus they must have representation in the different educational institutions.

My Honourable friend also said that so many depressed class people are coming forward now because there happens to be one Depressed Class Member on the Treasury Benches. He will find that dozens will come to the Education Department if proper representation is given to them in the Delhi University Executive Council.

Mr. Lalchand Navalrai: They will get everything on merits.

Sir Muhammad Yamin Khan: But you have to create that. You have been keeping them away for so long and you have disallowed opportunities to them. You have to develop their merits. When you can touch an animal and do not mind it, but you do not allow a man, who is definitely superior to an animal, to come near you, how can such a man come on merits. Sir, on this point I do not think any more comments are called for.

Therefore, Sir, I do not want that the Muslim representation should be mixed up with the Depressed Class representation; I want that to be given separately. The Government should openly tell us on the floor of this House as to how many out of the 18 seats will go to the Muslims. And while we are fighting for our own rights, we are not ignoring the rights of other people. We support them also, but we want to assure ourselves that we will get our due share. Mr. Navalrai's point is: don't allow the Mussalmans to come from the front door; don't allow them to come from the back-door; close the room from all sides and let me be in possession of the whole room.

Mr. Lalchand Navalrai: I will keep the door open for merits.

Sir Muhammad Yamin Khan: I have been in this House for the last 28 years and I have listened this question of merits and demerits so many times. They do not appeal to me at all. They may appeal to novices who may be lured by these expressions, but I have grown too old for them. There are no hard and fast rules to judge merits; the rules are changed to suit the circumstances. I can give you an example, Sir. A job was advertised by one department. Many candidates turned up. One of them was a Muslim graduate and others were Matriculates. This Muslim was not taken on the plea that the job carried a salary of Rs. 30 and he would not stick to it.

Dr. P. N. Banerjee: This is wrong.

Sir Muhammad Yamin Khan: On the next occasion for another job there were graduates belonging to the other community but there was one Muslim Matriculate also who applied. He was discarded because 'he was only a Matriculate' and there were other better qualified candidates available. So, you can see that these rules are made and unmade for particular occasions. You can find qualifications and merits as you may choose to judge. A man wearing coloured glasses will see everything of the same colour. One person may be judged as fit by one man but he may be judged as totally unfit by the other. But the man is the same. I remember an I.C.S. friend of mine once told me that it was very difficult to get good marks in Economics. He said, "when I was tested by my own college I got 99 per cent. marks, but when I sat for another examination and was examined by somebody else I got zero." How strange! The same man gets 99 when he is tested by one man and zero when he tested by another. So, merits are nowhere.

Coming to the question of education: What kind of qualifications will you prescribe for them? M.A., D.Sc., or Ph.D., or what? There may be many people who have had no degrees and yet they have devoted their whole time to the advancement of education. I think they are better qualified than M.As., D.Sc.s. and Ph.D.s. Academic qualifications do not count for much when you have to do public service, because in public service only those people can contribute something who have got love for their work, who can devote time to the work, irrespective of what they lose: time, health or wealth. That is the chief qualification. If my Honourable friend thinks that the Muslim

[Sir Muhammad Yamin Khan.]

community is lacking in that spirit, he is mistaken. There are thousands of Mussalmans who are devoting their time everyday in this City of Delhi for the advancement of education among Mussalmans and they take interest in that. They may not be those who have had their education in Germany, America or England; they may not have got degrees from there. But, let me point out, Sir, that in many cases I have found that even Government ignores these qualifications and do not take this into account. Can it be said that the Education Members have always been the highest qualified and degree holders of foreign Universities? No. Anybody can be an Education Member. Then how can you fix any particular qualifications for those who are to be represented on the Court of the University. That does not appeal to the minds of sensible people. Of course my Honourable friend, Mr. Navalrai, has made an exhibition of what may follow when the Round Table Conference of the people is convened to frame the Constitution.

Mr. President (The Honourable Sir Abdur Rāhīm): The Honourable Member should confine his remarks to the amendment under consideration.

Sir Muhammad Yamin Khan: Very well, Sir. I think this amendment falls very short of the demands of Mussalmans, and the Government should explain the position carefully and say how much they would reserve for Mussalmans and how much they would reserve for other communities.

I do not oppose it simply because a Muslim can come through the back-door if he is not allowed to come through the front-door. Whatever may be the case, I do not want such Muslims, to be nominated whose names may be used to have vote with the Government as representing the Muslim opinion, while they will vote only to please some official. It is not the political department. It is not the place where votes should be the main consideration. We want people who can speak for the Muslim community and whose views may be the same as of the Muslim community outside and who may have the strength to speak in the Court what they feel for safeguarding the rights of the Mussalmans. We will not like that class of men whom the Government may make use of and then say to us: 'Look here, this is the Muslim view' just because you had these members represented there. With these words, Sir, I resume my seat.

The Honourable Sir Sultan Ahmed: The question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the question be now put."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 16 of the Bill, in clause (g) of Statute 2 in the proposed Schedule for the word 'fifteen' the following words be substituted, namely:

'twenty-five, of whom not less than eighteen shall be appointed to secure the representation of minorities not otherwise in his opinion adequately represented'."

The motion was adopted.

Rao Bahadur N. Siva Raj (Nominated Non-Official): Sir, I move:

"That in clause 16 of the Bill, to clause (g) of Statute 2 in the proposed Schedule the following be added at the end:

'three of whom shall belong to the Scheduled classes and two shall be representatives of Labour'."

Sir, the object of my amendment is to secure representation particularly in the Court of the Delhi University, for interests which otherwise can never hope to get represented in the Court. It has also got a double objective. It is not merely to secure the interests of scheduled classes as a minority but it also seeks to secure representation of labour as such. We have had today a number of speeches indicating to us the desirability or the necessity of having universities which ought to be based upon a communal representation. I perfectly well agree with the point of view of those who express that communities ought

to get representation even in university bodies. From my experience as a Member of the Senate of two Universities in Madras, I can assure Honourable Members of this Government and also the Honourable Members of this House that so far as the communities were concerned, fair representation was secured. It may not be necessarily in accordance with the wishes of the various communities which sought representation. As a matter of fact, irrespective of the fact whether a person was a Muslim or a Hindu, it was always possible in South India for us to do the right thing. In fact, one of the Honourable Members of this Government, the Member for Posts and Air, was a gentleman who not only occupied various positions in the Senate and the Syndicate of the Madras University but was ultimately elected by us as the Vice-Chancellor of the Madras University. Things, however, seem to be going a different way in these parts. So I feel that I shall have no sympathy whatsoever with the point of view expressed by Dr. Banerjea and my friend Lalchand Navalrai in regard to the method of securing representation by what is called co-option by the Court or by any other such method.

I have always mentioned in this House that whenever the Government talks of efficiency, their efficiency seems invariably limited to one class of persons. In most instances I have seen that the Government admit the efficiency of the white skin: in the case of the dark skin, the efficiency is slightly less. Whenever, the Hindu talks of efficiency he talks of the efficiency in public examinations, whereas all these ages he has reserved to himself every possible opportunity of education and every possible opportunity of study, and what is more they have taken steps to see that practically all the examiners are Hindus themselves: and then they ask everyone else to sit for competitive examinations. Therefore, efficiency in this way is sought to be an obstacle to the claims made by smaller communities to the various bodies. However, times have changed. It is too late in the day to obstruct seriously the claims of minorities in any body.

I have always had the advantage of enjoying the sympathy and the support from all quarters of this House whenever I had to represent the claims of my community. So I have no doubt whatsoever that even on this occasion this House will not refuse me that indulgence.

I am afraid, Sir, that not anticipating what the Educational Secretary was going to do, I unfortunately put "three of whom shall belong to the Scheduled Classes." That "three" was to be out of the original 15 that was mentioned. Now I should like to increase it to five if Mr. Tyson will not object; I would also ask for the representation of labour. While we are talking all this time about our universities and that universities have got a tendency on account of these representations to become communal only instead of being cultural as one would like to have it, we must not also forget that the times are coming when we are really going to have workers in universities; and if some of the statements made by the world statesmen, like Mr. Churchill and others, are true, that this war is being fought on the labour front, it is very very essential that the interests of labour ought to be protected. It is not something out of the way or unnatural for a university to take up the education of workers. As a matter of fact the University of London instituted a committee in the year 1910—a committee of the Board of Education which went into the question of the education of the working classes, at least by way of what is called extension lectures or tutorial classes. And it is very happy to find that the report refers to the fact that if there is any hope for people to spread real education, the acquisition of knowledge for the sake of knowledge, and the acquisition of the university spirit and university culture in the sense of striving after truth, it looked as if according to their report, that the workers seemed to give greater promise than the regular day students of the university. In this connection I would just like to read a few sentences from the report of the Royal Commission which refers to this report of the Board of Education—a special report made by two Inspectors, regarding tutorial classes; this passage

[Rao Bahadur N. Siva Raj.]

which defines in clear and admirable language the meaning of university education is followed by another in which the Inspectors say that they have applied the test to the work of the tutorial classes, and that—

"If . . . the question be put whether, so far as they go, and within the limits of time and available energy the classes are conducted in the spirit which we have described, and tend to accustom the student to the ideal of work familiar at a University, we can answer with an unhesitating affirmative; and in particular, the treatment both of History and Economics is scientific and detached in character. As regards the standard reached, there are students whose essays compare favourably with the best academic work."

They go on further to say:

"This result is due partly no doubt to the fact that the teachers are nearly all of them men actually engaged in university teaching, and not men making their living by conducting tutorial classes, but quite as much it is due to the enthusiasm, the zeal, and the sincere desire for truth animating the students, who are drawn almost entirely from the working classes."

So, Sir, I believe the time has come when even the Delhi University ought to have as its objective a provision for the education of the working classes during their spare hours. I also believe that the University must send its teaching staff to such institutions as may be in existence already or are likely to come into existence in the future for the educational benefit of the working classes and their children. It is from this point of view that I have brought forward this amendment. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 16 of the Bill, to clause (6) of Statute 2 in the proposed Schedule the following be added at the end:

'three of whom shall belong to the Scheduled classes and two shall be representatives of Labour'."

Mr. J. D. Tyson: Sir, this amendment, if accepted, would in practice conflict with the amendment which the House has just adopted, under which the Chancellor is required to utilise eighteen seats out of twenty-five to secure the representation of minorities not otherwise in his opinion adequately represented. That discretion, I think, obviously must be exercised in the light of the position from time to time obtaining; and it would be wrong therefore to bind the Chancellor in advance as to the disposal of five of the seats . . .

Rao Bahadur N. Siva Raj: What about labour?

Mr. J. D. Tyson: Furthermore, in its reference to the Scheduled classes this amendment definitely appears to seek to introduce communal representation. Our approach to this question as set out in the previous amendment is already accepted, and it is wide enough to permit of nomination from the Scheduled Classes and for representatives of labour. I therefore hope that my friend will not press his amendment which I cannot accept.

Mr. M. Ghiasuddin (Punjab Landholders): Sir, from today's debate, two facts have become quite clear. One is the anxiety of Mr. Lalchand Navalrai for the prestige of the Government. He appealed to the Government in the name of their prestige that, if they accepted the amendment moved by my Honourable friends of the Muslim League, the prestige of the Government would suffer; and therefore as the arch-champion of the prestige of the British Government, Mr. Navalrai came forward. The other point which has become clear and which was not known to me so far is the horror of my Honourable friend Mr. Tyson for communal representation. Late in the day, after so much has been said on both sides for communal representation, he comes forward and refuses to accept this modest amendment of my Honourable friend, Mr. Siva Raj, because it will introduce communal representation. This horror is quite news to me. I lend my hearty support to the amendment moved by my Honourable friend Mr. Siva Raj for this reason; first of all, my point is that the proof of the pudding is in the eating; and whatever may be said for the communal representation—its vicious principles and all that in a temple of learning etc.—I want to know one thing: this university of Delhi has been going on now for twenty-one years; may I ask my Honourable friend Mr. Tyson how many members of the scheduled classes have been members of the Court?

An Honourable Member: Not one.

Mr. M. Ghiasuddin: I think somebody says 'not one'. I agree with it. What was the Government of India and particularly the Department of Education, Health and Lands doing all this time, knowing that the claims of a very important minority like the Scheduled classes were being trodden under foot by vested interests and all that? The Government of India just sat silent and let the thing go on. It is the biggest indictment one can bring against the Government for not looking after the interests of the community, a very important community, which has remained silent for such a long time. This is the greatest argument one can bring forward in support of this amendment.

One is gratified to learn of the new circular of the Home Department which recognises the claims of the scheduled classes in regard to services administered centrally, and when even this Government which had been ignoring the interests of the depressed classes for such a long period as 200 years, recognise this principle, how are people to come forward to fill those posts if the universities are barred to them. The Universities in the whole of India will remain barred to them until these people get proper representation in the administration of the universities and this very modest amendment of my Honourable friend, Mr. Siva Raj, only wishes to introduce this principle. I do hope that Mr. Tyson will reconsider the whole question and accept the amendment, because, after all, if out of 25 seats only three seats are earmarked for them I think nobody will suffer and even my Muslim friends will willingly give them this concession that three seats should be reserved for depressed classes and 2 seats for labour. I most strongly support the amendment.

Sir Muhammad Yamin Khan: The Muslim League Party whole-heartedly supports this amendment. I do not want to repeat what I have already said on the previous amendment. Our anxiety is to support fully the depressed classes in their attempt to get their full representation in the administration of educational or other institutions. I think we should have some representation of the scheduled classes as well as of labour. Some time ago I was the Chairman of the Education Committee of a certain Municipal Board and later on Chairman of the Municipality, and I may say that I received great benefit from the advice of the scheduled class members when I invited them to give me a method by which I could spread education in their community. They told me that it was not possible to keep the schools open for the day time because most of the people were wage earners and they could not draw any benefit from the day schools. So I opened night schools for the benefit of these scheduled classes, and within two or three months the number on the rolls increased to some thousands. Very elementary education only was imparted to depressed classes boys and girls together which helped a great deal in making them alive to many matters which were essential for their living. Now, many of these scheduled class members will not sign or put down their thumb impression on a *bahi khatha*, which may be fictitious, so that all their wealth might be transferred into the hands of a small body of moneylenders. That has given them great protection. I think if some members of the depressed classes are present in the Delhi University administration the university will receive great help from the advice given by them from time to time as to how best to give them education. With these words I support this amendment.

Mr. Piare Lall Kureel (Nominated Non-official): I shall only speak a few words in support of the amendment of my Honourable friend, Rao Bahadur N. Siva Raj. The other day I gave certain facts and figures showing that separate representation for depressed classes was very essential. I gave so many arguments which I shall not repeat now. Nothing short of separate representation is going to satisfy the appetite of the scheduled classes. India is a cockpit of warring communities among which prejudices and differences of the acutest nature have free play. Religion and caste in India divide the people rather than unite them. Caste is not merely a series of certain religious rules or community restrictions but a terrible force which makes life a misery for millions of people of India. In these circumstances separate representation

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for certain minorities is indispensable. I think the scheduled classes are the weakest minority in India, not from the numerical point of view but from the point of view of the status which they hold to-day and therefore rightly deserve separate representation.

Sir, I have got certain facts and figures which I would like to put before the House. This is a very shameful record of what the Hindus are doing for us. I shall take up the universities of the U. P. About the Delhi University my Honourable friend has already said much and many others have also expressed their views, but now I shall tell you something about the universities of the United Provinces. Let me first take up the Allahabad University. The representation of the scheduled classes on the Court of that university is nil, on the Executive Council nil, on the Academic Council nil, on the teaching staff nil. Take the Benares Hindu University. The representation of the scheduled classes on the Court is nil, on the Executive Council nil, on the Senate nil, on the Syndicate nil, on the teaching staff nil. Take the Aligarh University. The representation of the Scheduled classes on the Court is nil, on the Executive Council nil, on the Academic Council nil, and on the teaching staff nil. Take the Lucknow University. The representation of the scheduled classes on the Court one, on the Executive Council nil, on the Academic Council nil, on the teaching staff nil. Agra University—on the Court one (of course, this man is the same as the one in the Lucknow University), on the Executive Council nil, on the Board of Inspection nil, on the teaching staff nil. The Board of High School and Intermediate Education in the U. P.—there was one man namely Mr. Karan Singh Kane but he is not on it now. Let me take some of the technical and professional institutions in the U. P. In the Teachers' Training College, Benares there is not a single member of the scheduled classes on the teaching staff; same is the case with the Government Training College, Allahabad, so also Government Training College, Lucknow. As regards the Government Normal School, Lucknow there is one member of the scheduled classes on the teaching staff. As regards the Medical College, one of my friends said the other day that there is one representative of the scheduled classes. But I absolutely deny that statement, there is not a single member of the scheduled classes on the teaching staff of the Medical College, Lucknow. Take the Medical College, Agra. There is not a single scheduled caste member on the staff. Thomason College of Civil Engineering—the representation of the Scheduled Castes on the Advisory Council is nil and there is also not a single member on the teaching staff. The Benares Hindu University Engineering College—there is no representation of the scheduled classes in this college also. There are many other colleges and schools where there are no members of the scheduled classes on the managing committees and on the teaching staff. This is the record of what the Hindus and other communities are doing for us. Am I not justified if I stand up and say that we want separate representation. Is it not a just demand? We have been deprived

1 P.M. of these opportunities for a long time and now we want to see our community raised. We must fight for separate representation because only then we will have some chance of ameliorating our condition. I shall take up the case of the Allahabad University. This University has been monopolized by the Brahmins. In 1939, the Honourable Mr. H. N. Kunzru moved a resolution that the scheduled castes should be exempted from the tuition fee. That resolution was rejected and it is surprising to note that the main opposition was led by the Honourable Mr. P. N. Saprú. The scheduled castes wanted this exemption because of their economic condition. They are very poor and are always in the bloody clutches of money lenders. They are miserably involved in debt. Sometimes the labour of the whole family is employed in satisfying the claims of creditors whose appetite is never satisfied even though they may have realised double the amount they borrowed from them. This is what is their economic condition and yet the Honourable Mr. P. N. Saprú opposed the resolution with the result that it was rejected.

My friend Dr. Banerjea said that we should give up the policy of exclusiveness. How does he think that our condition will be improved if we do not have separate representation? Mr. Kazmi said that the depressed classes and other minorities are fully represented in the Military. Perhaps he does not know that the Military service is not even open to the scheduled castes. They are not recruited even as soldiers.

Qazi Muhammad Ahmad Kazmi: I said that the Minority communities are represented in all departments.

Mr. Piare Lall Kureel: You did mention the scheduled castes.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must confine himself to the amendment.

Mr. Piare Lall Kureel: I shall not take much time. I say that we should not be placed at the mercy of the Vice-Chancellor, because he can be easily influenced and the scheduled caste members may have to suffer. I would say that education is the most necessary thing. We do not want such measures as the temple entry. You cannot improve our condition in that way. If the scheduled castes go to the temples, they will have to spend money on flowers, fruits and also for ceremonial purposes. It will considerably weaken their economic condition. Moreover it will divert their attention from political affairs towards religious affairs. They do not want such a measure. I in fact do not think that such a measure will in any way ameliorate the condition of the depressed classes. We must improve ourselves educationally and therefore we must have representation on all the educational institutions including the universities. The scheduled castes must have scholarships, so that they may be relieved of their financial difficulties and for this also we want a proper share of representation in all kinds of educational institutions.

Now, I shall seek the co-operation of my Hindu brethren. I am told that I have been very cruel to my Hindu brethren the other day but I still look upon them as my brothers, if I may say so. I ask them to co-operate with us and help our cause. They can win us through love, service and affection. But the more they oppose us, the more they will find us firm and determined in our work. They should come forward and co-operate with us and not add one more black chapter to the book of their religious absurdities. I hope they will come forward and support us. I shall make the same request to my Muslim brethren. I am glad that they have already supported the amendment. I hope others will also do the same. I must make special mention of what the Government has done for us. I ask it to do something more. It does not matter if a few seats are reserved for us. It will not affect the progress of education. I must also seek the co-operation of my Christian brethren. They were the first men to take up the work of the amelioration of the depressed classes. They might have had motives of their own in coming forward to help the depressed classes but they were the first to help the depressed classes. All other social organisations were starter after them. I am therefore particularly thankful to the Christian Missions. I hope they will also support the amendment. In the end, I will conclude by quoting a Persian couplet.

*Batare az áhe mazloomán keh hangáme dúá kardan,
Ijábát az dare haq bahre istiqbál mi áyad.*

With these words I strongly support the amendment.

Mr. Kallash Bihari Lall (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): I do not know how to express myself on this amendment especially after the pathetic appeal made by the last speaker. I really sympathise with him but I must congratulate Mr. Tyson on the bold stand that he has taken against communalism. On the last amendment I was about to speak but it would have been very difficult for me. I was not wholesale for the amendment of Mr. Tyson because of the number that he wanted but even then I was going to tell the House that officialisation is better than communalisation and I still believe that in the interest of the country we have to see whether officialisation is doing more harm to the country or communalisation. (*An Honourable Member:* "You want officialisation rather

[Mr. Kailash Bihari Lall.]

Indianisation?") I am wholeheartedly for Indianisation. Now, when Mr. Tyson took the bold stand I think the point should be cleared, so that Mr. Piyare Lall may not have any ill feeling towards his Hindu brethren for not listening to the pathetic appeal that he has made. I may inform him that I am myself the President of the Harijan Sevak Sangh in my district and I myself took many Harijan candidates to the Superintendent of Police and got them appointed in the Police. I have always been trying for them but, helping them to come up to the level of the general run of the people and helping them to carve out a Harijanistan for them as against Pakistan are two different things. What I am opposed to is, and what the Government also would appreciate is, that the Government does not want either Pakistan or Harijanistan.

An Honourable Member: They only want Officialistan.

Mr. Kailash Bihari Lall: Whether they want it or not, it is there all the same. It is because of all sorts of 'istans' that there is Officialistan.

Sir Muhammad Yamin Khan: You do not want even Hindustan.

Mr. Kailash Bihari Lall: Hindustan is there and nobody can deprive us of it.

Sir Muhammad Yamin Khan: But you said you do not want any 'istan'.

Mr. Kailash Bihari Lall: Hindustan is the only 'istan' that will remain. So, your attempt to carve out a Pakistan even in the Delhi University has been very strongly opposed by the Government and we should be thankful to the Government for giving the right lead in this matter. If your anxiety has been really for securing the interests of certain communities, then it is understandable and everybody should have sympathy for it and should stand for it. But your interest is only for the recognition of a certain principle which is vicious in itself and which is going to cut at the very root of the nation. That should not be tolerated. Even this amendment, if they want to carve out Harijanistan, in the Delhi University, it should not be supported and I am at one with the Government in opposing it. For the consolation of the Mover of this amendment and other friends who have so pathetically supported it, I may say that their interests should be safe. I think the Government has awakened to the necessity of keeping their interests safe. The Muslim Members wanted only 8 seats for the Mussalmans, but the Government wants 25 seats, out of whom 18 will be reserved for the minority communities. So, the Harijans may rest assured that their interests will not suffer. These 18 seats are reserved for nominating the members of the minorities and these minorities will not come from Heaven. The minorities are the Muslims and the Scheduled Castes.

Sir Muhammad Yamin Khan: Do you call the Scheduled Castes a minority when their number is 8 millions?

Mr. Kailash Bihari Lall: Then how are the Muslims a minority community? They are also 10 crores.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): They are a nation.

Mr. Kailash Bihari Lall: It is better that you are awakened in the day and the Government has not given you any nationhood in this Bill. When you are reasonable, you have our sympathies; but when you go out of the bounds of reason, then, of course, there will be no sympathy either from the Government or from us. If the Government mean to do something good, then they should look to the interests of the nation as a whole.

As to the point that was made by Sir Muhammad Yamin Khan that because some people see with coloured glasses, they do not want to do justice. I want to tell him that they should not mislead our Scheduled Caste brethren by such glasses which they are wearing. Sir Muhammad Yamin Khan himself said in his speech that they are one with the Mussalmans of Abyssinia, Arabia

Sir Muhammad Yamin Khan: On a point of personal explanation, Sir. I never said the words which my Honourable friend is saying.

Mr. Kailash Bihari Lall: As I understood his speech, Sir Muhammad Yamin Khan said that his heart is so wide that even the Mussalmans of Abyssinia and Arabia

Sir Muhammad Yamin Khan: I never said that.

Mr. President (The Honourable Sir Abdur Rahim): Order, Order. The Honourable Member is not giving way.

Mr. Kailash Bihari Lall: I never meant to give offence to my Muslim brethren

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member finishing his speech now? It is now quarter past one.

Mr. Kailash Bihari Lall: I will take a few minutes more.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after Lunch.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock. Mr. Hoosainbhoy A. Lalljee (one of the Panel of Chairmen) in the Chair.

Mr. Kailash Behari Lall: Sir, I was referring to the remark made by Sir Muhammad Yamin Khan. Since then, he has cleared the point and I accept what he said. I never meant anything against him. A friend of mine suggested that by my speech I am giving offence to some of my friends. Far from it. I never meant to give any offence to anybody. I am always eager to see that the nation is not disrupted. It is only from that point of view that I speak in this House. Some of my friends charge me as Utopian, that I am an extraordinary creature and so on. It is always from the point of unifying India that I speak.

Nawabzada Muhammad Liaquat Ali Khan: Have you read Mr. Savarkar's statement published in the Press this morning?

Mr. Kailash Behari Lall: I am coming to that. While speaking in the last Session, when somebody reminded me about Mr. Savarkar's definition of a nation, I said that Mr. Savarkar's was not the last word on the subject. My Honourable friends should see that a nation will evolve and will be built up in spite of anybody, in spite of Savarkars who try to disrupt it. If the Leader of the Muslim League, or if the Leader of the Hindu Mahasabha, or if any one of them want to disrupt the nation, then they should not be encouraged or countenanced. That is my view point. The interest of the nation must be above all these personalities. In the Legislature, when we legislate about any measure, we should look to the interest of the nation as a whole; we should not say that because some injustice has been done to a particular group, or a particular individual or a particular community, the whole thing should be so ordered that the nation may go to rack and ruin.

Nawabzada Muhammad Liaquat Ali Khan: What is a 'nation'?

Mr. Kailash Bihari Lall: A nation is 'Hindustan' and 'Hindu'. (Interruption.) As I told the other day, my Muslim friends are 'Hindu-Muslim'. They are called 'Hindu-Muslims' everywhere in the world, in Arabia, in Turkey and other places. I am sure my Honourable friend Sir Muhammad Yamin Khan will corroborate me in this respect. If you look to the Finance Bill Debates of 1942, you will find that Sir Muhammad Yamin Khan himself made this statement. This is in the official reports of the Assembly dated 12th March 1942.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): May I ask you, Sir, if this is all relevant to the amendment now before the House?

Mr. Kailash Bihari Lall: Pakistan and everything else was brought in in this amendment. From the very beginning, during the course of the discussion on the amendments, my Honourable friend Nawabzada Muhammad Liaquat Ali Khan said that he was frankly communal. When you heard all these things quietly, you should not bother about how this thing has crept in in this Bill. If you analyse the whole thing, you will see how this topic has come into the

[Mr. Kailash Bihari Lall.]

University Bill. I am not coming before you to talk about communalism or officialism. So far as I am concerned, my purpose will be served if I remind my Honourable friends that they should bear always in mind that they should possess the widest outlook in dealing with such questions. They should not disrupt the nation. We have been discoursing here that in the name of wide nationalism, injustice is being done. How was it all relevant to the amendment? It is only my Muslim friends that brought forward this question. My only submission is that you should have patience. The Government have reserved for themselves the right to nominate 18 persons to redress inequalities so far as minorities are concerned. You may rest assured that the minority rights will not be trampled upon.

Kunwar Hajee Ismael Ali Khan (Nominated Non-Official): You agree that nominated Members are more sensible than elected ones.

Mr. Kailash Bihari Lall: My Honourable friend Qazi Muhammad Ahmad Kazmi preferred communalism to officialism. I quite realise his patriotism. I quite realise the way in which we have been taught to go against the officials, in the name of patriotism. I still agree that officialism should go. But when we are confronted with two demons, the demon of communalism and the demon of officialism, because communalism has spoiled the nation so much, we should be afraid of introducing it again and prefer officialism. We should not introduce communalism in the temple of learning in the University. It is on that ground we say that we prefer the demon of officialism to the demon of communalism. We should wait for the independence of the country, we should wait for Swaraj, but we should see that the very existence of the nation is not jeopardised by the introduction of communalism. If communalism is introduced, then the nation is gone. The nation is disrupted. If communalism is introduced in the University, then our children who are the products of the University will be imbued with such a spirit that they would not like to sit together at a common table and study. The Hindu children and the Muslim children will develop quite different outlook, and the Indian nation that we all dream of, would never come to be realised.

Mr. Chairman (Mr. Hooseinbhoy A. Lalljee): The Honourable Member is repeating his arguments.

Mr. Kailash Bihari Lall: Then I leave that argument.

I am afraid, my opposing this amendment might have led some of my Honourable friends belonging to the Scheduled caste to think that I am unsympathetic to their claims. Not at all. I am not unsympathetic. I am not at all against their getting justice at the hands of the Government. If they want to come to their own, then let them make a demand that there should be a separate portfolio, separate department set up to look after their interests. Let my Honourable friend Rao Bahadur Siva Raj be in charge of that department. Let there be a five years plan chalked out for the Government of India to eradicate this evil of untouchability. If you adopt this plan, then your inferiority will go, your untouchability will vanish. Not that if you have Pakistan or Schedulistan or some other devise, your ills will be cured. If the Scheduled caste people want to come to the level of other communities, you should adopt a five year plan. They should press on the Government that they should not tolerate this untouchability any longer. The late Lala Lajpat Rai suggested that one crore of rupees should be set apart to eradicate this evil of untouchability. I say let the Government adopt some such plan and then this inferiority will go, this blot will go out of the country. The way in which you want the Government to handle this problem is derogatory for the nation, it will disrupt the nation.

With these few remarks, I oppose this amendment. I hope my Honourable friends belonging to the Scheduled class will not take it in any other light. I appeal to my Scheduled caste friends to bring in such measures as would enable

them to merge with the nation and get their full share of their demands, of their rights along with other nationals.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, in lending my cordial support to the amendment of Rao Bahadur Siva Raj a very strong argument has come to help me. Mr. Kailash Bihari Lall's speech has proved to the hilt that the caste Hindu of today remains the same as in the days of that greatest of Indian law-givers, Manu. Manu says that an untouchable has no right to acquire knowledge or listen to the verses of the vedas, and if he dares to listen to the Vedas the king for the time being shall order that a ladleful of molten metal should be poured into his ear. That teaching, though it has changed its character and form, remains fundamentally unaltered. The untouchables have no right to acquire knowledge,—that is what the Hindu says; and to support that contention he manufactures all sorts of arguments. I do not know what Pakistan had to do with it, but I will remind my Honourable friend that Pakistan is a term used thousands of years ago by the Hindus themselves. "Pak" means sacred and "istan" means land, and so the word means the land of the sacred just as we refer to the holy land of the Hedjaz. The whole of Northern India including the Punjab, Sind and North-West Frontier Province was looked upon by them as sacred. Sree Ramchandra was born in Pakistan and therefore this land according to Hindus is Pakistan. Then, Sir, Kurukshetra, every particle of which is sacred, is included in Pakistan.

Mr. Chairman (Mr. Hooseinbhoj A. Lalljee): The Honourable Member should confine himself to the amendment.

Maulana Zafar Ali Khan: The word "Pakistan" has been mentioned in the course of this discussion so often that I must point out that according to the Hindus themselves Pakistan is sacred, and only when Muslims come in it becomes impure and polluted. So the Muslim also is an untouchable like the depressed classes. This reminds me of a story about myself. When I was a prisoner in the Montgomery Jail

Mr. Chairman (Mr. Hooseinbhoj A. Lalljee): I hope the Honourable Member will confine these personal remarks to a very few words.

Maulana Zafar Ali Khan: I will relate it in a very few words. In that jail I called my sweepér one morning and told him I would give him equal status with myself. He did not understand my meaning and when I asked him to bring a pitcher of water and fill a tumbler. He thought that as I was in solitary confinement my brain must have gone wrong. But I threatened him with a cane and trembling with fear he filled the tumbler with water. I told him to drink it, and he was now convinced that I had gone mad. But I again threatened him with a cane and he drank half of it. Then I drank off the rest, and showed him that he was my equal. I did this as I was a Mussalman.

Mr. M. Ghiasuddin: Was he sure of your sanity after that?

Maulana Zafar Ali Khan: That is what my religion teaches me,—according to Islam water drunk from a cup used by a human being is pure. But Hinduism does not teach the same to the Hindu who says that when any one touches you or your food or your drink it becomes polluted. Go to any railway station and you will find "Hindu water" and "Muslim water", as if God made two kinds of water, one for Hindus and another for Muslims. When my friend speaks of Pakistan let him remember that it will come, whether he likes it or not, and with its coming will dawn the day of India's independence, because the independence of India is bound up with the Muslims getting their proper share in representation according to their population; and after being enfranchised Mussalmans will fight for the untouchables. Hindu public opinion has to a certain extent taken up the cause of the depressed classes. Voices are here and there raised in their support and even Mahatma Gandhi speaks of lifting the untouchables to a level with others; but the majority of the Hindus remain the same as in the days of Manu. Therefore, Sir, when my Honourable friend Rao Bahadur Siva Raj makes a modest demand that out of 25 members

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of the Senate of which eighteen shall be reserved for the minorities, three should go to the depressed classes, he makes a perfectly justifiable demand; and nothing will prevent them sticking on to this demand till it is fulfilled. And when my Honourable friend the Education Secretary protests, pleads against the temple of learning being polluted by communalism, he is up against them as he is up against us. The temple of learning only means the right of the majority to enter it and denying the minority the right of being elected; The minority is thrown upon the mercy of the Chancellor. When he finds that a certain section of the community is in a minority it is open to him to throw a few crumbs from the imperial table to them. But that will not do. The time has come when the right demanded by the depressed classes should be given to them. We Mussalmans have declared very often and declare emphatically again that however strong your imperial argument may be, those who have wakened after a long time and realised their position in the country will have their statutory share in the representation. One member elected is more valuable than 25 nominated. Nomination and election, the Honourable Mr. Tyson knows, very well, are different, and he wants us to be content with nomination of so many members. We are not content with it, and we will not remain content with it and we will go on shouting and stouting at the top of our voice till we are hoarse and till those who listen to it have become sure that nothing will prevent us from doing so.

One more point is efficiency versus inefficiency. The Delhi University has been in existence for 21 years. During those 21 years the Mussalmans in the various Governing Bodies of the University had very little representation—nearly nil. Then it dawned upon the Honourable the Education Secretary that the Mussalmans who had really been very badly treated should be given something. And then one fine morning he introduced the amendment that so many seats shall be provided for the minorities and given to them by way of nomination. Among the minorities he includes the Mussalmans, the Harijans, the Sikhs, the Parsis, the Jains. But who will nominate them and on what basis? They will be nominated, not on the basis of communalism, not on the basis of nationalism but on the basis of efficiency and merits. Then of course the Mussalmans will have to go to the wall with his back to the wall because according to the official phraseology a Mussalman is he who is inefficient and who has no place in the governing body of any department in the administration of this university. Well, Sir, all depends upon power, and this power when acquired by us will have its effect and that effect will be that adequate and effective representation will not be denied to us. Otherwise the Government will be stultifying itself having given us communal award and accepted the position that in this great country of India those who were hitherto called a 'minority' claim to be not a minority but a separate nationality with a right to be treated equally and fairly. When the Mussalmans will come again with this argument they will have nothing to add to it. With these few remarks I lend my support to the amendment and resume my seat.

Some Honourable Members on Treasury Benches: The question may now be put.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): On a point of order. I have been given to understand that there is no time limit for discussion over matters like this. But I find, Sir, that on two occasions motions like 'the question may now be put' have been suggested by the Treasury Benches. The intention appears to be to gag the House so that Members may not have their full say. I protest against this and hope that the matter will be allowed to be discussed.

Mr. Chairman (Mr. Hooseinbhoj A. Lalljee): I feel that sufficient discussion has taken place. It is within the power of the Chair to judge whether sufficient discussion has taken place or not, and as I am of the opinion that sufficient

discussion on this amendment has already taken place, I am prepared to put the closure motion.

The question is:

“That the question be now put.”

The motion was adopted.

Mr. Chairman (Mr. Hoosainbhoy A. Lalljee): The question is:

“That in clause 16 of the Bill, to clause (6) of Statute 2 in the proposed Schedule the following be added at the end:

‘three of whom shall belong to the Scheduled classes and two shall be representatives of Labour.’”

Those who are in favour will please rise in their seats.

Mr. M. Ghiasuddin: Sir, I think a very important principle is being laid down by this amendment and the Honourable Members should be given a chance, to record their votes for and against the motion. I think you will be

pleased to observe that many of the non-official Members are also in favour of this amendment and therefore I would most respectfully say that we should be given a chance to record our names.

Mr. J. D. Tyson: I would support what has fallen from the lips of the Honourable Member.

The Assembly divided.

AYES—16.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Azhar Ali, Mr. Muhammad.
Choudhury, Mr. Muhammad Hussain.
Essak Sait, Mr. H. A. Sathar H.
Ghiasuddin, Mr. M.
Liaquat Ali Khan, Nawabzada Muhammad.
Murtuza Sahib Bahadur, Maulvi Syed.

Nairang, Syed Ghulam Bhik.
Nauman, Mr. Muhammad.
Piare Lall Kureel, Mr.
Raza Ali, Sir Syed.
Siddique Ali Khan, Nawab.
Siva Raj, Rao Bahadur N.
Yamin Khan, Sir Muhammad.
Zafar Ali Khan, Maulana.

NOES—36.

Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ambedkar, The Honourable Dr. B. R.
Azizul Huque, The Honourable Sir M.
Banerjee, Dr. P. N.
Bewoor, Sir Gurunath.
Chapman-Mortimer, Mr. T.
Chatterji, Mr. S. C.
Daga, Seth Sunder Lall.
Dalal, Dr. Sir Ratanji Dinshaw.
Dalpat Singh, Sardar Bahadur Captain.
Deshmukh, Mr. Govind V.
Habibur-Rahman, Khan Bahadur Sheikh.
Haider, Khan Bahadur Shamsuddin.
Imam, Mr. Saiyid Haider.
Ismaiel Alikhan, Kunwer Hajee.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Kailash Bihari Lall, Mr.

Khare, The Honourable Dr. N. B.
Lalchand Navalrai, Mr.
Mackeown, Mr. J. A.
Maitra, Pandit Lakshmi Kanta.
Maxwell, The Honourable Sir Reginald.
Muazzam Sahib Bahadur, Mr. Muhammad.
Pai, Mr. A. V.
Raisman, The Honourable Sir Jeremy.
Ray, Mrs. Renuka.
Roy, The Honourable Sir Asoka.
Sargent, Mr. J. P.
Spear, Dr. T. G. P.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Major.
Trivedi, Mr. C. M.
Tyson, Mr. J. D.
Zaman, Mr. S. R.

The motion was negatived.

Mr. Chairman (Mr. Hoosainbhoy A. Lalljee): Supplementary List No. 2. Pandit Lakshmi Kanta Maitra.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): In view of the fate of the last amendment, I shall not be moving the amendment in my name.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, I move: “That in clause 16 of the Bill, in sub-clause (v) of clause (1) of Statute 3 in the proposed Schedule for the word ‘five’ the word ‘seven’ be substituted and after the words ‘their own number’ the following be added: ‘and at least three shall be Muslims elected by the Muslim members of the Court from among their own number.’”

You will see, Sir, that with the consideration of Statute 3 we enter on the composition of the Executive Council of the University and the Executive Council is the most important body in the entire constitution of the University. The powers which have been assigned to it in the parent Act itself are very

[Syed Ghulam Bhik Nairang.]

wide and now an accession to those powers will result as a consequence of passing the present measure. You will see that section 22 of Act 8 of 1922 gives the powers of the Executive Council as follows:

(a) shall hold, control and administer the property and funds of the University, and for these purposes shall appoint a Finance Committee to advise it on matters of finance. The Treasurer shall be the Chairman of the Committee, and the remaining members shall be appointed from among the members of the Executive Council, provided that at least one member of the Committee shall be a member elected to the Executive Council by the Court;

(b) shall determine the form, provide for the custody and regulate the use of the Common Seal of the University;

(c) shall lay before the Governor General in Council annually a full statement of the financial requirements of the University and the Colleges;

(d) shall administer any funds placed at the disposal of the University for specific purposes;

(e) subject to the provisions of this Act and the Statutes, shall appoint the officers (other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Rector and the Treasurer), teachers, clerical staff and servants of the University, and shall define their duties and the conditions of their service, and shall provide for the filling of temporary vacancies in their posts;

(f) shall have power to accept on behalf of the University transfers of any moveable or immovable property;

(g) shall arrange for the holding or. and publish the results of, the University examinations;

(h) shall, subject to the powers conferred by this Act on the Vice-Chancellor, regulate and determine all matters concerning the University in accordance with this Act, the Statutes and the Ordinances:

provided that no action shall be taken by the Executive Council in respect of the appointment or emoluments of examiners, or the number, qualifications or emoluments of teachers otherwise than on a recommendation of the Academic Council; and

(i) shall exercise all other powers of the University, not otherwise provided for by this Act or the Statutes.

That is to say, Sir, all the powers of the University for any practical and useful purpose are centred in the Executive Council, and therefore, the composition of such a body is a matter of great moment. Statute 3 as it stands now tells us that the members of the Executive Council, in addition to the Vice-Chancellor, the Rector and the Treasurer, shall be—

Class I.—*Ex-officio* members.

(i) the Superintendent of Education, Delhi and Ajmer-Merwara;

(ii) the Deans of the Faculties;

(iii) the Principals of recognised Colleges;

(iv) the Educational Adviser to the Government of India.

Then we have class II—Other Members:

(v) five members of the Court elected by the Court at its annual meeting, of whom at least two shall be graduates of the University elected by the registered graduates from among their own number.

It is here that we want to make this amendment, because we feel that otherwise history will repeat itself; what has been the position of the Muslims in the Executive Council of the Delhi University so far will continue to remain after the present measure has been passed. The present position is that in the Executive Council there are 24 members in all, out of whom there are only 3 Muslims—that is, one-eighth of the entire body. You can understand and the House can appreciate what the position of those three members must be in a body, the strength of which aggregates 24. In order, therefore, to give the Muslims a better and I should say more tangible—I cannot say more effective—representation in that body, I have by this amendment moved that the word five should be replaced by the word seven; and that the words “at least three shall be Muslims elected by the Muslim members of the Court from among their own number” should be added. The object is clear. If these two at least are assured to us, under all circumstances, the varying fortunes of the Executive Council may under certain circumstances give us a few more, and our total number in this most powerful body may be such that we may not be a nullity in the whole body. It is a pity indeed that any motion moved in this House with the object of improving the representation of the Muslims in the Delhi University is denounced as an attempt to communalise the University. So

much has been said from different quarters in this House on that subject, for and against that proposition, that I do not really want to detain the House long over that subject. Some of the Members have spoken against what they call communalism with a certain amount of restraint and have tried to clothe their views in a garb which may not be offensive; but there have been cases every now and then during these debates when some Members absolutely lost all mental balance. I would not like to say anything about our absent friend, Mr. Jamnadas Mehta—he is not in the House at the moment; what he said is of course on the record; but I will not comment on it in his absence. But there is my honourable friend, Mr. Kailash Bihari Lall, whose effusions we had the privilege of listening to only a few minutes ago. He went so far as to really act like a person who cuts his nose in order to spite his face. He says "I would rather officialise an institution than communalise it". I think it is a most acute case of communophobia and I cannot imagine a more acute case of that malady than that. The arguments which he gave as arguments were really worth nothing. They amounted really to this: possession is nine points of law. That was the only thing, to which the whole thing boiled down. "If I happen to be in possession of a certain property, title or no title, justification or no justification, I am there and I must not be disturbed." That really is his position. Otherwise I cannot understand why in a sister university, the example of which has been referred to before, in the Dacca University, on this very subject of the Executive Council, the position in the statute itself should be like this. In the Schedule to the Dacca University Act, in Statute 3, the law relating to the constitution of the Executive Council is laid down as follows:

Class I.—*Ex-officio* members.

The Commissioner of the Dacca Division;

The Deans of the Faculties;

The Provosts of the Dacca and the Muhammadan and Jagannath Hall.

Class II.—Other members.

Two Non-Muhammadan Members of the Court elected by the Non-Muhammadan members thereof at its annual meeting.

Here is a communal constituency created and the return of members by that communal constituency statutorily laid down. Then—

Two Muhammadan members of the Court elected by the Muhammadan members thereof at its annual meeting.

The same thing. A communal constituency, and that constituency returns members belonging to the community of which the constituency consists. Then—

Four members, of whom at least two shall be teachers appointed by the Chancellor, provided that so long as one-half of the non-European members of the Executive Council as constituted under sub-clause (1) excluding the Vice-Chancellor and the Treasurer are not Muhammadans, any person so appointed shall be a Muhammadan.

Now, I think this Dacca University Act, being an Act of the Indian Legislature and passed not long ago—only in 1920, just two years before the Delhi University Act was passed—clearly recognises in unmistakable terms the necessity of giving representation on the Executive Council to Muslims, elected by Muslims, and non-Muslims elected by non-Muslims. This is the very thing which, as a term of contempt and derision and denunciation, is called communalism. I think, Sir, that the attitude of gentlemen of that type is really not intelligible to the ordinary thinking man. What they took with avidity in the Dacca University they are not willing to give to others in the Delhi University. It is really the attitude of one who would say, heads I win tails you lose. Where I get a thing under a certain principle I will take it, but where you get a thing under that very principle, I will denounce it as communalism. This sort of so-called nationalism is monopolism masquerading under the false garb of nationalism. It is pure monopolism, pure exclusivism, pure castism if I may be allowed to coin that word, it is the same old, old mentality of caste domination which has contaminated the entire social and political atmosphere of India throughout the long ages of history and continues to contaminate it even to-day. The words now used are different but the mentality is the same, the object is the

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same. I do not think, Sir, that I need make a long speech over such a self-evident proposition, and although we have been disappointed again and again in the attitude which Government have adopted over this matter, I think up to the last moment I shall continue to hope that wisdom may dawn on the mind of Government and a sense of fairness may prevail and they may accept this amendment. The attitude of the Government is all the more deplorable. How can they have the face, after passing the Dacca University Act, to say, in Delhi we shall not allow this canker of communalism to creep into the educational system? They at least are estopped by their conduct in relation to the Dacca University, and ought to have at this late stage at least, at the eleventh hour at least, the fairness to accept this amendment. Sir, I move.

Mr. Chairman (Mr. Hooseinbhoj A. Lalljee): Amendment moved.

"That in clause 16 of the Bill, in sub-clause (v) of clause (1) of Statute 3 in the proposed Schedule for the word 'five' the word 'seven' be substituted and after the words 'their own number' the following be added:

'and at least three shall be Muslims elected by the Muslim members of the Court from among their own number';"

Mr. J. D. Tyson: I am sorry, Mr. Chairman, to disappoint my Honourable friend—(An Honourable Member: "Nothing new.") This amendment is in line with a number of amendments which the House has already discussed and my reply must be on the same lines. I do not dispute the Honourable Member's figures about the state of representation in the Court except that I think he has included the Rector, a post which, so far as I know, has never been filled. As I have said already, I cannot accept amendments on these lines.

Mr. Lalchand Navalrai: I had no intention to speak on this amendment. (Interruption). Every now and then the Dacca University is being quoted as one which should give a lead to the other universities also. I do not think that that University has been acknowledged anywhere to be an ideal university, and I also submit that the conditions and environments there are very different from those in the Delhi university or in other universities.

An Honourable Member: In what respects?

Mr. Lalchand Navalrai: In the number of Muhammadans there. The Honourable Member must know that. I need not go into that question, but there is a difference between that university on the one hand and the Delhi and other universities on the other in India. If it were an ideal university it would have been followed by other universities by this time, but that has not happened. Therefore one should not harp upon that fact—that because one university has given certain communal representation or is working on some communal basis, it should be any guide to other universities. My submission is that each university must be considered on its own merits and according to its own circumstances and environments. I have only one more word to say and then I will sit down: You will observe that Government moved a little bit and gave by backdoor something which was wanted by the Muslims. Though the latter said that they did not want, still they welcome it and they are thanking the Honourable Member for it. But let the Government note that when you have given them an inch they are asking for an ell. This amendment not merely wants representation for Muslims, but it says that the election should also be by Muslim members of the Court. They ask for two communal bases to be adopted, one, that there should be Muslim members, and the other is that they should be exclusively elected by Muslim members only. This, I submit, is an indignity to other members of the Court, and I hope that Government won't be a party to it. In this way they will be asking for communal basis more and more, but if Government are bent upon following a certain policy of their own, they should stick to that policy and not move for pleasing some people only.

Maulvi Muhammad Abdul Ghani: The number is 20 and it is raised to 22 by the present amendment. If you look at the various bodies constituting the Executive Council you will find that only one seat is possible for the Muslims.

to secure, and that is item (iii)—Principals of recognised Colleges, and under it the Principal of the Arabic College may get a seat there. Out of 20 seats only one is for Muslims and the rest will go to Muslims against whom all the 19 doors are shut. The amendment seeks to remedy that defect. I am glad that Mr. Tyson has after all accepted the force of the argument advanced by the Muslim League about representation of Muslims on the various bodies of the Delhi University. But I regret that although he admits that there is necessity of Muslim representation on the various bodies of the Delhi University, he comes forward with the plea that he cannot support anything based on communalism. I assure him that whatever we want is not based on communalism, it is based purely on nationalism because we are a nation and we demand our representation as a nation. And all demands put forward by the Muslim nation are national, not communal. Communal representation, may be based on the caste system of the particular nation. For instance, as has been pointed out by the speaker over there representing the depressed classes, the majority community consists of various castes, and caste representation, if it had been urged by any one, would have amounted to communalism. But the demands made by the Muslims and the scheduled classes are based on a national basis, and not on a communal basis. The scheduled castes are the original inhabitants of this country and the Mussalmans are also the inhabitants of this country and they are two nations. Their demands are not communal demands and it has been urged that this Executive Council is all in all. It has every power of recognising colleges and dispensing with the services of teachers, professors and so on. All power lies in their hands. Our fear is that our interests will suffer if we do not have adequate representation on it. After admitting our claims it does not lie in the mouth of my learned friend Mr. Tyson to go back on his word and come forward with this kind of opposition. I am not sure whether he will agree to give the representation in the other House.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I hope he will move these amendments on the lines of those of which we have given notice. With these words I wholeheartedly support the amendment of my friend.

Mr. Ananga Mohan Dam (Surma Valley *cum* Shillong; Non-Muhammadan): I rise to oppose the amendment which has been moved. I must first of all congratulate my friends of the Muslim League on the fact that they were able to make the Government concede their demand on a previous occasion. (Voices: "No, no"). The result is that they are increasing their demand inch by inch. (An Honourable Member. "Notice of these amendments was given long ago".) I really sympathise with the Government, because it was my friend Mr. Tyson who set the ball rolling. The result is that my friends of the Muslim League are asking for more and more. This amendment has given us something new to consider. Three Mussalmans are to be elected and they should be elected by the Muslims alone. This is a circle within a circle. The Court of the Delhi University should not be allowed to elect members as a whole but only the Muslim Members will be able to elect the Muslim members. This is a thing which should not be allowed in any constitution. Then my friend Mr. Abdul Ghani said that there are two nations. Therefore the proportions should be fixed.

Maulvi Muhammad Abdul Ghani: Half and half.

Mr. Ananga Mohan Dam: This is introducing the vicious principle of communal proportions in educational institutions. This amendment will usher in a new thing. It will spoil every educational institution. The only logical result should be that there should be separate educational institutions for Hindus, Muslims and other communities. There will be so many different cultural universities and they will all manage their own affairs in their own way. There is no way out of it. If in every constitution these communal proportions are introduced, the whole thing will be vitiated and it will be unworkable. I oppose the amendment.

Several Honourable Members: The question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the question be now put."

(Voices of: 'Ayes' and 'Noes'.)

(After counting the numbers of Honourable Members saying 'Ayes' and 'Noes', the Chair declared, the 'Ayes' have it.)

The motion was adopted.

Maulvi Muhammad Abdul Ghani: On a point of order, Sir. We are very keen on having Divisions so that our names may be recorded.

Mr. President (The Honourable Sir Abdur Rahim): It has been often ruled in this House following the practice of the British Parliament that it is not necessary to take down names. The question is:

"That in clause 16 of the Bill, in sub-clause (v) of clause (1) of Statute 3 in the proposed Schedule for the word 'five' the word 'seven' be substituted and after the words 'their own number' the following be added:

'and at least three shall be Muslims elected by the Muslim members of the Court from among their own number';"

(Division bell began to ring.)

Nawabzada Muhammad Liaquat Ali Khan: On a point of order, Sir. I think on the 'closure' motion you had declared that 'Noes have it'. Therefore, the discussion should have been continued.

Mr. President (The Honourable Sir Abdur Rahim): I did make a slip and then I corrected it.

(After the division bell stopped ringing and Mr. President had repeated the motion, the 'Ayes' challenged 'Noes'. Thereupon, the Chair asked the 'Ayes' and the 'Noes' to rise in their places. After a count was taken, the Chair declared: 'Noes have it'.)

The motion was negatived.

Maulvi Muhammad Abdul Ghani: Sir, we want to know how many are 'Ayes' and how many are 'Noes'.

Mr. President (The Honourable Sir Abdur Rahim): It is not necessary. I declare 'Noes have it'. Honourable Members do not know the practice of the House.

Mr. H. A. Sathar H. Essak Salt (West Coast and Nilgiris: Muhammadan): On a point of order, Sir. I have got a ruling here—it was given in 1938—where it was ruled that the names of those who are in favour should be recorded and their names have been recorded here. If there is any other ruling . . .

Mr. President (The Honourable Sir Abdur Rahim): I have considered the matter very carefully and I have laid down that names need not be recorded.

Sir Muhammad Yamin Khan: On a point of order, Sir . . .

Mr. President (The Honourable Sir Abdur Rahim): I have given my ruling and there can be no more point of order.

Sir Muhammad Yamin Khan: My point is that the actual words given in the book are that the President will call for a division and will take the division. The words are:

"Votes may be taken by voices or division, and shall be taken by division if any member so desires. The President shall determine the method of taking votes by division."

So, what is left to the President is to take the votes in the usual manner. It gives no discretion to the President not to have the votes recorded.

Mr. President (The Honourable Sir Abdur Rahim): I considered all that long ago. Next amendment.

Maulvi Muhammad Abdul Ghani: Sir, I move:

"That in clause 16 of the Bill, in sub-clause (v) of clause (1) of Statute 3 in the proposed Schedule for the word 'five', the word 'seven' be substituted and after the words 'their own number' the following be added:

'of whom at least three shall be Muslims to be elected by the Muslim registered graduates from their own number'."

Sir, under sub-clause (v) the Court has to elect five members, of whom two shall be graduates of the University elected by the registered graduates from among their own number. I am raising by this amendment the number to be

elected by the Court from five to seven, and I am also prescribing that three Muslims should be elected by the Muslim registered graduates. Sir, I am not asking that any outsider should be brought in here. I am not suggesting that any man without education should be brought in. The only demand is that there should be a Muslim. Of what class? Of the graduate class and elected by the Muslim graduates. So, I submit it is not going too far and I hope my Honourable friend will accept this amendment, which only lays down the principle of election of educationists by registered educationists. I do not think the Government can grudge this to us. This is the way in which we claim representation on the Executive Council. It has already been pointed out several times that in Delhi there is 50 per cent. population of Muslims. So, our culture and religion must be safeguarded by Muslim graduates who come from our community. Such safeguards should not be grudged to us. There will be 22 Members in all in the Executive Council as per this amendment and out of this number we only want three for Muslims to be secured by election from among the Muslim graduates. Three Muslim graduates cannot do any harm at all, even if they intend to do so. Our only desire is they will have their say in the Executive Council regarding appointments, recognition and withdrawal of recognition, regarding advancement of Islamic culture and Islamic studies. This is a very modest demand and I hope the Government will accept this amendment and I hope the Government will not oppose it on the pretext of communalism. Here no question of communalism is involved. Our demand is based on nationalism pure and simple. I only want that we should be represented by one who is well conversant with educational matters and not by a layman. My Honourable friend has already accommodated the Members of this House by conceding their right to send in their representation. It is not certain that all of whom will be graduates. That is why I move this amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 16 of the Bill, in sub-clause (v) of clause (1) of Statute 3 in the proposed Schedule for the word 'five', the word 'seven' be substituted and after the words 'their own number' the following be added:

'of whom at least three shall be Muslims to be elected by the Muslim registered graduates from their own number'."

Mr. J. D. Tyson: Mr. President, the principle involved in this amendment is substantially the same as that in the last amendment, which was negatived. There is only a slight narrowing of the constituency from which it is proposed that the Members should be elected. Sir, I must oppose this motion.

Mr. Muhammad Nauman: Sir, I do not want to take much of the time of the House. Of course the amendment is a very simple one and probably it does not require very great arguments because similar arguments have been advanced in this country on those lines for over forty years. The same arguments which were advanced before the Joint Parliamentary Committee and during other Round Table Conferences hold good here also. We should have our own constituency where the Muslims should have right to return Muslim candidates. The same force of arguments applies here also. We say that the Muslim graduates should form a constituency of their own through which the Muslim Members of the Court will be returned to the extent of three out of seven, in this particular case. As my Honourable friend Maulvi Muhammad Abdul Ghani pointed out, even in that case where the total number comes to 22 our position at best would be only three out of 22. Of course the Government bring forward their own arguments against this amendment. The Government are in the habit of changing their positions according to circumstances or as suits them. They have accepted this principle of separate representation for Muslims in political organisations and everywhere else, they have accepted the principle that the Muslims are a separate nation. I cannot therefore imagine why the Government should apply this principle only where they think they can apply and not apply it always and in all other organisations. I do not know why the Government should not be guided by the same principle and apply the same to the University organisation as well. We, Muslims, have

[Mr. Muhammad Nauman.]

made it definitely clear that the education of this country and particularly in the area where we form 50 per cent. of the population must reflect our own culture and position. There is no possibility of any safeguard being secured in that direction unless the Muslims are given due representation and through Muslim constituency. What I mean is that unless the representatives are sent with that mentality of which the population happens to be composed at the moment, the Muslim interests will not be safeguarded. That is the only argument which I have to place before the House. I know the Government are adamant in the position they have taken up in this Bill and we are also trying to make our position definitely clear before this House, before the country and before the world at large that we have tried our level best to ventilate the grievances of our community, and of our nation. We have made it abundantly clear to the Government that they are doing something for which they will have to repent in future. They cannot go on blowing hot and cold, arguing on the same lines but differing decisions to suit whims. Once the Government concede that we should have separate existence, that we should come to this House through separate electorates, through separate voting and when we have also consented to this course in this House I do not understand why the Government should adopt a different principle altogether in respect of the University Bill. My Honourable friend Mr. Tyson said that the same principle is involved in this amendment as in the one which was negatived only a few minutes ago. I quite understand that. But he must realise from the way in which we are pressing

our point of view that we wish to make it definitely clear to this Government that we cannot accept any position other than we have taken. Sir, I support the motion.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 16 of the Bill, in sub-clause (v) of clause (1) of Statute 3 in the proposed Schedule for the word 'five', the word 'seven' be substituted and after the words 'their own number' the following be added:

'of whom at least three shall be Muslims to be elected by the Muslim registered graduates from their own number'."

The motion was negatived.

Mr. Lalchand Navarai: Sir, I move:

"That in clause 16 of the Bill, in sub-clause (vi) of clause (1) of Statute 3, in the proposed Schedule for the word 'two' the word 'four' be substituted and after the words 'elected by the Academic Council' the words 'of whom two shall be Professors of the University (salaried and honorary)' be inserted."

The present Bill provides for two members of the Academic Council to be elected by the Academic Council. My object in proposing four is that the Professors of the university should not be excluded and they should have two seats. They are interested in education and therefore they should have representation on the Executive Council. I do not want to say much on this because my Leader has put in a dissent on this and I agree with his remarks. Sir, I submit that this amendment should be accepted and I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 16 of the Bill, in sub-clause (vi) of clause (1) of Statute 3, in the proposed Schedule for the word 'two' the word 'four' be substituted and after the words 'elected by the Academic Council' the words 'of whom two shall be Professors of the University (salaried and honorary)' be inserted."

Mr. J. P. Sargent (Government of India: Nominated Official): Sir, quite a long time ago now, it seems to me, the discussion on this Bill left the educational field and ascended into regions where I am neither competent nor disposed to follow it. I may, perhaps, therefore, be allowed to welcome it back again to what is a strictly educational consideration. It may appear to Members of this House that the amendment under consideration is very much the same as the proposal contained in the Bill as amended by the Select Committee. But in actual fact there is rather an important difference. It is true that under the amendment two Professors would be added to the Executive Council but they would be elected by members of the Academic Council. Our proposal was

that the Professors should be elected by their own body; and for this reason. The Executive Council, as defined by the Act and as I suppose accepted by common sense, is the executive body of the university, and it is desirable that as many interests as possible should be represented upon it. It is conceivable that the Professors as a class may have a point of view to put forward which may not be that of any other interest represented on the Executive Council. I can conceive that a Professor who is responsible for his department might be anxious to see changes effected in its organisation or administration or in regard to its standards which might not possibly be the same as those desired by teachers engaged in the department who might be members of the Academic Council. And we feel therefore that the Professors would be free to give impartial advice as Professors to the Executive Council if they depended for their election on their own class rather than if they had, should such occasions of difference arise, to depend on the suffrages of teachers possibly members of their own department, who are in the Academic Council. That I think is a point of practical administrative efficiency. It is quite true, as my Honourable friend Dr. Banerjea pointed out on a previous occasion, that the number of Professors at the moment in the University is small, not more than five, and I think he has described that as a rotten pocket-borough. No one regrets more than I do that after 20 years of life the University of Delhi only possesses five Professors, and these are of very recent creation. If we are put in a position by this House to proceed with the present reorganization scheme, I know—I can say this from my knowledge of the working of the University—that it is the intention of the University very rapidly to increase the number of professors, so that before long the electorate, I hope, will ascend to what may be regarded as a respectable sort of electorate. Consequently, without taking more time of this House, we feel very strongly that the professors should be represented in the chief executive body of the University by people capable and free to speak and to represent the views of the professorial class only and, therefore, although the difference may apparently be small, I regret we are unable to accept this amendment.

Dr. P. N. Banerjea: Sir, in supporting the amendment moved by my Honourable friend, Mr. Lalchand Navalrai, I have only a few brief observations to make.

Sir, my Honourable friend, Mr. Sargent, has pointed out that the Professors may have interests different from those of the other teachers of the University. I fail to follow him in this line of argument. The interests of the professors must be of an academic character and so also the interests of the teachers. Therefore, to my mind there is an identity of interest and not a separation of interests between these two bodies.

Besides, Sir, wholesome working of the University will be possible if only the Professors are regarded as the leaders of the whole body of teachers and for that purpose the Professors should be elected by the Academic Council and not by a small coterie which on a previous occasion I described as a 'pocket borough'. Fancy a body of five persons, of whom three only are salaried, electing two out of their own number. This is not a regular sort of election. It is a very undesirable sort of election. It will not help the maintenance of an academic atmosphere in the Delhi University if you insist that these Professors should be returned by a small coterie instead of by a substantial body of members such as the Academic Council.

There is also another point of view which I may place before this House, and that is that the professors and teachers must work together. Professors will be the heads of the departments, as has been pointed out by my Honourable friend Mr. Sargent; but because they will be heads of the departments they should not work in an autocratic manner. If they are allowed to work in an autocratic manner, that will vitiate the whole atmosphere of this University. I want that there should be a pure atmosphere in the University of Delhi, and therefore I support the amendment which has been moved by my Honourable

[Dr. P. N. Banerjea.]

friend. I am very sorry that the Government on this occasion has not seen eye to eye with us and have not been able to accept this amendment; but I hope that the course of discussion on this subject will enable them to change their mind and they will accept this amendment.

Nawabzada Muhammad Liaquat Ali Khan: Sir, my Honourable friend, Mr. Sargent, kept out of the affray when communal matters were under discussion but when the representation of professional interests was brought forward he came out boldly to defend the interests of the 'professionals' in the University.

Sir, the amendment that has been moved by my Honourable friend, Mr. Lalchand Navalrai, is one which on principle I do not think, the Government could take any objection to unless the intention of the Government is to create different classes amongst the teachers of the University, and to create a differentiation of interest between that of professors and others who carry on the work of education in the University. My Honourable friend the Educational Adviser, as I was listening to him, would have been a very good champion of the proposition which we had put forward. He wants that every interest should adequately be represented in the Executive Council of the University. If I could only convince him that there is such a thing in India as 'Muslim interest' he probably would have supported our cause much more vehemently than what he is doing in defending the case of the professors, because I can assure him that the interests of Mussalmans are much more important for the advancement of education in India than the safeguarding of the interests of a few professors in the University.

Sir, as has been pointed out, there are only five professors so far and the Government are providing representation for them with weightage which is unheard of anywhere. Five persons are to elect two representatives to the Executive Council. I do not know if my Honourable friend the Education Secretary can give us any instance from any of the other Universities where such a provision exists. I am not aware of one. Here, what the amendment proposes is that as the professors are really connected with the academic side of the University, their election should be by the Academic Council. My Honourable friend, Mr. Navalrai, objects to reservation of seats for the Mussalmans but he does not object to reservation of seats for professors

Mr. Lalchand Navalrai: That is not communal.

Nawabzada Muhammad Liaquat Ali Khan: I can only say that it is worse than communal. It is that you are giving representation to a class of people whose interests are more intimately connected with the University inasmuch as their jobs depend on the sweet will of the executive. This is much worse than giving representation to independent people who will not be looking to the man who happens to be at the helm of affairs of the University for retaining his position in the University. However, it seems to me that the Government have made up their mind. They are not open to any arguments. Their mind is like a closed book which is moth-eaten, and therefore it does not seem to me to be any use trying to convince them and when I take part in this debate and when I shall do so later on it will not be in the hope or with the object of converting the Government to our point of view. But it will be, because I feel that if we gave expression to our views, then at least as far as we are concerned, we will not be held responsible for any mishaps that might happen later on in the administration of the University of Delhi. I support the amendment that has been moved by my Honourable friend, Mr. Navalrai. If the Professors have to be given a separate representation, if their interest is considered separate from that of the other teachers of the University, then I think that the method which is suggested in this amendment is less harmful than the method which is proposed by the Government, namely, that five persons should elect two representatives to the Executive Council. I support the amendment that has been moved.

Rao Bahadur N. Siva Raj: Mr. President, I am not quite so sure if my friend, the Mover of the amendment, Mr. Lalchand Navalrai, or Dr. Banerjea,

has cleared the position. It seems to me that the object of this is to secure on the Executive Council the two points of view, which however much Dr. Banerjea may say are the same, are from my experience different, namely, the interests of the teachers and those of the Professors, and my fear is that by clubbing these amendments together the one interest which, at any rate, will suffer will be the interest of the teachers, and I am more or less certain that persons in the position of Professors will invariably be returned from the Academic Council. I think it would rather harm the smaller element in the teaching staff than do any good, and I hope my friend Mr. Lalchand Navalrai will not press his amendment.

Mr. Govind V. Deshmukh: If I am not mistaken the suggestion embodied in this amendment has been really approved by the University itself, and if I am right I cannot understand why any reasons have not been given to differ from the view put forward by the University. Another point is this. It has been said that the interests of the teachers and the interests of the Professors are different, they are conflicting. But nothing has been said as to why their interests differ. Why should they? Whether teachers or Professors, they are interested in promoting the education of the students who belong to this University—and there should not be any selfish interest—and if the sole intention of the Bill is to promote education, then I cannot understand why this amendment should not be accepted. As a matter of fact it may help the promoters of this Bill if they have in view the expanding of the circle of Professors.

In the light of these remarks, it would be advisable on the part of the Government to accept the amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That in clause 16 of the Bill, in sub-clause (vi) of clause (1) of Statute 3, in the proposed Schedule for the word ‘two’ the word ‘four’ be substituted and after the words ‘elected by the Academic Council’ the words ‘of whom two shall be Professors of the University (salaried and honorary)’ be inserted.”

The Assembly divided:

AYES—25.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Azhar Ali, Mr. Muhammad.
Banerjea, Dr. P. N.
Chattopadhyaya, Mr. Amarendra Nath.
Choudhury, Mr. Muhammad Hussain.
Dam, Mr. Ananga Mohan.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sather H.
Kailash Bihari Lall, Mr.
Kazmi, Qazi Muhammad Ahmad.
Lalchand Navalrai, Mr.
Liaquat Ali Khan, Nawabzada Muhammad.

Maitra, Pandit Lakshmi Kants.
Mangal Singh, Sardar.
Murtuza Sahib Bahadur, Maulvi Syed.
Nairang, Syed Ghulam Bhit.
Nauman, Mr. Muhammad.
Parma Nand, Bhai.
Raza Ali, Sir Syed.
Siddique Ali Khan, Nawab.
Umar Aly Shah, Mr.
Yamin Khan, Sir Muhammad.
Yusuf Abdoola Haroon, Seth.
Zafar Ali Khan, Maulana.

NOES—34.

Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ambedkar, The Honourable Dr. B. R.
Azizul Huque, The Honourable Sir M.
Bewoor, Sir Gurunath.
Chapman-Mortimer, Mr. T.
Chatterji, Mr. S. C.
Daga, Seth Sunder Lall.
Dalal, Mr. Sir Ratanji Dinshaw.
Dalpat Singh, Sadar Bahadur Captain.
Habibur-Rahman, Khan Bahadur Sheikh.
Haidar, Khan Bahadur Shamsuddin.
Imam, Mr. Saiyid Haidar.
Ismaiel Alikhan, Kunwer Hajee.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Khare, The Honourable Dr. N. B.
Mackeown, Mr. J. A.

Maxwell, The Honourable Sir Reginald.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Dewan Bahadur Sir A. Ramaswami.
Pai, Mr. A. V.
Piere Lall Kureel, Mr.
Raisman, The Honourable Sir Jeremy.
Ray, Mrs. Renuka.
Roy, The Honourable Sir Asoka.
Sargent, Mr. J. P.
Siva Raj, Rao Bahadur N.
Spear, Dr. T. G. P.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir
Thakur Singh, Major.
Trivedi, Mr. C. M.
Tyson, Mr. J. D.
Zaman, Mr. S. R.

The motion was negatived.

Syed Ghulam Bhik Nairang: Sir, I move:

"That in clause 16 of the Bill, to sub-clause (vi) of clause (1) of Statute 3 in the proposed Schedule the following be added at the end:

'of whom at least one shall be a Muslim'."

You will see that two members of the Academic Council elected by the Academic Council are to be members, under that sub-clause, of the Executive Council, and our object is that at least one of them shall be a Muslim. If they both happen to be, by some fortuitous combination of circumstances, Muslims, well and good; but if not, at least one of them shall be a Muslim. I do not think I need expatiate on that point at all. The reason which has prompted us to move this amendment, and many amendments of this kind, is obvious and has been stated again and again, and perhaps the House may have by this time got tired of our repeating the necessity for protecting the educational interests of Muslims in the Delhi University and also of listening to denunciations of what is looked upon as communalism in certain quarters of the House. I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 16 of the Bill, to sub-clause (vi) of clause (1) of Statute 3 in the proposed Schedule the following be added at the end:

'of whom at least one shall be a Muslim'."

Mr. J. D. Tyson: Sir, the principle of this amendment is the same as the principle of a number of amendments that have been discussed in the House and I have nothing to add to what I have said in respect of them. I cannot accept it.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 16 of the Bill, to sub-clause (vi) of clause (1) of Statute 3 in the proposed Schedule the following be added at the end:

'of whom at least one shall be a Muslim'."

The motion was negatived.

Mr. Lalchand Navalrai: Sir, I move:

"That in clause 16 of the Bill, for sub-clause (vii) of clause (1) of Statute 3, in the proposed Schedule the following sub-clause be substituted:

'(vii) two women co-opted by the Executive Council'."

This amendment is connected with amendment No. 21. The clause which I seek to substitute wants that two women shall be co-opted by the Executive Council. When I say that it has connection with the other amendment, I mean that we find at present four persons nominated by the Chancellor of whom at least two shall be women. My amendment seeks this. As the Bill now stands, the power is given to the Chancellor to appoint two women. We object to that nomination. We want that they should be co-opted by the Executive Council itself.

The Honourable Sir Sultan Ahmed: How can that come in under (vii)? The Honourable Member is arguing (viii). The Honourable Member wants to substitute (vii)?

Mr. Lalchand Navalrai: Yes. I want that they should be co-opted by the Executive Council and I do not want nomination by the Chancellor. My point is that the democratic way of election should take place rather than nomination. I do not think I should advance a long argument over it. I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 16 of the Bill, for sub-clause (vii) of clause (1) of Statute 3, in the proposed Schedule the following sub-clause be substituted:

'(vii) two women co-opted by the Executive Council'."

Mr. J. D. Tyson: The effect, Mr. President, of accepting this amendment will be that the present sub-clause (vii) will go out altogether and "two members to be appointed by the Professors of the University (salaried and honorary)

from their own number" will disappear. I do not know whether that is the intention of the Honourable Member. We certainly wish, as the House well knows, to have professors added to the Executive Council and I could not possibly accept an amendment which will have the effect of cutting them out altogether.

Dr. P. N. Banerjee: The most important point involved in this amendment is election of two women to the Executive Council by the method of co-optation. In the Statement of Objects and Reasons appended to the original Bill, we read that it was necessary to have some women on the Executive Council. I agree that there should be some women on the Executive Council in order that the educational interests of women may be promoted to a greater extent than they are now. But the question is: How are the women to be elected? The Government view is that these two women should be nominated by the Chancellor. I have on several occasions objected to this system on the ground that already the Government exercises a great deal of power over this university both directly and indirectly, and I am reluctant to give them further powers. If the Government proposal is accepted, then two more nominated persons will sit on the Executive Council and that will strengthen the Government block. But if the amendment of my Honourable friend is accepted; then women who are experienced in educational matters, who enjoy the confidence of the educational world, who possess courage and independence to express their views, will be elected by the Executive Council itself. Then there is the question, who is in a better position to decide as to proper sort of women to be associated with the work of the Executive Council? The Government's answer is Chancellor. I say, No. The Chancellor is not fully acquainted with the work of the Delhi University and to place this work of nomination in the hands of the Chancellor will merely mean that the power will be exercised by some person in the Education Department. To that I take the strongest objection. On the other hand, if we entrust this work of selection to the Executive Council, a better sort of persons will be able to come and help in the administration of the Delhi University. They will be able to show more courage and independence, they are likely to be better acquainted with the educational affairs of Delhi, and they will be able to work in greater cordial relations with the other members of the Executive Council than otherwise. On these grounds I support this amendment.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 16 of the Bill, for sub-clause (vii) of clause (1) of Statute 3, in the proposed Schedule the following sub-clause be substituted:

'(vii) two women co-opted by the Executive Council.'

The motion was negatived.

Syed Ghulam Bhik Nairang: Sir, I move:

"That in clause 16 of the Bill, in sub-clause (vii) of clause (1) of Statute 3, in the proposed Schedule for the word 'two' the word 'one' be substituted."

Mr. J. D. Tyson: To shorten discussion,—if my Honourable friend, in the interests of good grammar, will say, "two members" instead of "two" and "one member" instead of "one", I am prepared to accept the amendment.

Nawabzada Muhammad Liaquat Ali Khan: In the interests of good grammar we accept the correction.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 16 of the Bill, in sub-clause (vii) of clause (1) of Statute 3, in the proposed schedule for the words 'two members' the word 'one member' be substituted."

The motion was adopted.

Mr. H. A. Sathar H. Essak Sait: Sir, I move:

"That in clause 16 of the Bill, in clause (1) of Statute 3, in the proposed Schedule, after sub-clause (vii) the following new sub-clause be inserted and the existing sub-clause (viii) be re-numbered as (ix):

'(viii) Four persons to be elected by the members of the Court elected or appointed under sub-clause (xi) of clause (1) and clauses (4) and (6) of Statute 2.'

[Mr. H. A. Sathar H. Essak Sait.]

The House knows that we are still dealing with the constitution of the Executive Council. I hope Mr. Tyson will realise that this amendment has nothing of communalism connected with it, not that I fight shy of communalism. I have always fought for my community and I am proud to do so and I shall go on fighting for my community but so far as the present amendment is concerned, for Mr. Tyson's information I draw his attention to the fact that this is not communal at all. I suggest that four persons should be elected to the Executive Council out of those whom I have mentioned here and I will explain who they are. Sub-clause (x) of clause (1) of Statute 2 which we passed two days ago mentioned the two sadars of the Majalis-i-Aukaf. They are Muslims I cannot help it, but so far as clauses (4) and (6) of Statute 2 are concerned, the position is this. I read from those sub-clauses: 'Persons to be elected as Members of the Court by associations or other bodies approved in this behalf by the Chancellor'. I hope that nobody will accuse me of communalism here at all, because these are bodies which are to be approved by the Chancellor and as we have been defeated on this very often, this has nothing to do with Muslims or Muslim bodies.

Then comes clause (6) of statute 2. That reads 'Persons to be appointed by the Chancellor under clause (xv) of sub-section (1) of section 18 shall be fifteen' and who are to be appointed by the Chancellor? The attempt in this amendment is to get a few more people on the Executive Council which, as explained by my friend Syed Ghulam Bhik Nairang, is the most important of the three bodies that are going to be set up under this Bill. The idea is to have representative people who will look to the interests of their constituencies rather than follow the ukase of the Chancellor or the Vice-Chancellor or any man in authority. This is the attempt that is being made by this amendment and I hope Government will have no difficulty in accepting this amendment. I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 16 of the Bill, in clause (1) of Statute 3, in the proposed Schedule, after sub-clause (vii) the following new sub-clause be inserted and the existing sub-clause (viii) be re-numbered as (ix):

'(viii) Four persons to be elected by the members of the Court elected or appointed under sub-clause (xi) of clause (1) and clauses (4) and (6) of Statute 2.'

Mr. J. D. Tyson: This is a proposal to add four members to the Executive Council. Our feeling is that the Executive Council should be kept small. We hesitated for some time before suggesting any addition to it at all. We have proposed to add two women and we did propose to add two Professors but out of deference to the feeling of the House and also because we felt that this was already too large a body we have reconciled ourselves to having only one Professor. I am bound to say that we do not like this addition of four more people to the Executive Council. For one thing, we do not want to see too heavy a weightage from the Court in the Executive Council, which is an executive body and the Court is already fairly represented there: and absolutely, as has been said already, we do not wish to see the numbers increased. I am afraid I cannot accept this ingenious amendment.

Nawabzada Muhammad Liaquat Ali Khan: It is really very difficult to understand the logic of my Honourable friend the Education Secretary. When he could not find any other argument against the amendment which we have proposed, he has come forward with the argument that they do not like the idea of the Executive Council having a few more members on it. According to their scheme, there were to be 27 members of the Executive Council. The House has just now reduced the number by one in the case of the representation of professors. Therefore, it would only mean in actual fact an increase of 3 more members.

The other argument that has been advanced is that they do not like the representation of the Court to be more than what is provided here on the Executive Council. If my Honourable friend would study the composition of the Council, he would see that there are to be fourteen *ex-officio* members of this Council. There are 5 only out of 27 or 26, as it is now, who will be representatives of the Court. So, if you add these 4 more then out of 30, the representation of the Court on the Executive Council will be only 9. So, I do not

see that the Court is going to have an over-representation on the Executive Council. The argument that they do not like to give the Court a great representation on the Executive Council is not, I am afraid, very convincing. I could have understood if by our proposal the Court would have had even half of the members of the Executive Council. At the most, the representatives of the Court will be only 9 after adding these 4 more. Therefore, I am afraid I do not see the strength of the argument which has been advanced by my Honourable friend.

Sir, I do not want to hide it from this House as to why we have proposed this amendment. It is recognised that the Executive Council is the most powerful body in the whole scheme that has been placed before us. The Executive Council will, in fact, be the chief administrative and executive body of the University of Delhi. Certain interests which have been recognised by my Honourable friend, the Education Secretary, that they should be represented on the Court will not have a chance of being represented on the Executive Council. So, what is the use of your giving representation to those interests on the Court when they are not going to be represented on the Executive Council which, in fact, is the most important body of the University. By this method, we certainly intended that those interests which have not had a fair deal so far would be able to have a place on the Executive Council of the University. If my Honourable friend will look at the composition of the Court, he will find that the amendment says that 4 have to be elected by the members who are members of the Court under (1) (xi) and clauses (4) and (6) of Statute 2. Clause (xi), as has been pointed out by my Honourable friend the Mover, consists of the Sadars of the Majalis-i-Aukat. Then under clause (4) will be 12 representatives to be elected by the various associations which will be recognised by the Chancellor on the recommendation of the Court. Then, Sir, under clause (6) there will be 25 persons who would be nominated by the Chancellor to the Court. We were told when we were considering the question of the composition of the Court that by this method of increasing the number of representatives of the associations and increasing the number of persons to be nominated by the Chancellor the Government were really doing justice to the case of those who have not had a due share in the administration of the University and who were not fortunate enough to be represented on the various bodies of the University. Sir, you will remember, when the amendment was moved regarding the composition of the Court, I definitely stated that it was an eye-wash that the Government were coming forward with such an amendment. Everybody knows that under this new Bill of yours you have reduced the position of the Court to a nullity. It has no power now. All the powers have been taken away by the Statutes and have been entrusted to the Executive Council. So, what was the use of the Government coming forward and trying to deceive the world at large that they were really giving representation to the Mussalman and other minorities by moving their amendments. If you are not prepared to give any representation to these interests, about whom you yourself admit that they have not been represented fairly and justly on the various bodies of the University on the Executive Council, then I submit that it is a fraud—I use the word fraud deliberately—that you are practising on the people of this country. You are only showing to the world at large that you are very much interested in the welfare of the minorities when you really have not got the slightest regard for the interests of the minorities. If you really had any regard for the interests of the minorities, the justice of whose claims you have recognised

[Nawabzada Muhammad Liaquat Ali Khan.]

yourself, you would not have come forward and opposed this amendment. This is not a communal amendment in the sense that it gives representation to Mussalman or Scheduled castes or Christians as such. This is an amendment which is intended to give representation to all those interests that have so far not had a fair chance in the affairs of the University of Delhi. I submit that this hollow claim of the Government that they were genuinely interested in the minorities was really practising a kind of fraud on the people. As I have submitted, the Court has not got any power now. It is only a body that is there as a glorified assembly. All the powers have been taken away from the Court and they have been entrusted to the Executive Council. Unless these minorities have an effective representation on the Executive Council, their interests cannot be safeguarded. I am sorry that the Government have not seen fit to give representation to these interests, the justice of whose claims they recognise themselves, on the Executive Council and my Honourable friend has opposed an amendment which cannot by any stretch of language be classed amongst the communal amendments. I support the amendment that has been moved by my Honourable friend Mr. Essak Sait.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 18th August, 1948.