

21st August 1943

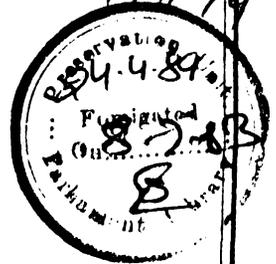
TO
THE LEGISLATIVE ASSEMBLY DEBATES

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.

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

Deputy President:

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

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

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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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Sardar SANT SINGH, M.L.A.

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

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LEGISLATIVE ASSEMBLY.

Saturday, 31st 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.

MOTIONS FOR ADJOURNMENT.

DEMOLITION OF A MOSQUE ON ASOKA ROAD, NEW DELHI.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion of adjournment from Maulvi Abdul Ghani who wants to discuss a definite matter of urgent public importance, namely, the demolition of a mosque in the premises of quarter No. 9, Asoka Road, by the Government officers and men of the Public Works Department.

When did this take place?

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): It was done about ten days ago but I got information about it only last night.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not the only person interested. If it is an urgent public matter it is for every one to take notice of it immediately. Why was no notice taken before?

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, it did not come to the notice of any Member of the House until yesterday, because it was done in one of the Government quarters.

Mr. President (The Honourable Sir Abdur Rahim): Then how did the Honourable Member come to know at all about it?

Sir Muhammad Yamin Khan: Some passers-by came and informed some Members and made a complaint.

Mr. President (The Honourable Sir Abdur Rahim): Have Government anything to say about this?

The Honourable Dr. B. E. Ambedkar (Labour Member): Sir, I have had no notice of this motion. Evidently my Honourable friend wrote a letter giving notice of this adjournment motion to the Department of Education, Health and Lands, which has been just now handed over to me.

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

The Honourable Dr. B. E. Ambedkar: I have made inquiries from my Department and I am told that they do not know of any such incident at all. As I said, I have not had sufficient time to make inquiries in the matter, and I have no reason to suppose that any such demolition has taken place. However, if my Honourable friend chooses to put a short notice question, I will make inquiries and let him have the information he wants.

Mr. President (The Honourable Sir Abdur Rahim): I think that will be the best course.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muhammadan): Then this motion can be held over.

Mr. President (The Honourable Sir Abdur Rahim): If a short notice question is put I will consider it later.

Sir Muhammad Yamin Khan: In any case the short notice question cannot be put today and can only be asked on Tuesday if the Assembly sits till then.

Mr. President (The Honourable Sir Abdur Rahim): Better ask a short notice question.

NON-RELEASE OF MAULANA HAFIZUL RAHMAN DETAINED IN MORADABAD JAIL.

Mr. President (The Honourable Sir Abdur Rahim): I have received another notice from Mr. Kazmi who wants to raise a definite matter of urgent public importance, namely, the non-release of Maulana Hafizul Rahman, Secretary, Jamiat-ul-Ulema-i-Hind, Delhi, who is detained in Moradabad jail under the

[Mr. President.]

Defence of India Rules in spite of his illness which has taken a serious turn for want of proper medical treatment.

Who is the authority to deal with this matter? Is it the Provincial Government or the Government of India?

Qazi Muhammad Ahmad Kasmi (Meerut Division: Muhammadan Rural): He was arrested under the Defence of India Rules at Delhi and I think it is the Government of India who are responsible. I have received a message from Moradabad that he is seriously ill.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I have no information about this case but if he was arrested in Delhi it is obvious that the arrest was made on warrant issued by the U. P. Government. It is for the Honourable Member to show that the warrant was issued by or on behalf of the Central Government before it becomes a matter which this Assembly can discuss. And from the fact that he is said to be detained in Moradabad jail it is clear that the proceedings have been taken by the Provincial Government and not by the Central Government.

Mr. President (The Honourable Sir Abdur Rahim): Then it is for the Provincial Government to deal with this matter?

The Honourable Sir Reginald Maxwell: Yes, Sir.

Qazi Muhammad Ahmad Kasmi: Is it not a fact that some persons who were arrested under warrants issued by the Central Government have been transferred to the provinces?

Mr. President (The Honourable Sir Abdur Rahim): But is the Honourable Member in a position to say that he was arrested under a warrant issued by the Government of India?

Qazi Muhammad Ahmad Kasmi: No, Sir, I am not sure of that.

Mr. President (The Honourable Sir Abdur Rahim): In that case the motion is not in order.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following message has been received from the Council of State:

"I am directed to inform you that the Council of State at its meeting held on the 20th August, 1943, agreed without any amendment to the Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability which was passed by the Legislative Assembly at its meeting held on the 13th August, 1943."

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

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I move:

"That in clause 16 of the Bill, after Statute 28 in the proposed Schedule the following new Statute be inserted and the subsequent Statutes be renumbered accordingly:

'29. The Executive Council may call for an explanation from every affiliated institution when its percentage of passes at the University examination falls below fifty per cent. of the students on roll and may disaffiliate it temporarily owing to three such successive results.'"

This is in connection with the lower percentage of passes. I have already spoken in connection with the compartmental system of examination and explained that there is much hardship caused to the students and the progress of education is hampered by unnecessary hardships of the examiners. The same question is going to be introduced here, namely, that the colleges teaching I.A., B.A. classes and upwards should be careful so that the percentage of passes may not fall below 50 per cent. of the total number of students.

There is much wastage in the educational institutions so far as education is concerned, and also there is wastage of money and energy. From the comparison of results of various examinations, I find that about 50 per cent. of the students get plucked at the university examinations and there should be some means to stop this. I do not think that the fault only lies with the students.

The causes of failure may be attributed to the teaching staff as well. If they take care to do their duty properly, I do not think the students who are attending colleges and devoting their energies should have any reason for failure. It is due to negligence on the part of the teaching staff that they get plucked. It may be said that the students are at fault also because they may be of inferior merit or their capacity for grasping the subject is not as much as it should be, but after all they go on passing in various tests held by class teachers and professors. If they pass once why do they get plucked at the university-examination? This shows that there is no question of inferiority of merit on their part. Sir, I think it is a very alarming thing that our future generation should be put in such a difficult position that they do not get success to the extent to which it is desirable.

I find from the report written by the Commissioner of Education with the Government of India that at the Matriculation and High School stage 1,26,004 male and female students appeared at the university examination all over India out of which 49,914 got plucked. These figures are given in the report for the year 1937 which is latest report available to us and I have only to be content myself with that information. In the year 1937 at the I.A., I.Sc. stage 35,485 appeared for the examination of which 16,956 got plucked. At the B.A. (Hons.), B.Sc., and B.A. pass examinations 20,908 students appeared out of which 8,920 got plucked. At the M.A. and M.Sc. examination 2,069 students appeared of which the number of students who failed was 786. So, at all the four University examination stages taken together 1,85,066 students appeared of whom 76,576 got plucked in one year.

Mr. President (The Honourable Sir Abdur Rahim): Was it in Delhi University?

Maulvi Muhammad Abdul Ghani: These figures include other universities also. I want to show that there is hardship all over India. . . .

Mr. President (The Honourable Sir Abdur Rahim): Some Universities may be more efficient than the others—I do not know. This Bill is with respect to the Delhi University and the Honourable Member should confine his remarks to that University.

Maulvi Muhammad Abdul Ghani: I was giving these figures by way of example to impress the House of the unnecessary hardships of the students. I have already said that in the Delhi University 506 students appeared for the B.A. examination and 270 passed. This shows that about 50 per cent students got plucked; a little over 50 per cent. passed. I want that at least this percentage should be maintained and there may not be any further deterioration in that. My amendment does not go beyond that. There is only one restriction, namely 50 per cent. of the boys on the roll should at least pass and not 50 per cent. of the boys who appear at the examination. If half the number of boys who are being taught do not get success, it would be a matter of great regret. I want to have a brake against the teaching staff so that they may not show any kind of negligence. If they fail to teach 50 per cent. of the students successfully, then I feel that their work needs scrutiny, and for this purpose I ask that the Statute should provide that; in case the percentage of passes at the University examination of any institution falls below fifty per cent. of the students on the roll, that institution shall have to explain the reasons for that low percentage. And if that low percentage continues for three successive years, the college may be disaffiliated for sometime—not for ever—as a precautionary measure. This will be a sufficient warning.

I think everybody in this House will agree with me that a wastage of 50 per cent. is more than enough, but we are prepared to tolerate it to that extent. In case, however, even 50 per cent. do not attain success, surely some examination of the teaching staff of the institutions concerned is necessary. Sir, I would have been the last man to press such a kind of thing but I am compelled by circumstances to move such an amendment. When I compare the result of the progress towards literacy I find that during the last twenty years it has risen up from 8.4 per cent. to 5.2 per cent., i.e., a percentage of 1.8 per cent.

[Maulvi Muhammad Abdul Ghani.]

only. This is the percentage of all the institutions whether recognised or unrecognised from the alphabet class to the highest class, i.e., percentage of all pupils in all institutions to the total population.

Mr. President (The Honourable Sir Abdur Rahim): The figure of literacy?

Maulvi Muhammad Abdul Ghani: Yes. That is the thing that vexes our mind. When the progress of education is going on so slowly, then certainly it is the duty of the representatives of the nation that they should come to the rescue of future generations. So it is an alarming thing that during the course of twenty years, progress is very slow.

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

Maulvi Muhammad Abdul Ghani: I am simply emphasizing it.

Mr. President (The Honourable Sir Abdur Rahim): You need not repeat all that. The question of percentage of literacy does not really come in.

Maulvi Muhammad Abdul Ghani: Then what are the causes?

Mr. President (The Honourable Sir Abdur Rahim): That is a very wide question which cannot be dealt with during the debate on the Delhi University Bill.

Maulvi Muhammad Abdul Ghani: If such is the case then it is useless and sheer waste of time on my part.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot deal with those matters in this Bill.

Maulvi Muhammad Abdul Ghani: Sir, in my opinion I am perfectly justified in putting all these arguments.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must accept my ruling.

Maulvi Muhammad Abdul Ghani: Am I always to be guided by a wrong ruling?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member must withdraw those words.

Maulvi Muhammad Abdul Ghani: What portion?

Mr. President (The Honourable Sir Abdur Rahim): That I have always been giving wrong rulings. You must withdraw those words unconditionally.

Maulvi Muhammad Abdul Ghani: I withdraw.

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

"That in clause 16 of the Bill, after Statute 28 in the proposed Schedule the following new Statute be inserted and the subsequent Statutes be renumbered accordingly:

'29. The Executive Council may call for an explanation from every affiliated institution when its percentage of passes at the University examination falls below fifty per cent. of the students on roll and may disaffiliate it temporarily owing to three such successive results.'"

Mr. J. P. Sargent (Government of India: Nominated Official): Sir, I am afraid that if or when a regrettable event like that referred to in this amendment occurs, the remedy proposed in the amendment is not likely to remove it or remedy it. As the Honourable the Mover himself has pointed out, such an unfortunate examination result may be due to one or all of three causes: (a) the examination system may be at fault (b) the students may be at fault and (c) the teachers may be at fault.

With regard to the first issue, which we have already discussed in this House, I have informed the Honourable Member and the House generally that the question of examinations is at the moment under examination by an expert committee of the Central Advisory Board, and I can only hope that any recommendations which they may make and the universities of this country may adopt, will put examinations on a sounder foundation than they are at the moment.

With regard to the other two categories, disaffiliation in my opinion is a step which should only be taken after serious consideration, and obviously disaffiliation of a college by the University is extremely likely to be followed

by the loss of Government grant. Now is it likely that if your students are not of the right kind students of a better kind would join a disaffiliated college? I think they will not. Similarly, if the finances of the college are adversely affected by disaffiliation and its possible consequences, it also seems to me very unlikely that the college will be in a position to improve the quality of its teaching.

I would therefore suggest that if such an event as this should occur, it would be much better for the Academic Council, as it is empowered to do, to institute a Commission of Enquiry into the college and to discuss the results of the enquiry with the authorities of the college. It is hoped that such an enquiry would lead to suggestions which would remove the unfortunate consequences referred in this amendment. If, however, after full consideration and discussion the college refused to take such steps as in the opinion of the Commission of Enquiry and of the University authorities were necessary to remedy this state of affairs, then perhaps and then only should the question of disaffiliation arise.

I am afraid that I do not think the remedy proposed in this amendment will remove the difficulty referred to, and as such we are unable to accept it.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I have listened with care to the arguments advanced by Mr. Sargent on behalf of Government against this amendment. I suppose the Honourable Member does realise that what we have noticed is that the college authorities, the Professors and the Principals have become careless and are probably trying to count their services only in terms of money. It is for this reason that this amendment is moved. College staff should know that the primary object of their existence and the existence of the College is to educate students and bring out good numbers of capable men.

Sir, the Honourable Mr. Sargent has just said that failure may be due to the fault of the students. I agree. A certain number of students in a certain year may be bad. Even in the second year batch may not be very good. My friend Maulvi Abdul Ghani's amendment definitely says that if it has shown hopelessly miserable results for a continuous period of three years, then certainly the matter has to be viewed with alarm. Parents who send their children to the colleges believe that those Professors and authorities are giving a good account of themselves and are trying to impart to them the right education. There could be no reason to put the blame on the shoulders of students alone. If they find that a certain number of students are incorrigible, are not worth anything, or that they should not be maintained in the institution, well they may be perfectly justified in detaining them and not sending them up for the University examinations: besides, they can even compel them to go away and seek admission somewhere else.

The only idea of this amendment is to make the teachers and professors feel that they have a very great responsibility in educating their students. Recently we have noticed that the professors and teachers or readers and even the principals of the colleges have become absolutely careless and callous to the interests of the students at large. They only try to do their duty by giving a certain number of lectures in their classes without caring whether it has been clear or explicit to many of their students or not. Certainly no college can expect that the calibre of its students will be all one and the same. Certainly there may be students of lesser intellect or intelligence; but it is the duty of these professors and teachers to bring them up to proficiency, to give them proper education and justify the existence of college and these individuals. Unless there is something like that, unless the University makes them feel that if they are not able to give proper education to a good number of people, it is no use bringing out a result of 10 or 15 per cent. Probably, except in science subjects, 15 per cent. or 10 per cent. will pass any examination in arts without attending any lecture in any college whatever. What for does the college exist then? The only importance of this amendment is that it has to be engraved in the minds of the college authorities that the existence of the college and of their staff is for the benefit of the students and for no other purpose; and if

[Mr. Muhammad Nauman.]

they do not serve that purpose they forfeit their right to existence as such, and that college should be disaffiliated. I quite agree that a certain commission of inquiry may be started; the university may take certain steps in the earlier stage; that can be done just as soon as for two consecutive years a certain college has shown a very bad result, unless the purpose of the university is to circumvent the number of passes and to create a situation where probably no college will be able to put up more than 50 per cent. result; I do not suppose Government has any business to refuse this amendment which probably has no tinge of that communal colour which they have been opposing tooth and nail from the day we have been putting amendments from these benches. I hope the Government will realise the importance and accept the amendment. With these few remarks I support the amendment.

Sir George Spence (Secretary, Legislative Department): The question may now be put.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I just wish to make a few observations in connection with this amendment; nobody should live in hopes after the statement made by the Honourable Member in charge of this Bill that this amendment is likely to get any support from the Government. But I certainly would like to congratulate the Mover of this amendment on the good motive with which he has brought up this amendment. There can be no two opinions about that, and whatever may be said about the nature of the penalty provided in this amendment, there certainly can be no two opinions regarding the motive and the intentions of the Mover of this amendment. If we wish to have progress in this educational institution or if we wish that a particular thing should be done in ordinary life, what we do is this—it is common sense—either you provide an incentive to a person if you want a thing to be done or to an institution if you wish a thing to be achieved; or else you provide a penalty. If the person does not do a particular thing he shall be punished, or if an institution does not attain or achieve a particular thing, it shall be punished. So, either of these two things have to be provided, if a person wishes to bring about a particular result in the case of individuals or in the case of institutions. It must be either an incentive or a reward, or a fear of punishment. Now, all that this particular amendment provides is punishment, and we have not heard that there is a strong incentive provided anywhere in the Bill which will make the colleges vigilant in achieving a particular result that has been contemplated in this amendment. The amendment expects a greater result than 50 per cent. I would be quite satisfied if I was pointed out that there are certain provisions which would act as a stimulus to the colleges to bring about this result—a nice efficient education, a nice standard in the college. Then I would certainly have been satisfied. Failing this incentive, the only thing is punishment. The punishment may be hard and harsh—I do not say it is not; but let me say this, that the Mover does not say that if there is this particular result for three years—that is, below 50 per cent.—that automatically the college should be disaffiliated. He says an explanation should be called for; and if, as what my friend, Mr. Sargent, said, there is this advisory board which will go into the matter, then this explanation that will be called for will help. It is not the intention of the Mover that when the result is below 50 per cent. for three years, you should disaffiliate; he says an explanation may be called for and that college may be disaffiliated; in other words if the explanation is satisfactory to you that the students are of an inferior type or that the system of examination is bad, then certainly it is not necessary that you should disaffiliate the college. But this does contemplate one thing, that the teaching staff shall be efficient, that the men engaged would be efficient men and that certainly means that the teaching staff should be well paid. You cannot have efficient staff on low pay; and if any college has got to provide a good efficient staff, then it has to exert every means; it has to collect funds, may be from individuals or may be from the public, or from the Government. In other words, I think the amendment seems a very modest thing; in my opinion the demand is very modest; all that you need do is to ask for an

explanation. Affiliation and disaffiliation rests with you; you may or may not do it. It is not compulsory on you to disaffiliate.

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Sir, I will not take up much of the time of the House. So far as I know, when we were undergoing college course and also under the present Act, selection examination was held before any candidate went up for the university examination. It is called test examination or selection examination. So far as the Madras Presidency is concerned, it is called selection examination. After passing the selection examination, students are selected or rather permitted to appear for the university examination. So, I do not see any justification as to why there should be so many failures in the university course. That is why this amendment has been moved by my Honourable friend Maulvi Abdul Ghani Sahib and supported by other speakers who have made out, as the House is aware, a very good case in favour of this amendment. Government is not going to lose anything. On the other hand, it will add to the efficiency and capability of the students that come out successful in the examination. The professors and teachers will apply themselves whole-heartedly to their duties which they are now wanting in a majority of cases. That is why this amendment has been moved and I commend it to the acceptance of the House.

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

"That in clause 16 of the Bill, after Statute 28 in the proposed Schedule the following new Statute be inserted and the subsequent Statutes be renumbered accordingly:

'29. The Executive Council may call for an explanation from every affiliated institution when its percentage of passes at the University examination falls below fifty per cent. of the students on roll and may disaffiliate it temporarily owing to three such successive results.'

The motion was negatived.

Seth Yusuf Abdoola Haroon (Sind: Muhammadan Rural): Sir, I move:

"That in clause 16 of the Bill, in clause (5) of Statute 29 in the proposed Schedule for the figure '8' the figures '6½' be substituted."

I am sure the Government will realise that the figure of 8 per cent. is a bit too high, looking at it from the point of view of the present circumstances. When the war is going on and everything is very expensive, you cannot expect an employee to subscribe such a high amount to his provident fund. Government might say that this is an emergency, and after that everything will be normal, and therefore the rate must be maintained at 8 per cent. My point is that people who will contribute to this provident fund belong to a class of people who are supposed to be intelligent, and if they want to save, they can do so themselves. I do not know how the Honourable Member has arrived at this figure of 8 per cent., and I am sure that no other university has such a high rate. Again, if you are going to get from a subscriber 8 per cent. then naturally the university has also to pay, as in the next clause, 12 per cent. of their salary, which I think is too much. I have given notice of an amendment to the next clause also which I shall move after this is disposed of.

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

"That in clause 16 of the Bill, in clause (5) of Statute 29 in the proposed Schedule for the figure '8' the figures '6½' be substituted."

Mr. J. P. Sargent: I do not know whether I can perhaps partially remove the Honourable the Mover's difficulties if I tell him that this question of provident funds both for permanent and temporary employees of the university has been under close and careful consideration for some time past by a representative committee of the University, and the University has actually framed a statute to take the place of the statute which is now under discussion. Unfortunately, when that statute was submitted, it contained one or two features which we thought were not desirable and we have sent it back for reconsideration by the University in those respects. They do not affect the rates of contribution either by the employees of the University or by the University as employer. Actually the proposals in regard to those are to reduce the contribution on both sides to eight per cent. That—I have made some enquiry—is the general figure obtaining in all institutions in this country of higher education and of university rank. In Government service, as Members will be aware, the rate is 6½ per cent. on

[Mr. J. P. Sargent.]

both sides, but I think there is a perfectly sound and fair reason for making the contribution on both sides higher in the case of university institutions, and that is that commonly, and particularly in the case of the senior ranks of university teaching, the teacher joins at a later age than he joins Government service, and consequently, if he is to obtain a substantial benefit from his contributory provident fund when he retires, it is desirable that the rates of contribution should be rather high. I know several institutions which in fixing it at 8 per cent., have had that fact specifically in mind and I have no doubt that it is the common factor that has determined this contribution. I can, therefore, assure my Honourable friend, the Mover of this amendment, that, as soon as the two or three points to which we felt it necessary to call the attention of the University have been reconsidered, a new statute in regard to provident fund will be substituted in place of the one which now finds a place in the Bill. For that reason, I hope that the amendment will not be pressed.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): This is a very essential point in the life of any employee of the University as well as any other institution, because I have always preferred a provident fund to pension. Those people who are entitled to get pension are sometimes very hard hit and the people who get provident fund are much better off than those people who get the pension. If a person who is entitled to pension dies in service, his family does not get any benefit at all but if a man has been contributing to the provident fund, he gets the amount on retirement or if he dies earlier, his family gets the benefit. It is always in the interest of those employees of the Government, or whatever the nature of the employer, that the provident fund should be encouraged instead of pensions and the bigger the sum at the disposal of the man when he retires from the service the better it is for him. I think a man when he retires, if he would not get any pension, must live properly and he must have sufficient amount at his disposal which can give him at least the kind of life to which he has been accustomed and I would not like that the Government share, which the Government and the colleges propose should be fixed at 12 per cent., should be reduced in any shape whatever. That must continue to be 12 per cent. but here the question is what should be the contribution of the employee himself. I think the employee has to look to two different requirements. His requirements are two-fold. One is his requirement after he retires and another requirement will come if he is in necessity of money before he retires. Your rules of provident fund do not allow you to advance more than a certain amount to the employee when he is in service. No amount can be advanced to him which exceeds, I forget, two years' or one year's salary, which he has got to pay back in 24 instalments. That certainly hits him very hard, because the amount which is left at his disposal is very very short and he cannot live. I have come across such cases in many institutions and I found that the employees were very reluctant to contribute a larger sum from their own salary. If we have to safeguard the interest of the employees only, then I think the best method is to encourage them to get their lives insured or to make them invest some money in such Government securities which may be available to them when a necessity arises, like the savings bank deposit or the post office cash certificates or something like that which may bring in good interest as well as be handy when the requirement comes. You cannot allow a man to have some money out of the provident fund when he wants to build a house. You can only allow a man if he has to marry his daughter. There may be many instances when a man requires money and I think 6½ per cent. is a very reasonable amount which a man may be asked forcibly to contribute, which he cannot touch until he retires or dies. He gets the benefit of it when he retires or his family gets the benefit if he dies during service. I think 6½ per cent. is more than enough and the rest, if he wants to invest it, may be invested in such Government securities as may be easily converted into cash money when the requirement comes but as far as the contribution from the employer goes I think it will be hard if that is reduced below 12 per cent. The employees who enter the Educational Service are usually of an advanced age, as my friend

Mr. Sargent pointed out. The Education Department sometimes engage people who are more than 35 or 40. At that age, a man is a very useful teacher, while, in the Government service you cannot take a man who is more than 25 ordinarily. The teacher loses 15 years in that case. I think ordinarily this sum is reasonable and we must not force him to contribute more than one anna in the rupee. I am glad that Mr. Sargent has said that he will reconsider the matter when the statutes come back to him. My only reason for speaking now is that he may be in possession of my views on this subject, when the occasion comes.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): I just want to put one question to the Educational Adviser. The provident fund in this statute refers to the teachers and other officers and staff of the University. It does not refer to teachers and others employed by the colleges.

Mr. J. P. Sargent: I understood that the Committee contained representatives of the colleges; as the colleges are also themselves required to maintain a provident fund. As this figure was agreed to by them, the same thing would, I imagine, apply to the colleges as to the University teachers. As the Honourable Member knows, it is our desire that the University and college teachers should be treated in future as far as possible on the same level and I should certainly hope that any fund which commended itself in the case of the University teachers will also be adopted by the colleges.

Maulvi Muhammad Abdul Ghani: There are two considerations with which this amendment has been moved. One is the difficulty in calculation. If you put the figure at 8 per cent., it is very difficult to calculate whereas if you put it at 6½ per cent., the deduction is at the rate of one anna per rupee. Here the calculation is easy. Then, there is another aspect. We have just shown that the Delhi University is not very well off so far as the growth of education is concerned. I have just pointed out that in the year 1937 out of 508 students who appeared at the various examinations under the Delhi University only 270 came out successful. So, it is not a very good result and so long as this state of affairs continues, I do not think the Professors deserve any consideration at the hands of the University. Therefore, this amendment has been moved with the object that if the subscription will be less the contribution on behalf of the University will also be less. Besides, this is not a permanent thing. The statutes are always subject to alteration at the hands of the Court. So, they can be changed at any moment if the University or the Court so decide.

Sir, it has been pointed out by the Educational Commissioner that the matter is under the consideration of the University. So, for the time the matter is under consideration, this amendment can very well be accepted without any difficulty. I support the amendment.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, my Honourable friend Mr. Sargent says that this matter is under consideration. That is quite all right. But my personal opinion is that the rate of contribution of the teacher should not be reduced. My Honourable friend Mr. Nauman said a few minutes ago that teachers are all intelligent persons. That may be so. But they are not always wise with regard to the handling of their financial resources. This I know to my own cost. I, therefore, suggest that this amount of contribution should not be reduced, because it is a form of insurance. Indeed, very few of us are able to forecast the future. Of course, if there are other difficulties, they should be removed, but the rate of contribution which is payable by a contributor should not be reduced. That is my definite opinion.

An Honourable Member: 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 now is:

"That in clause 16 of the Bill, in clause (g) of Statute 29 in the proposed Schedule for the figure '8' the figures '6½' be substituted."

The motion was negatived.

Maulvi Muhammad Abdul Ghani: Sir, I move:

"That in clause 16 of the Bill, in clause (g) of Statute 29 in the proposed Schedule for the figures '12' the figures '6½' be substituted."

This concerns the contribution to be made by the University to the fund which has already been subscribed. Now, the same difficulty here also arises, namely, the difficulty of calculation. It should have been either raised to 12½ per cent. or reduced to 6½ per cent. In the former case, it would have meant that the contribution made on behalf of the University would amount to 2 annas per rupee. But that is not the case here. So, I want that a similar contribution should be made on behalf of the University also. Besides, if the employee has done good service, there is ample opportunity for him to be compensated. If a person has done good work up to the time of his retirement, he can be benefited by the payment of a gratuity. This system may be introduced here. That will be an encouragement for doing good work and the student community will also be benefited by that kind of thing. I, therefore, move that the figure '12' be reduced to '6½' so that there may be an easy method of calculation and there may not be any further burden on the University funds.

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

"That in clause 16 of the Bill, in clause (g) of Statute 29 in the proposed Schedule for the figures '12' the figures '6½' be substituted."

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, my Honourable friend Mr. Sargent has already explained that this whole statute is under consideration by the University and that one of the changes which they themselves have in view is the reduction of the University's contribution to the same level as the contribution of the contributor. The contribution of the contributor is 8 per cent. and that is the level to which the University themselves propose to reduce their own contribution. I do not think that my friend who moved this amendment, had he been able to change his amendment at the last moment, would have wished the University to contribute less than the contributor himself. (*An Honourable Member*: "He said 12½"). He mentioned 12½ for some arithmetical reason, but his amendment is 6½. So far as the arithmetical difficulty goes, I suppose with the aid of slide-rules and such things the calculation can be made at 8 per cent. or even 12 per cent!

I would only say finally that we are glad from this side to have had in advance the support of my Honourable friend Sir Muhammad Yamin Khan, who on the last amendment, the House will recall, was very emphatic that while the contribution of the subscriber should appropriately be cut down from 8 to 6½, he would very strongly oppose any suggestion that the University should pay less than 12. We propose to let 12 stand until the University makes its own statute which, we understand, is going to reduce it to 8.

Dr. P. N. Banerjee: Sir, I strongly, oppose this amendment. Whatever may be the contribution of the teacher, the contribution of the University should not be reduced. It will be impossible for the University to secure the services of properly qualified persons if the rate of contribution is reduced, and what is needed most at the present moment is to get the services of the best qualified men. Therefore, Sir, I think this amendment is somewhat ill conceived and it should not be accepted by the Government. My Honourable friend Mr. Tyson says that the University is already considering the question of reducing the rate of its contribution. I think that would be a most reactionary step. The rate of contribution by the teacher may be raised to some extent, if necessary, but in no case should the rate of contribution of the University be reduced.

Mr. M. Ghiasuddin (Punjab: Landholders): Sir, those of us who had the privilege of serving on the Select Committee on this Bill know that we received a lot of applications and representations from the members of the staff that they were being ill paid, and certain colleges were specially pointed out who could be considered to be getting sweated labour out of the staff.

Nawabzada Muhammad Diaquat Ali Khan: I hope my Honourable friend will give the names of those Colleges. He should not cast a general reflection like that.

Mr. M. Ghiasuddin: It is a very delicate thing. If the House insists, I will mention the name.

Mr. President (The Honourable Sir Abdur Rahim): The House is not interested in the name.

Mr. M. Ghiasuddin: I say some of the colleges. I do not say all the colleges. In fact, there is only one particular college which I have in mind. Their staff are very much dissatisfied owing to the meagre pay they are getting. Therefore I am surprised at Mr. Tyson, who was a very important member of the Select Committee and who must have seen these pamphlets and representations, being so ready to accept the amendment—rather not to accept the amendment but to give his sympathetic consideration, to it. Sir, the past experience of the last eight days has shown that Mr. Tyson has not been very sympathetic towards the amendments moved by this side of the House. When one amendment is brought, which I do not think has the general support of the members of the Party to which my Honourable friend belongs, suddenly my Honourable friend Mr. Tyson jumps at it and says that the University is already sympathetically considering this amendment. I wish he had shown the same generosity towards some other amendments that have been moved from this side of the House. Therefore, Sir, on behalf of my Party and myself I strongly oppose this amendment. I am sure on second thought my Honourable friend will be prevailed upon to withdraw his amendment. Therefore, Sir, I hope the House will not accept the amendment but will come to the aid of the already meagrely paid staff of the University.

Maulvi Muhammad Abdul Ghani: Sir, I beg leave to withdraw the amendment.

The amendment was, by leave of the Assembly, withdrawn.

Maulvi Muhammad Abdul Ghani: Sir, I move:

"That in clause 16 of the Bill, in sub-clause (ii) of clause (3) of Statute 32 in the proposed Schedule all the words occurring after the words 'Provident Fund' be omitted."

The clause says that a person who is appointed on probation is eligible to subscribe to the provident fund, but in case his services terminate before his confirmation, he is not entitled to receive any portion of the contribution made by the University. I am moving this amendment in the interest of the persons who subscribe to the provident fund before their confirmation. The University also makes contribution towards the provident fund before the man's confirmation. Now, here the Statute says that if his services are terminated before confirmation, the poor fellow will not be able to get the benefit of the contribution from the University which it has already made. This is a very harsh order. When the employee commenced to subscribe to the provident fund he used to do it at some inconvenience to him no doubt. He however did so contribute with some hope of benefit later on. If in these days of economic distress a man contributes to the provident fund, he should not be deprived of the benefits which the University offered. It is unfair that after a certain period it is laid down that he shall not get the benefit of the contribution made by the University. This is very harsh indeed. It sometimes happens that some of the teachers or professors give a written undertaking that they will serve for a certain period. They cannot go anywhere else. They sacrifice all better chances. In case they get better offers in the meanwhile, they have to lose those offers. Here they stick on to the job in the hope that the University will give them some contribution to the provident fund. It will be very hard upon the poor teachers if such restrictions are placed upon the teachers. I hope my Honourable friend Mr. Tyson would be generous towards these poor employees and I hope the House will accept the amendment and remove this glaring injustice done to the poor teachers.

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

"That in clause 16 of the Bill, in sub-clause (ii) of clause (3) of Statute 32 in the proposed Schedule all the words occurring after the words 'Provident Fund' be omitted."

Mr. J. D. Tyson: Sir, the words objected to by my Honourable friend contain a provision which follows the usual practice in these matters. This is not a new provision in the Bill now before the House. It occurred in the first statutes, at any rate in the statutes as they were before this Bill was brought before the House. I think it is the usual thing in provident fund rules. There is no question of a man serving for years and years on probation in the University. At all events in the University, under the conditions of Grant, probation can only be for at most two years. There is no reason whatsoever why, if a man is not confirmed, the University should give him contribution for the period that he is serving on probation before and without confirmation. He takes his own money out of the fund and therefore he does not lose. I am afraid we cannot accept this amendment which would be quite a new thing under the provident fund rules.

Sir Muhammad Yamin Khan: Sir, I am not well convinced by the speech of my Honourable friend Mr. Tyson. I think it is a great hardship on the people whom you employ that they should be deprived of the benefit which they expect at the time of their appointment. Take the instance of a man being employed on research work. Supposing the university thinks that research work will go on for many years and this will be a permanent post but afterwards they find that they have not got enough funds to make the post permanent and they terminate his services. What happens in such a case? Under the Statute which is now proposed to be enacted no benefit will be given in such a case because the people who administer the law cannot go against the law, specially in matters of finance. Sir, provident fund rules are the same everywhere, and in municipal boards I have seen that when a man has served for a number of years and he is not made permanent, he receives the contributions made by him to the provident fund as well as the contributions made by the municipality. But if a university teacher or professor is appointed for a specific purpose and is not confirmed on account of certain circumstances, I do not see why he should not get the benefit of the rule. Of course it may be provided that he will lose the benefit of the provident fund in special cases, *e.g.*, for misbehaviour, inefficiency, indiscipline and so on; but if you go on contributing to his provident fund for a number of years of which he hopes to get the benefit, and then terminate his services for no fault of his own and on account of circumstances over which he has no control, he should not be deprived of the benefit of this contribution. I therefore do not think the statute is happily worded or conveys the idea which my Honourable friend originally had in mind, and I think it is a great hardship. As you are making a statute which can be later modified, I think these words should be deleted at present; but if you want to amend it later you can do so in the light of similar provisions which operate in the municipalities, district boards and railways, etc., which have got provident fund rules. You should delete these words now and later on you can have a provision that the benefit of these contributions will be lost in special cases like punishment for misbehaviour, etc. Sir, I support the amendment.

Mr. M. Ghiasuddin: Sir, may I put one question to my Honourable friend Mr. Tyson? Supposing the university people do not terminate the services of a man after his period of probation is over and do not confirm him either but keep him hanging, and they carry on like that for some years after which they terminate his services, what will happen?

Mr. J. D. Tyson: I understand that that is not possible in the university; the period of probation cannot be more than two years.

Sir Muhammad Yamin Khan: In research work there may be probation for five years.

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

"That in clause 16 of the Bill, in sub-clause (ii) of clause (3) of Statute 32 in the proposed Schedule all the words occurring after the words 'Provident Fund' be omitted."

The Assembly divided:

AYES—20.

Abdul Ghani, Maulvi Muhammad.
 Abdullah, Mr. H. M.
 Banerjee, Dr. P. N.
 Choudhury, Mr. Muhammad Hussain.
 Dam, Mr. Ananga Mohan.
 Deshmukh, Mr. Govind V.
 Essak Sait, Mr. H. A. Sathar H.
 Ghiasuddin, Mr. M.
 Kailash Bihari Lall, Mr.
 Liaquat Ali Khan, Nawabzada Muhammad.

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

NOES—29.

Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. R.
 Benthall, The Honourable Sir Edward.
 Bewoor, Sir Gurunath.
 Chapman-Mortimer, Mr. T.
 Chatterji, Mr. S. C.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Hanbur-Rahman, Khan Bahadur Sheikh.
 Haidar, Khan Bahadur Shamsuddin.
 Imam, Mr. Saiyid Haidar.
 Ismael Alikhan, Kunwer Hajee.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Kamaluddin Ahmad, Shamsul-Ulema.
 Mackeown, Mr. J. A.

Maxwell, The Honourable Sir Reginald.
 Muazzam Sahib Bahadur, Mr. Muhammad.
 Pai, Mr. A. V.
 Piere Lall Kureel, Mr.
 Raisman, The Honourable Sir Jeremy.
 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.

Seth Yusuf Abdoola Haroon: Sir, I move:

"That in clause 16 of the Bill, in clause (5) of Statute 32 in the proposed Schedule for the figure '8' the figures '64' be substituted."

Mr. President (The Honourable Sir Abdur Rahim): The arguments are the same.

Seth Yusuf Abdoola Haroon: No, Sir. These appointments are temporary and those in service do not know whether they will be confirmed, or not. Besides no Government contribution is to be made if they are not confirmed. There is a note given in the Bill after clause (5) which runs thus:

"No subscription or contribution shall be made to the Provident Fund of an employee who is on leave without pay."

Therefore I feel that the rate of subscription as provided in the Bill should be reduced. The appointments being temporary, an employee may be thrown out at any time and he may have to remain unemployed for sometime before he is able to get a fresh appointment. And, as I have already pointed out, no contribution is to be made by the Government. There is no attraction in paying high percentage. So why should such a high rate of contribution be fixed? Sir, I move.

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

"That in clause 16 of the Bill, in clause (5) of Statute 32 in the proposed Schedule for the figure '8' the figures '64' be substituted."

Dr. P. N. Banerjee: I oppose this amendment on grounds similar to those advanced by me in regard to a similar amendment moved before. There is nothing more which I can add to what I said then.

Mr. J. P. Sargent: I oppose this for the same reason that I stated in connection with the permanent Provident Fund. I would only call the attention of the House that this is not a short appointment. These posts are for not less than 2 years, and there are cases in which University and College teachers may be engaged on contract. This rate is for their benefit and there is no reason for the difference proposed.

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

"That in clause 16 of the Bill, in clause (5) of Statute 32 in the proposed Schedule for the figure '8' the figures '64' be substituted."

The motion was negatived.

Maulvi Muhammad Abdul Ghani: Sir, I move:

"That in clause 16 of the Bill, in clause (6) of Statute 32 in the proposed Schedule for the figures '12' the figures '64' be substituted."

Mr. J. D. Tyson: This is the complement to the one that my Honourable friend withdrew.

Maulvi Muhammad Abdul Ghani: I withdrew my amendment for the permanent appointments. This is for temporary appointments.

Dr. P. N. Banerjee: The arguments were the same.

Mr. President (The Honourable Sir Abdur Rahim): What class are these?

Maulvi Muhammad Abdul Ghani: These are in connection with temporary appointments.

Sir Muhammad Yamin Khan: That referred to the contribution by employees. This refers to the contribution by the University for temporary employees.

Maulvi Muhammad Abdul Ghani: Here there is the same difficulty of calculation. If the authorities are ready for 12½ per cent., I have not the least objection.

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

"That in clause 16 of the Bill, in clause (6) of Statute 33 in the proposed Schedule for the figures '12' the figures '6½' be substituted."

Mr. J. D. Tyson: I understand the objection to the existing figure is an arithmetical one. It is quite true that the University of Delhi does not enjoy the benefit of having on its staff the Honourable Dr. Sir Zia Uddin Ahmad. I do not think it ought to be beyond their powers, however, to make the necessary calculation. I oppose the amendment.

Mr. Kailash Bihari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I have really to press one new argument for opposing this amendment. My friend has said that it is for temporary appointments that he has put this amendment so as to reduce the quota of contribution. But as it is for temporary appointments, there should be some attraction for a good scholar in the education line, and this may be one of the attractions. We have already seen that in the Education Department people are low paid. We see that even a Sub-Inspector of Police, who is a Matric pass, gets Rs. 125 after the period of his probation, whereas in the Education Department, a Master of Arts does not even get Rs. 125 at the start. Perhaps he has to commence from Rs. 100. Most of the flowers of Universities apply for the police line and for other executive departments. Even when there is such a temporary appointment, if there is no attraction for good scholars you will only get a third-rate scholar. Then the cause of education will suffer. It is for that reason that I oppose this amendment and I suggest that the contribution recommended should remain. I was going to speak on the previous amendment where the Government had shown such sympathy and I was going to press that instead of sympathy there should be an assurance that there should be no reduction in the contributions by Government.

Maulvi Muhammad Abdul Ghani: Having regard to the force of the arguments advanced by opposition I would like, with the leave of the House, to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Syed Ghulam Bhiq Nairang (East Punjab: Muhammadan): Sir, I move:

"That in clause 16 of the Bill, clause (1) of Statute 33 in the proposed Schedule be omitted."

Now, Statute 33 is headed: "General provisions relating to Colleges" and clause (1) which I seek to delete reads:—

"Save as otherwise provided in the Act, all Degree Colleges shall be in close proximity to one another and to the University and shall ordinarily be located on the University estate:

"Provided that the Executive Council shall have the power to exempt from the provisions of the foregoing clause, temporarily, or, if necessary, permanently, a College which is unable to comply therewith for want of a suitable site or an adequate grant-in-aid for building or maintenance."

I would submit, Sir, that in the first place clause (1) has been conceived and worded in such a way as to defeat its own object and to render itself nugatory. In the second place, there are other considerations why such a clause should not be enacted as part of the Statute.

The clause says that all the colleges shall be in close proximity to each other and to the University and then in the same breath, or possibly in the

next breath says that they can be allowed to be located elsewhere for certain reasons, either temporarily or permanently. That is why I say that this Statute really renders itself inoperative in the second part. The necessity for the colleges being in proximity to each other and to the university may look very plausible; but when at the same time we consider the difficulties which some colleges may have in obtaining either a suitable site or an adequate grant-in-aid for building or for maintenance, I think it becomes evident that such a provision should not be laid down in the statutes as a matter of law, because the moment you contemplate that some colleges may be unable to comply, for certain reasons, with the law you lay down and relax the law in their favour, several undesirable consequences follow. The college which fails to comply with that law will be marked with a permanent stamp of inferiority. Colleges, as they have so far been situated in Delhi, have according to their convenience found sites or readymade buildings or buildings which were partly readymade and were extended and altered to suit the requirements of the college, and they have been conducting their work in those buildings. Now, you suddenly call upon them and say "You must come closer to the university and closer to each other." I do not know—eminent educationists like my Honourable friend, Mr. Sargent, may be able to tell us—what advantages will accrue to education when the colleges are in proximity to each other and in proximity to the university. There may be advantages, but they are not quite so obvious, unless of course we are told what those advantages will be, as to make us believe that this law is necessary. When you actually find that some colleges are unable for this or that reason to comply with that law, why make that law at all? In fact it is only now that this matter is coming before us in the shape of law. Actually, as a matter of practice, the thing has been in force already, and such colleges as were able to shift to other buildings or construct other buildings for themselves, have shifted to other places. I can say for the St. Stephens College—I know the building in which that college was located formerly and the building in which it is now located. Other colleges may be in a position possibly to do the same or may have done the same—I am not aware of it; but I know that all the colleges in Delhi which at present constitute the sum total of the jurisdiction of the Delhi University are not in a position to comply with that order; and as I have already remarked, to make it law and then to make an exemption, is stamping certain institutions with the hall mark of inferiority. It is absolutely unnecessary. No advantages will accrue from this sort of mixture contemplated by this statute, and the best thing would be to expunge this clause from the statute. I move.

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

"That in clause 16 of the Bill, clause (1) of Statute 33 in the proposed Schedule be omitted."

(Mr. J. P. Sargent and Sir Muhammad Yamin Khan rose in their seats.)

Mr. President (The Honourable Sir Abdur Rahim): Mr. Sargent.

Nawabzada Muhammad Liaquat Ali Khan: May I suggest that Mr. Sargent might speak later on so that he might be able to reply to all the points?

Mr. J. P. Sargent: Sir, I am grateful to the House for its indulgence. My Honourable friend the Mover of the amendment suggested that there may be good reasons why this is a desirable statute and I thought that perhaps the earlier I intervened and gave such explanations as I am able to with regard to this particular point the better and so I rose. This is not in itself a new proposal. This was in the statutes which existed before this particular Bill was introduced. It was specially passed in 1936, and, I imagine, for a particular reason. I think it was put then on the statute book because it marked a development and a change in the outlook of the university. As Members will probably remember, the original conception of the Delhi University was that of a unitary university where all the teaching would be undertaken by the university and the colleges would in fact become hostels. In the course of time, ideas changed with regard to that subject and a great impetus was given to that change by the fact that the Government of India were able to place at the

[Mr. J. P. Sargent:]

disposal of the university the old Viceregal Lodge in Delhi with its extensive grounds. Now, I have visited most of the universities in this country, and I do not think that any of them are more fortunate in the possession of a site than the Delhi University; and with that site it was possible to allocate sites not merely for the university's own requirements in buildings, but also for the colleges of the university, as soon as it was practicable for them to occupy them. These sites have actually been allocated and I have not heard that any college is dissatisfied with the adequacy of the provision which has been made for them in that particular respect. Now, if there is room and a site is given, I will do my best to explain why for promoting the new conception of the university, there is a great deal of advantage in having the colleges in close contact with the university.

In the first place—and it is a very important consideration both from the point of educational efficiency and also of economy—it facilitates the provision of co-operative teaching among the colleges. That I think is very much in the interests of the colleges themselves, because it will allow colleges to participate in the higher stages of teaching in the university; and I know that some colleges have expressed the apprehension that the university gradually aimed at appropriating all the highest teaching and confining them to Pass work. Now, that, as far as I know, is a totally erroneous idea; and if the colleges can get in proximity to one another so that without undue difficulty students in one college desiring to study a subject for which there is not an economic number, of students in their own college will be able to attend classes provided in another college. That will mean reciprocity and each college will have to have men on its staff, men of distinction, capable of teaching up to honours and M. A. standard; but that will only be possible if the colleges are reasonably close to one another and not scattered as they are at the moment. From this point of view, as an extremely desirable arrangement though in a very tentative and inadequate form, co-operative teaching has been in operation between some colleges; but the distances in Delhi are considerable and for that and other reasons it has not been altogether successful; but I am glad to say that from some minutes which I received the other day, it appears that with the unanimous agreement of the colleges, a scheme for co-operative teaching has already been worked out and that will be put into operation as soon as questions of time and space have been satisfactorily solved. That is one aspect of the matter.

Another is the question, not of work, but of games. The existing site contains magnificent playing fields, not merely for the university itself but for the colleges; and it seems to me that if there are more colleges on the site, they will be able to take much greater advantage of the really admirable facilities for games than they would be if they are scattered throughout the town.

Then, if any members have recently visited the university buildings themselves, they would I think have been very favourably impressed by the improvements which have taken place in the library and by the amenities which have been provided for all students of the university in the way of common rooms both for the staff and for the teachers.

There is also the fact that a lodging house and other things have already been provided which will very much add to the amenities of the university and will I am sure be very much appreciated by the students of the college. That

1 P. M. does not seem to me an ignoble conception of a university, and when we are able to carry it out, I feel sure, provided, as I have said before, we have the co-operation of the constituent elements of the university, that the prospect before the Delhi University will be very bright.

I am perfectly aware of the difficulties to which the Deputy Leader of the Muslim League has already called attention, and those are the questions of finance which the proviso to this section has been specifically included to cover. It is quite clear that it would be unreasonable to expect a college to vacate its present buildings unless the university, which really in the case of finance

means the Government, were able to satisfy them that a reasonable amount of help would be forthcoming to enable them to move. In that connection I may also say that—again I am very careful to say in the case of some colleges and not all colleges—recent reports from the committee which inspects the accommodation, both teaching and hostel, in the colleges call attention to very grave overcrowding and other unsatisfactory features in the present accommodation. Therefore we are naturally anxious,—those who like myself are anxious to see this scheme carried through to success,—that a move should be made as soon as it is feasible to place the necessary help, financial and otherwise, to which I will refer in a minute, at the disposal of the colleges.

With regard to financial help we are living in difficult times and Members will appreciate as much as I do that it is not easy for Government to find the money which they might otherwise have found for implementing the scheme. But they have not done too badly. They have during the last 3 or 4 years put Rs. 8 lakhs at the disposal of the University and colleges to enable a start to be made and two colleges have already moved up to the site or are in the process of doing so. The balance of that money is available for the assistance of any other colleges which are in a position to move. But unfortunately, it is not merely a question of finance. Even if we were able to satisfy colleges that we would give them liberal assistance which, supplemented by such contribution as they themselves might be able to provide, would enable a start any rate to be made,—we are face to face at the moment with a practical difficulty of obtaining building materials. Therefore we have not been bringing any pressure for the last year or eighteen months on the colleges to move. But I hope that when the position eases, we shall proceed with this and we hope to persuade colleges that our help in this matter will not be based on an ungenerous scale.

There is also not merely the question of capital expenditure, there is the question of maintenance expenditure. The Deputy Leader of the Muslim League, the other day, was not quite fair to us with regard to our assistance to colleges in connection with their maintenance. It is true that we have, after consulting them, required that certain minimum scales of salaries for teachers should be introduced in all colleges, and I do not think that any Members of this House, knowing the conditions under which some teachers in some of the colleges have worked in the past will regard that as a reactionary step. The grant is based on a proportion of the salaries that are now being paid. I agree that we are in a transition stage and it is difficult to say whether our increased subvention will adequately compensate colleges for the increased expenditure that they themselves may be put to. But I have spent a good deal of time personally going into the financial aspect of this matter with the treasurers and other representatives of the governing bodies, and I do not think there is any very great difference between us as to the probable effect. We have however agreed that the only thing to do in the case of a scheme, which is now only in its first year, is to see how it works. I have given my personal assurance that if they can satisfy us at the end of a reasonable period that it is working to their financial detriment, it shall receive our most sympathetic consideration. But I hope we shall not be charged with having taken a mean attitude with regard to the financial aspect.

I have spoken at greater length than is perhaps necessary but this is a very important matter. Whether it required a statute or not may be a matter of opinion but I think myself that the statute was deliberately introduced into the statute book to mark what I should regard from the educational point of view as a most desirable development in the conception of the Delhi University. It was specially put on the book in 1936 and I think therefore it is desirable that it should remain among the statutes. For these reasons I regret we cannot accept the amendment.

Mr. Kailash Bihari Lal: What is the meaning of "shall ordinarily be located on the University estate"?

Mr. J. P. Sargent: The old Viceregal Lodge which the Government of India handed over to the Delhi University in 1934 or 1935.

Mr. Kailash Bihari Lall: Is it some defined area?

Mr. J. P. Sargent: Oh, yes. It is a definite area. There is a definite layout of the whole thing. It is a very large area.

Sir Muhammad Yamin Khan: Sir, I have listened to my Honourable friend, Mr. Sargent. All his arguments are based on one conception alone, and that would have been all right if the Delhi University were a residential university. It is not residential because we have got boys from the Delhi city who attend duily and go back to their homes. Play grounds for football, hockey, cricket and others are very good, but if you have all the colleges located in the old Viceregal Lodge, it is nearly about $7\frac{1}{2}$ miles from New Delhi. And do you expect that your boys will come early in the morning when the teaching starts at about 9 or 10 o'clock, stay there the whole day and take part in the games there? This is too hard to expect from the boys there. If you say, no, the boy will go for his lunch, for his tea, or for his refreshment, to his house and come back, you are expecting too much from him. If he travels $7\frac{1}{2}$ miles on each occasion going and coming, what work will he do in the evening? Do you think after a hard game of hockey for about one hour or one and a half hours of football and cycling 30 miles, the boy will be able to do any kind of work at night?

There is another side. What about the conveyance? How will all these boys come from different quarters of the city to the Delhi University site? I know the difficulty, even in the case of small children when they go to school,—there are some buses which take them from one place to another. And they are so expensive that they become almost prohibitive to the ordinary people that they cannot incur such expense. Take a man employed in the Secretariat here on Rs. 250 or 300 a month and his two sons reading in the Delhi University. Do you think that he should pay Rs. 15 a month for each boy for conveyance to go to the University, from here? This University is not only for those residing in the Civil Lines, but it is one for the City of Delhi, for New Delhi, and probably some boys will come from the Kutab also because it is within the Delhi area. (*An Honourable Member:* "Karol Bagh also.") Karol Bagh becomes nearer. From this side, it is further off. Your colleges are located in different localities in Delhi and the boys who join the colleges find it more convenient to join the colleges which are near their homes. Boys living near Kashmiri Gate may like to go to St. Stephen's College or the Hindu College. Boys living in the neighbourhood of Ajmere Gate or in the part of New Delhi near to it will like to join the Arabic College. Apart from the question of financial difficulties, which will crop up, you ignore this question of the students' convenience. I should like that the boys should take their education in the colleges nearest to their homes and those boys may go in the afternoon to the University who take part in the games. At the time I was educated in the Meerut College, apart from what I did in Aligarh, I used to go to the college which was situated about a mile and a half from my house. We used to have all our games there. Here it is a case of $7\frac{1}{2}$ miles and if we wanted to take part in any exciting game of hockey or cricket, the one thing we did was that we did not attend the classes in the day. That is what the boys do. You cannot play hockey after doing 5 hours in a college and not feeding yourself well at the same time.

What arrangement for refreshments will you make in the University. If you want that the boys should pay for their lunch and tea in the University, you ignore the pockets of the boys who will be going there. It is all right for my friends who get big salaries but you cannot ignore the men who have got no money in their pockets to spare for this purpose. They cannot afford to spare their motor cars for their children. How much expense will it involve to the man in the street, as they call him. There are some boys who take the trouble to go elsewhere. If I am fond of hockey and I do not care for my studies, I can go on a bicycle to the Delhi University at my convenient time. I can ignore my studies. I may like to get the reputation of a able hockey player or football player, at the expense of my studies but you cannot put all the boys who are keen on studies to this inconvenience.

Then about the location of the colleges. We do not want a sort of pegging legislation. Delhi is improving and you may want to shift the colleges from their present position. After 25 years, Delhi may still further improve. Then you may want them to shift again. Your proposal would be all right if the Delhi University was a residential university. If the boy goes to the University and returns home, after sunset, I would not mind if he can afford to pay for his food there but this idea of yours is impracticable. I think this amendment is very sound. Let the colleges take action of their own free will but don't make a law which you are not prepared to enforce in every case. Either you enforce the provisions or you don't. Don't have so many exemptions and loopholes. Suppose you give a grant-in-aid and they cannot raise their part of the subscription. What will happen then? You are prepared to give two lakhs and suppose the other side cannot raise a similar sum. Then the provision will be a mere pious wish. To make a law and deliberately ignore it is undesirable. Let it remain over for the future. With these words, I support the amendment.

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. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. Govind V. Deshmukh: Sir, statute 33 contemplates not only that the degree colleges shall be in close proximity but also that they shall be in close proximity to the University. Having heard the advantages that we are to derive from co-operative education, one would not very much object to having a group of colleges in close proximity. In other words, supposing one particular college possesses professors in some special subject and in another college that course is not available, then certainly it is an advantage to the students to have the colleges together. But instead of contemplating a group of colleges in close proximity to one another, what the statute contemplates is that they shall be in close proximity to the University. In other words, all these colleges must form a sort of a ring round the University. So, it comes to this that if the University is in a far off place inaccessible to most of the students, then they must forego education that would otherwise be available to them. I personally appreciate the idea of co-operative education and therefore would not object to have a group of colleges in proximity to each other, but the difficulty arises when you say that they should also be in proximity to the University. As has been pointed out, this University is far away from the Delhi city. It is about $7\frac{1}{2}$ miles. As my friend who moved the amendment and those who supported him pointed out, the difficulty is the approach to the places where these colleges and the University are situated. If it had been said that the colleges should be in proximity to one another, I could have no objection and I do not think this side of the House could have had any objection. But the main objection is that you make this University inaccessible to very many students. Generally, most of the students come from the middle classes and they can hardly afford to spend money on conveyances. You have, therefore, to take into consideration the financial condition of the parents who send their sons or guardians who send their wards to the colleges. We must not for a moment think that we can take to the conditions prevailing in England or in other foreign countries. Nobody appreciates more than I do that a college should have healthy surroundings and nice playgrounds. Decidedly, it is better for any student to breathe in a purer atmosphere and to live in a healthy locality and to have playgrounds which will refresh his mind and build up his body. You appreciate all these things and yet you deny him the facilities which would give him all these opportunities. In some places what the Government has done is this. Wherever the Government has thought of giving healthy localities and of providing co-operative educational facilities, they have acquired land round-about the colleges. After the acquisition of the land, a nice sanitary condition is really created around the colleges. In cities you will always find that there are colleges here, there and everywhere and they are not far away from each other. Therefore, if the Government were

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to help the colleges by acquiring houses and land round about the places where the colleges are situated, then certainly your idea of having colleges grouped together within an area of, say, a mile or a mile and a half will be all right because the students will not find it very difficult to cover that distance on their cycles and it would not involve much labour to them. If the Government were to act like this, I think it would be much better. Therefore, the clause which acts as an eye-sore is that all these colleges should be in proximity to the site of the University. Instead of having this statute, if the Government were to say: Here is the land and those who have got the means to purchase it can do so, or if the Government is so generous, it may give the land free. But as things are at present, it is really putting obstacles in the way of education of those students who are poor and who find it difficult to pay their fees and other expenses. The difficulty which has been pointed out is really a difficulty which is not easy to get over. It is not an easy thing to cover a distance of $7\frac{1}{2}$ miles and then apply the mind to the studies. The man gets fatigued. Unless there are some arrangements for refreshments, the student will not be in a position to take much interest in the sports which we are contemplating he should take advantage of. I think, therefore, it would be wise to come to some arrangement. Either accept the amendment as a whole or let the Government acquire land and houses which are necessary for opening up the locality and for creating sanitary surroundings and playground. Unless the Government comes to such an understanding, I would be inclined to support this amendment.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): Sir, a well-equipped University on modern lines, to my mind, pre-supposes the idea of a Central University surrounded by a number of colleges. But it also pre-supposes the elementary necessity of the colleges and the University being a residential institution. You have one university with a group of colleges, according to you possibly in close contiguity to each other. Let there be an Agricultural College, a Medical College, an Engineering College and a number of Arts Colleges. These you want to be in close proximity to each other. Well and good. In close proximity to the University also. Well and good. But is it possible under the present conditions? A modern University, befitting the position of a University in the capital of India, should certainly have a number of colleges in close proximity to each other and to the University. But the question of funds crops up. You have built New Delhi at a cost of more than 30 crores. Still there is a demand to invest more and more money in building a greater capital of India, a capital approaching the greatness of London. You must also provide for education on the same magnificent lines. In the first part of Statute 33, you provide:

"Save as otherwise provided in the Act, all Degree Colleges shall be in close proximity to one another and to the University and shall ordinarily be located on the University Estate."

So that the University ought to have one single Estate. You will have to set apart a large area for this University with a number of Colleges. Is it possible at the moment?

Mr. J. D. Tyson: It has been done.

Maulana Zafar Ali Khan: But the proviso contradicts you. It says:

"Provided that the Executive Council shall have the power to exempt from the provisions of the foregoing clause temporarily or if necessary permanently . . ."

So, you take the power of exemption. You contemplate some Colleges not being in close proximity to each other. Then why have this provision at all. The position is absurd. So, this provision must be expunged. You cannot adopt any course other than expunging this contradictory provision. I support the amendment.

Maulvi Muhammad Abdul Ghani: I am glad to believe that Government are aspiring to do things which produce curious results. Such is the case here. They want that all the Colleges should be located close to one another as well as close to the University. I think perhaps they are thinking of the convenience of the Vice Chancellor personally, so that he will have an easy walk over while

inspecting all the colleges. The authority, at the same time, should take into consideration the difficulties of the people who go to receive education. Here they are not going to have a residential University. They want to have a mixture of all things. Here the University area is in civil lines. The University is fed by people from different parts of New Delhi and Old Delhi. The distance from New Delhi to the University area is nearly eight miles. The University is not going to make arrangements for hostels for all students. Without considering the difficulties of people and without caring to arrange for hostels, the authorities want all the colleges to be located in close proximity to each other. The students shall have to walk a long distance from their place of residence to the colleges. They have again to come back home in the evenings. Thus the students will have to travel more than 15 miles every day. The parents of the students will have to make arrangements for their conveyance or the students will have to walk all the distance. It is not easy for every college student to walk the distance. The parents will have to spend money on conveyance. Instead of making education cheap in this country, efforts are being made to make it more and more expensive, so expensive that very few in the country will be benefited by the course of education. If this is the idea with which the provisions are being made, I do not think we should be a party to such a kind of arrangements. Every effort should be made to make education cheap so that it may be within the easy reach of all people here. We know that people are very poor in this country. Their paying capacity also is very low as compared with other countries. The only purpose with which this Bill has been brought forward seems to me to be this that the Government want a paid Vice Chancellor. Let them have such a provision. But the Government should think twice before making any provision which involves the country in making a greater contribution. In these days of war and scarcity, when people are in great trouble already they should not be troubled with any measures of this character. In the same breath the Government say that the University can also exempt certain colleges from complying with this provision. Then what is the use of this clause here? The effort should be to provide funds first. Let better times come, so that the Government and the people will be able to contribute equally towards the arrangements. But to hurry up such things is not desirable. Sir, I support the amendment.

Mr. J. D. Tyson: Sir, my Honourable friend Mr. Sargent has indicated, I think conclusively, the great advantages that would accrue from having the colleges gathered together round the university at the university site, the site which has already been provided, and I do not think that any of the subsequent speakers, so far as I have been able to follow them, have questioned the validity of those advantages. Rather they have concentrated on pointing out that there are certain difficulties to be overcome, and of course one appreciates that there are difficulties. Mr. Deshmukh, for example, has blessed the idea of having the colleges collected together as near each other as possible, but he seemed doubtful about having them in contiguity with the university because the university is on the north side of Delhi and the colleges are mainly in Delhi itself. But, Sir, if we are going to collect the colleges together where are we going to do it? We cannot collect them in Delhi itself, nor would there be any advantage in attempting to do so. The general trend now in India and in other countries is to try to get educational institutions out of crowded cities into the country or at least into the suburbs; and if we are therefore going to move out into the suburbs, instead of acquiring some new site, as I think Mr. Deshmukh suggested, quite near to the city, what is the harm in going to the admirable site already provided, which may be $7\frac{1}{2}$ miles from New Delhi but is not very far from Delhi itself? It is only I think a mile, and a half or so from the Kashmere Gate. Now, Sir, already this is in process of being done. There is one college actually on the site; the ladies' college is between the Kashmere Gate and the site of the university. It is already in that quarter and no question of hardship arises there. A third college is, I believe, in the process of moving and has started putting up a hostel already on the university site. A fourth college is in hired buildings already and will have to build

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somewhere, and it may just as well build there. Another college is away in another quarter standing up on the top of a hill,—we can all see it but it must be almost inaccessible; and in any case I think it has got to move from there because I believe the military are in occupation of its buildings.

Now, Sir, the question of conveyance has been raised, and I must say that I found it difficult to believe when I was listening to my Honourable friend Sir Yamin Khan, that we were discussing a university and not an infant school. Not everybody is going to go to the university site from the Qutab, as he was kind enough to suggest. But even if they have to go from New Delhi what is the difficulty about bicycles? Every Indian student rides a bicycle,—at least that is the impression I get from the part of India that I come from. And what is the difficulty about taking their tiffin at the university site? I believe there are facilities there already! there certainly will be facilities when the colleges are there. I do not really see that any difficulty has been advanced which would in any way counterbalance the very obvious advantages to which my Honourable friend has referred this morning in his speech.

An Honourable Member: The question may now be put:

Nawabzada Muhammad Liquat Ali Khan: Sir, let me say at the very outset that as far as the ideal that is embodied in the Statute which is proposed to be deleted is concerned, I have full sympathy with it. Not only that but as far as we are concerned, we have shown by concrete action our support to this ideal. I mean that last year we were told by the Vice Chancellor of the University,—by “we” I mean the Anglo-Arabic College,—that if we could raise a sum of Rs. 50,000 the University would be glad to give an equivalent amount for the purpose of building a new college at the University site. And I am glad to say that the appeal which the governing body made to the Muslims of Delhi was most successful. Although we were given only about three months in which to raise this amount, we were able to raise this amount of Rs. 50,000 from the Muslims of Delhi alone. So, as far as the ideal is concerned, every one would agree that this would indeed be very good for higher education in Delhi.

But there are certain practical difficulties which I want Government to bear in mind and the House also to consider when they are launching on this scheme. My Honourable friend Mr. Sargent has said that Government will give assistance to various colleges to shift to the new site. I want to make it quite clear to Government that before they commit this House and themselves to this proposition they must be prepared to give at least grants in the form of contributions towards the building of colleges, and loans to the extent of about 25 lakhs; and I will tell you, Sir, how I have arrived at this figure. One college, St. Stephens, has already shifted to the new site and they have already put up a very fine building. That college was the most fortunate in the sense that nearly all the money that was spent on the building was got from Government. Their building, I understand, has cost them about 6 lakhs of rupees; and on that basis it will mean that for the five colleges the cost will be somewhere in the neighbourhood of 30 lakhs of rupees. From this you take out 6 or 7 lakhs that will be spent on the Hindu College. That college was fortunate. Whereas in our case the condition was laid down that we must raise Rs. 50,000 before we could claim the generosity of Government and the University, the Hindu College was fortunate in getting a grant of one lakh of rupees without any condition whatever. However, I do not grudge them this good fortune: I am glad that they were able to get this amount from Government. They have started building their new college and a portion of it, I understand, is already completed. After that, Sir, there are three more colleges that will have to construct new buildings on the university site. This is one aspect of the question that Government must make up their mind now whether they will be able to find that money, because I wish to make it quite plain that it will not be possible for smaller colleges to raise such big amounts for having a new building on the new site.

Then the second question, which is a very important one from the point of view of the student community is this. As far as I understand, the number of students in the university is in the neighbourhood of two thousand. The Government scheme for the building of these new colleges is based on the calculation that each college will have a hostel for about one

3 P.M. hundred students. My Honourable friend, Mr. Sargent, shakes his head. I have got his own letter here sent to us by the Government and here it is stated that this is what they visualize at present, namely, that each college will have hostel accommodation for about one hundred students. I do not know whether my Honourable friend challenges this statement. . . .

Mr. J. P. Sargent: If my Honourable friend will accept my explanation, I may tell him that I was shaking my head for quite a different reason.

Nawabzada Muhammad Liaquat Ali Khan: I am sorry. Well, in future I shall not take any notice when my Honourable friend shakes his head.

I was saying that five boys colleges will be on the new University site. The idea is that residential accommodation will be provided for about 500 students. There will still be about 1,500 students that will have to go for their studies to these colleges as day scholars. I have not got the figures here, but I understand that all the colleges put together today have not got anything near 500 students as boarders. I know in our own college, our number on the rolls used to be about 300 and we never had more than 30 or 35 students as boarders. It all goes to show that a vast majority of the students that are studying in the University of Delhi in the various colleges belong to Delhi and, therefore, the suggestion that was made by my Honourable friend, the Educational Adviser, that the students will be able to take part in games and all that sort of thing will really be limited to a very few students if you take the proportion of those who will actually be living in these colleges. I must say I entirely agree with my Honourable friend the Educational Adviser that the University of Delhi is very fortunate in having the site that it has got—a very beautiful site with extensive grounds—and it would be made into a very fine University, but the point is this: The Delhi University will never be a residential university. It will never be a university on the lines on which you find universities in England, like Oxford or Cambridge, or in India like Aligarh and Benares. Most of the students in Delhi will always come from Delhi itself and the economic condition of the people being what it is their parents—most of them—will never be able to keep their sons as boarders in these colleges. I have my doubts and very serious doubts if ever the Delhi University will assume the importance of an All-India University because we have two universities—one at Aligarh and the other at Benares—which are All-India Universities. The Muslims, those who want to send their sons for higher education to a university away from their homes, will always send their boys to Aligarh, because the whole atmosphere, the whole outlook on life of the students there is different from what it exists in other universities. And, in the same way, the Hindus from all over India will send their boys to Benares. The idea is excellent, but, I am afraid, that the University of Delhi will never become an All-India University in the sense in which the Government wants it to be. A very large number of students will always belong to Delhi.

Then, Sir, even if we take the number of students that has been fixed for each college under the new scheme, each college has been given a maximum of 500. No college is to have more than 500 students. That means even on that calculation the number of students in Delhi will be 2,500 and, as I have said just now, a fraction of this will be boarders.

Mr. J. P. Sargent: If my Honourable friend will pardon me for interrupting him, may I remind him of the conference, at which he was present, where we altered the maximum to 600?

Nawabzada Muhammad Liaquat Ali Khan: I am sorry. That makes my argument stronger. Thank you very much. I remember first it was 500 and then it was made 600. That means really 3,000 students and the hostel accommodation that is intended to be provided under the new scheme, that has

[Nawabzada Muhammad Liaquat Ali Khan.]
 been applied to all these colleges, will be about 500. So there is this difficulty which I think the Government and the University will have to consider very seriously. It is unfortunate indeed that the old Viceregal Lodge is situated so far away from Delhi. Had it been nearer, it certainly would have been an ideal place.

Then my Honourable friend, Mr. Tyson, has said that the tendency in all the foreign countries is to shift the colleges from inside the city to the suburbs. I do not know if London college has been shifted outside. I am not aware if the colleges in Edinburgh or Glasgow have been shifted to suburbs and new buildings have been constructed. They are still where they were.

Mr. J. D. Tyson: It is so partially in the case of London University.

Nawabzada Muhammad Liaquat Ali Khan: Do you mean that some colleges which were existing before have been shifted outside to a new site and fresh buildings have been erected?

Mr. J. D. Tyson: Yes.

Mr. J. P. Sargent: I know one case. The University College has gone out to Ealing.

Nawabzada Muhammad Liaquat Ali Khan: I wish we had the same facilities of transport here as they have in London. But anyhow that was only by the way.

Sir, there are two or three difficulties in the way of this proposition which is embodied in the Statute. One is the question of funds. The Government must be ready to give that amount which I have stated just now to the various colleges to shift to the new site. Let me tell you one thing: It will not be very nice for the University education if some of the colleges are shifted to the new site and some remain for want of funds in the localities where they are at present. It will, as my Honourable friend the Mover of the amendment had stated, put a kind of inferior mark on those colleges which will not be able to shift outside.

Second, Sir is the question of considering the problem of students. My Honourable friend says that it will be quite easy for every student to go on a cycle. That is quite true. But when four-fifths of the students will be living in the city, then for the sake of one-fifth so that they can take advantage of the new site, the playing fields and the beautiful scenery, is it justifiable to spend all that amount of money? Unless a large majority of the students who will be studying in these colleges are provided with facilities so that they can take the fullest advantage of the opportunities that will be offered to them, I do not think that it will be a very wise step to take.

I raised this question of funds here because I want the Government to be quite clear in their mind that for some colleges at least it will not be possible to abide by this Statute unless the Government were prepared to give them grants and loans for putting up these new buildings. I do not later on want the University to come upon us with a heavy hand and say that either you shift to the new site whether the Government give you any money or not or we shall disaffiliate you. I want this to be made quite clear here, that the Government when they insist on the retention of this Statute do undertake that they will give whatever amount is required by these colleges for putting up buildings on new sites. Vague assurances are not sufficient. My Honourable friend, Mr. Sargent stated that I was not quite fair to the Government when I had referred to the grant for maintenance to these colleges. I shall not mix up the issue now because I notice that there are certain other amendments which refer to this particular matter and I shall deal with this question when we are considering those amendments. I must say however that the Government have given more than what they did before, but my contention is, as I will show later on, that they have not given us as much as we were made to expect, and that is why I said that the Education Department and the University were not able to give as much because they were unable to get that amount from the Government which they expected. So when the

Government are undertaking the responsibility of introducing this scheme, then they ~~must~~ take the financial responsibility also. Do not let the future of the Delhi University hang on the sweet will of any individual Finance Member. The Government as such must be clear in their mind that when they insist on the introduction of this scheme, they have undertaken the financial responsibility to the fullest extent of making this scheme a success. Otherwise, if we spend some lakhs of rupees now and later on the Government withdraw from this position, then we shall have wasted so much money of the taxpayer. This is a scheme which will take some time before its real benefits can be discovered and it will mean expenditure of a very large amount of money, and I hope the Government realise and understand that they are making this commitment as far as the financial liability is concerned.

My Honourable friend, Mr. Nairang, when he moved this amendment, intended that this question should be thoroughly discussed on the floor of this House. The Members of the Legislature, who are responsible ultimately for voting grants for the various institutions like universities and so on, should know what they are voting for and if it is decided that we must go on with the scheme and that this Statute must be retained, then it is not that we want to oppose this just for the sake of opposition, but before we vote for anything we must be quite clear in our mind as to what its implications are, and that was the object with which this amendment was moved.

Mr. Kallash Bihari Lal: Sir, this amendment has been discussed from all points of view and the Government has narrated the advantages of their amendment proposed in the Bill. The various financial aspects and the convenience of students and guardians have also been placed before the House and I beg to add one or two points to these arguments.

Of course, the present position has not been made clear from the speeches we have heard so far. What will be the implications of the adoption of this amendment as proposed by the Government? How are the colleges at present situated to be removed to the University estate? I asked the Honourable the Government Member and he said that it is a defined area. But if those colleges are to be left and their buildings demolished or sold and new colleges established, then the difficulties narrated by the last speaker are to be taken into consideration.

Apart from these financial difficulties, and the problem of setting up so many colleges within the University area, the disadvantage that I see from this proposal is that it may lead to cutting off the students from the general mass of the people. Of course there are advantages in a residential university. But we have heard that this University is not a residential university *in toto*. It will be an examining university as well as an affiliating university. Leaving aside the advantages of a residential university, there remains the question as to what will be the fate of the students—those who will be reading in that circumscribed area? Of course they will be going from the whole area of Delhi, but they will be confined to the University area so far as their education is concerned. We may visualise that it may correspond to something like the idea of parents who sometimes think that they should bring up their children at home. We have heard of men taking it into their heads not to get their sons admitted into a school or college, but giving them a home education and then hoping to get them through the Matric and straight away in the college. Then we can see from the idea of the people who think of getting their sons educated at home, what sort of education will they all get? It goes without saying that the outlook of the boy, his intelligence and his general knowledge will be surely circumscribed by being kept within the area of his home and it looks something like this when we propose that we will have all the colleges in one area and the students should be cut off from any contact with the other part of the place. So this disadvantage appears to me more vital. When the advantages of a residential university are left off, because in the residential university there are advantages—the students are treated in quite a different way and are taken for general knowledge and education

[Mr. Kailash Bihari Lall.]

on trips outside their college, and outside their districts; in that way they gain some general knowledge and their outlook is widened. But so far as an examining and affiliating university is concerned, if there is no provision for widening the outlook of the students and increasing their knowledge and bringing them into contact with large numbers of people, then his education will be surely cabined, cribbed and confined. From that point of view I suggest that this will be another harm done to the cause of the education of children. I was suggesting that by allowing the colleges outside the so-called university estate area to be affiliated to the university and to be examined by the university, the university will be doing good not only to the students reading in those colleges but the colleges lying in the outskirts of the university will be also shedding light and lustre in their localities. When you get together all educational institutions in one area, of course the people will be deprived in many ways from receiving the light of such educational institutions. So it is just the other way. As you are arguing about the advantages of a residential university, it may be argued also that the advantages of those colleges which are spread over a widespread area and affiliated to the university are also there. Perhaps from this point of view, the matter should be weighed; and apart from the financial consideration which has been urged so strongly by the Leader of the Muslim League Party, this point should also be considered and this provision should be deleted, so that there may not be any difficulty in the education of the children.

Dr. P. N. Banerjee: Sir, I have noticed with some amount of anxiety the differences of opinion that have been expressed on this question,—differences mainly with regard to the advantages and disadvantages of the system of all the colleges being situated in proximity to one another. It appears to me that these differences have arisen from the different angles of vision from which the question has been looked at. The main advantage to my mind is that there will be possible the pooling of resources in respect of teaching, laboratory work and library facilities. The students will have the advantage of being taught by the best teachers; they will all have the advantage of library facilities which cannot be secured separately for each college to an adequate extent, and further they will be able to utilise the fully equipped centralised laboratories of the university, as it will not be possible for each college to have at its disposal a large laboratory for doing research work or even making ordinary scientific experiments.

These are undoubted advantages; but as against these advantages, there are certain disadvantages which have been fully dealt with by the previous speakers. Of these, two disadvantages seem to be the most important. The first is the disadvantage arising from difficulties in regard to the means of communication. My Honourable friend Mr. Tyson sought to get over this difficulty by saying that the students can ride on bicycles and go from one place to another. Bicycles provide a comparatively easy mode of locomotion; but riding on bicycles tires a person so much that after riding for a distance of $7\frac{1}{2}$ miles in the morning and another $7\frac{1}{2}$ miles in the evening, the student will feel disinclined to do any further work. (Interruption.). My Honourable friend points out that the students will have to go again for engaging in games. I shall give you a specific instance. There is a very earnest research student at present residing in New Delhi. He is a first class first of the Calcutta University in History and is doing research work in the Records Department of the Government of India. I know him intimately. He was residing at Daryaganj for some time; he came to me and asked me if I could find out for him some accommodation in New Delhi. He told me that his research work was suffering because he had to come on a bicycle from such a long distance and go back again. I was able to find out some accommodation for him in New Delhi, though with the greatest difficulty. It will not, therefore, do to brush aside this conveyance difficulty in the manner in which it has been sought to be brushed aside by my Honourable friend Mr. Tyson. Then there is the

question of tiffin arrangements or refreshments. The boys cannot be expected to do their intellectual work from 10 o'clock in the morning till 5 o'clock in the evening without getting some substantial food during the interval. My Honourable friend suggests that they may take their food with them. That is not very convenient. In order to overcome the conveyance difficulties, you will have to run frequent buses and cars from the different parts of old Delhi and New Delhi to the university area. That is the first step which will have to be taken by the Government.

The second difficulty, as has been pointed out by my Honourable friend, the Nawabzada Sahib, and other speakers, relates to finance. Finance is a very important matter, and my Honourable friend's calculation is that a sum of Rs. 25 lakhs will be required in order that all the colleges may be shifted to the university area. That is a very large sum. Would it be possible for the Government to provide the whole sum? If the Government agrees to provide only one half of that sum, it will be extremely difficult for the authorities of the different colleges to find the other half. Therefore, we will have to consider seriously the question from these two points of view.

The difference merely centres round the question of desirability *versus* feasibility. I do not think that it is impossible to get over the difficulties, but so long as the difficulties are not fully got over, you should not insist that all the colleges should shift to the university area.

My Honourable friend, the Nawabzada Sahib, raised another question, namely, whether it is likely or not that the Delhi University will develop in course of time into a residential university. The Government view evidently is that it is likely it will develop, but I have a great deal of apprehension in this regard. I do not think that the Delhi University, unless it is provided with abundant funds and facilities for research which are not available in any of the other universities in India, will be able to develop itself into a residential university. And, then, what are the real advantages of a residential university? The main advantage of a residential university is the formation of an academic atmosphere,—an atmosphere in which the students grow up as friends and become sons and daughters of the same *alma mater*. That is an advantage, but weighed against this advantage is the poverty of the people of India. How many persons can afford to bear the expenses which are essential for living in a residential university? All these questions will have to be taken into consideration very carefully before you decide this matter finally.

Balancing the advantages and the disadvantages, it seems to me that a compromise is possible, and that compromise has been made possible in Calcutta. The Calcutta University is an affiliating university in the main, but during the last quarter of a century it has developed also into a teaching university. So far as the affiliating portion of the university is concerned, the teaching is done in the separate colleges which exist all over Bengal and Assam. As regards the under-graduate teaching, it is done in the colleges; but so far as M.A. teaching, the post-graduate teaching—is concerned, it is done in the university premises. Thus students get the best facilities for teaching,—they have the advantage of being taught by the best teachers, they have the advantage of getting the best kind of library facilities; and they also get the best of laboratory equipment. For the present I should therefore advise the Government to adopt this compromise. Here in Delhi you may have a centralised portion of the work for M.A. and M.Sc. teaching in post-graduate departments.—both arts and science,—and so far as the ordinary teaching up to the B.A. standard is concerned, you may leave it to be done in the separate colleges until you are able to find the necessary funds and until you have been able to remove all the difficulties that stand in the way of the students availing themselves of the benefits offered by the university.

Sir, I shall be glad to be acquainted with the intentions of the Government in this regard, and then I shall decide as to the side on which I ought to vote.

An Honourable Member: Let the question be now put.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the question be now put."

The motion was adopted.

Dr. P. N. Banerjee: We want a reply from the Government side. Mr. Tyson has spoken on certain points. I hope Mr. Sargent will further amplify them.

Sir Muhammad Yamin Khan: He has also spoken.

Nawabzada Muhammad Liaquat Ali Khan: Mr. Tyson can speak again.

Mr. Deputy President (Mr. Akhil Chandra Datta): If he wants, he can with the permission of the Chair and the House.

Nawabzada Muhammad Liaquat Ali Khan: Certain views have been expressed by Members on this side, stating what this scheme means and what it implies. If Mr. Tyson says that the Government fully realise the implications of this and are prepared to go on with the scheme—that is all that we want to know so that we may be able to decide which way we should vote.

Mr. Deputy President (Mr. Akhil Chandra Datta): He can speak in the shape of an answer to this question.

Mr. J. D. Tyson: We have considered these questions that have been raised; in fact, plans have been very largely worked out, and we prefer to stand by the statute as it stands. It has the proviso.

Nawabzada Muhammad Liaquat Ali Khan: You take the full responsibility for getting this thing through. Do not tell us later on not to come to you because you cannot give us the money. That is what I want to make sure.

Mr. J. D. Tyson: We do not promise to foot the whole bill.

The Honourable Sir Jeremy Raisman (Finance Member): We help those who help themselves.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That in clause 16 of the Bill, clause (1) of Statute 33 in the proposed Schedule be omitted."

(There were shouts of 'Ayes' and 'Noes'.)

I think the 'Ayes' have it.

The Honourable Sir Jeremy Raisman: No, Sir, the 'Noes' have it.

Mr. Deputy President (Mr. Akhil Chandra Datta): I did not hear the shouts of 'Noes'.

The Honourable Sir Jeremy Raisman: We have said 'No' on every occasion on which anybody has said 'Aye'.

Mr. Deputy President (Mr. Akhil Chandra Datta): There need not be a controversy over it. If you say you have said 'No', which I did not hear, I will call for a division.

(After the Bell stopped ringing.)

The question is:

"That in clause 16 of the Bill, clause (1) of Statute 33 in the proposed Schedule be omitted."

The Assembly divided:

AYES—20.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Banerjee, Dr. P. N.
Choudhury, Mr. Muhammad Hussain.
Deshmukh, Mr. Govind V.
Essak Sait, Mr. H. A. Sathar H.
Kailash Bihari Lall, Mr.
Lalchand Navalrai, Mr.
Liaquat Ali Khan, Nawabzada Muhammad.
Maitra, Paudit Lakshmi Kanta.

Murtuza Sahib Bahadur, Maulvi Syed.
Nairang, Syed Ghulam Bhik.
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—28.

Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. B.
 Benthall, The Honourable Sir Edward.
 Bewoor, Sir Gurunath.
 Chapman-Mortimer, Mr. T.
 Chatterji, Mr. S. C.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Dalpat Singh, Sardar Bahadur Captain.
 Habibur-Rahman, Khan Bahadur Sheikh.
 Haidar, Khan Bahadur Shamsuddin.
 Ismaiel Alikhan, Kunwar Hajee.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Kamaluddin Ahmad, Shamsul-Ulema.
 Mackeown, Mr. J. A.

Maxwell, The Honourable Sir Reginald.
 Muazzam Sahib Bahadur, Mr. Muhammad
 Pai, Mr. A. V.
 Piare Lal Kureel, Mr.
 Raisman, The Honourable Sir Jeremy.
 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. Deputy President (Mr. Akhil Chandra Datta): Before I ask the next amendment to be moved, I see there are a number of amendments on Supplementary List No. 6.

Mr. H. A. Sathar H. Essaak Sait (West Coast and Nilgiris: Muham-madan): We are not moving them.

Syed Ghulam Bhik Natrang: Sir, I move:

"That in clause 16 of the Bill, in clause (10) of Statute 33 in the proposed Schedule all the words beginning with the words 'on the working of the College' and ending with the words 'management' be omitted and before the words 'the number' the words 'as to' be inserted."

Sir, clause 10 reads:

"Every college shall submit each year by a date to be fixed by the Executive Council a report to the Executive Council on the working of the College during the previous year, giving the particulars and circumstances of any change in the staff or the management, the number of students and a statement of income and expenditure and such other information as may be required."

With my proposed amendment, the clause will read:

"Every College shall submit each year by a date to be fixed by the Executive Council a report to the Executive Council as to the number of students and a statement of income and expenditure and such other information as may be required."

Now, Sir, the change which I want to make by my amendment in that clause of Statute 33 would obviate the necessity of submitting a report on the working of the college during the previous year and giving particulars and circumstances of any change in the staff or the management. Sir, the idea underlying my amendment is this, that too much prying into the affairs of the colleges is not calculated to produce good results. The Executive Council not only fixes a date for the submission of the report, not only wants ordinary particulars which the Executive Council would be interested to get about the number of students, a statement of income and expenditure and some other information, but also would like to have a report made on the working of the College during the previous year, and if there are any changes in the staff or the management, these things also have to be stated, not only particulars but the circumstances also and the reason why a certain Professor or Lecturer or Reader who was on the staff of the college has now ceased to be there, what led to it, and if there is any change in the management, what led to it. I say all this is too much prying into the affairs of the college. Where is the need for it? The more returns and reports are prescribed, the more difficulties and complications arise. I say, let there be an ordinary report. You will know the number of pupils, you will know the number of my staff, you will know the income and expenditure, and you may want some other ordinary information. I will give all these. But why say, if there has been any change of management, why has it been made, if there is any change of staff, why has it been made. I say, Sir, that sort of Rule is certainly calculated to lead to complications. I should like to have this clause changed in the way contemplated in my amendment. Sir, I move:

Mr. Deputy President (Mr. Akhil Chandra Datta): Amendment moved:

"That in clause 16 of the Bill, in clause (10) of Statute 33 in the proposed Schedule all the words beginning with the words 'on the working of the College' and ending with the word 'management' be omitted and before the words 'the number' the words 'as to' be inserted."

Dr. P. N. Banerjee: Sir, I am sorry I cannot agree with my Honourable friend the Mover of the amendment. He says that too much prying into the affairs of a College is not desirable. He further suggests that consideration of matters like changes in management will lead to complications. My Honourable friend has not dealt with the question in any detail. Therefore I am at a loss to understand what is the real intention of this amendment. It seems to me that it is very necessary to know all the affairs of every College. Unless all the affairs of a College are known to the University authorities,—the Executive Council, the Academic Council and the Court;—it will not be possible to keep these Colleges in a condition of proper management. Sir, we all know that a great deal of mismanagement has been in existence in some of the Colleges. If we are not to know the details and the causes which have given rise to this mismanagement, how shall we be able to remove them ever? In order that we may deal properly with the affairs of a College, we must first have knowledge, and this provision in the Statute gives the University power to obtain information,—full and adequate information—as regards the affairs of the College.

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

Sir, in one of the Colleges a Professor has been employed for over eight years. He is a Ph.D. of the London University. In the course of these eight years, his salary has been increased by Rs. 7, that is, at the rate of fourteen annas a year. He joined on Rs. 150 which in itself was a small salary—much smaller than what was due to him,—and in the course of eight years he got an increment of Rs. 7 only.

Nawabzada Muhammad Liaquat Ali Khan: What was the University doing all the time?

Dr. P. N. Banerjee: I do not know whether the University authorities were sleeping over the matter or took any steps to remove this state of things. This is one of the reasons for which the University should have full knowledge. Therefore, I want the retention of this statute in its present form. I oppose the amendment which has been moved by my Honourable friend.

Maulvi Muhammad Abdul Ghani: Sir, I think it is an unnecessary burden on the part of the Educational authorities of a college to insist on such large number of reports. We are already complaining that the colleges have to tackle the heavy work that involves in arranging for the teaching of the pupils entrusted to their care. In addition to this work, if they are called upon to make arrangements for submission of reports after reports, then all the time of the Professors and the teachers will be spent in drafting these reports. I see that the Government are fond of reports and returns, but not fond of education, I mean the growth of education. I have seen the Government are fond of brick and mortar, sometimes, they waste money on brick and lime, sometimes they waste money on paper, reports and returns. All these are showy things. These are not going to serve the purpose for which educational institutions have been started. There are many provisions here which are not going to help the real growth of education. Enough information is now being given to the Universities about the colleges and it is no good to ask them to submit more reports. I think such things should be discouraged and the time of the professors so saved should be utilised for teaching purposes. What is the meaning of "such other information as may be required"? They should have made clear what kind of information is required. This is nothing but groping in the dark. This may of course refer to the political views of students or professors but this should be made clear. The statement of income and expenditure only means the budget and its copy is submitted. What more do the Government want? These paragraphs deal with reports and returns and I think this is superfluous. Therefore Government should not oppose this amendment.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I support the Leader of my Party in opposing this amendment. The House must note that it is necessary for affiliation of colleges or even for disaffiliation that facts and circumstances should be known to the university, as the power of superintendence should rest with the university. I should have liked the report to go not only to the Executive Council but also to the Court, though I find that the Court is given a step-motherly treatment and everything goes to the Executive Council. That, however, is a question which is not pertinent to the present amendment. But I surely recognise that this clause (10) should have been more specific. The words "report on the working of the college during the previous year" are ambiguous. After giving the other details about the income and expenditure and the number of students, etc., it is not clear what further report on the working of the college is wanted. Then the word "management" also is very wide but we can understand what management means. A statement of income and expenditure is also clear, but we do not know what other information is required, that should have been specified.

An Honourable Member: What about "management"?

Mr. Lalchand Navalrai: That we can understand, and if any college wants to know what exactly is required under "management" they will write to the university and get that information. Therefore it is salutary and necessary that the university should have information and the report will be considered and any mistakes in the working of the college will be pointed out and remedied. The universities have power of superintendence and to correct colleges if they go wrong. Sir, I oppose the amendment.

Mr. J. D. Tyson: Sir, I am happy to be able to agree for once at all events with my Honourable friend the Member from Sind. I was a little surprised to hear what fell from my Honourable friend Maulvi Abdul Ghani. He seemed to object to the words "such other information as may be required", and he seemed to think that those were the really objectionable words. I can only say that the amendment which has been moved leaves those words in and the amendment stands in the name, among others, of Maulvi Abdul Ghani. Either he has not read his own amendment or he failed to draft it in the way he wished. I think there is obviously much to be said for the view that the more the colleges and the university know about each other the better. As this clause goes, there are general indications of what this report is to contain. It is only submitted once a year; that should not be an undue burden on the time of the teaching staff. I know that Maulvi Abdul Ghani holds rather drastic views, as we shall see on another amendment, if we ever reach it, as to how the time of the teaching staff should be occupied. But even at 56 hours a week they may be able to put in one annual report, and it is generally the Principal who puts it in. Sir, we cannot accept this amendment.

Nawabzada Muhammad Liaquat Ali Khan: Sir, may I ask a question? I want to know if this provision exists in the present Statutes or is it a new Statute?

Mr. J. D. Tyson: It exists in the Calendar of 1941-42.

Sir George Spence: I move that 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 (10) of Statute 33 in the proposed Schedule all the words beginning with the words 'on the working of the College' and ending with the word 'management' be omitted and before the words 'the number' the words 'as to' be inserted."

The motion was negatived.

Syed Ghulam Bhik Nairang: Sir, I move:

"That in clause 16 of the Bill, clause (16) of Statute 33 in the proposed Schedule be omitted."

Clause (16) of Statute 33 reads as follows:

"Where a College desires to raise the standard or alter the subjects in respect of which it is recognised, the procedure hereinbefore prescribed shall, so far as applicable, be followed."

That procedure is given in clauses (11), (12) and (13) of the same Statute. Clause (11) says:

"A College applying for recognition by the University shall make a written application to the Registrar so as to reach him not later than 15th October, preceding the academic year from which the recognition sought is to take effect."

Clause 12 reads thus:

"(12) A College applying for recognition shall satisfy the University on the following points:—

- (a) that it guarantees a satisfactory standard of educational efficiency for the purpose for which recognition is sought, and that it is established on a permanent basis;
- (b) that its financial resources are such as to make due provision for its continued maintenance;
- (c) that it is under proper management and is suitably organised;
- (d) that its buildings are suitable and sufficient;
- (e) that the furniture and library and laboratory equipment are adequate;
- (f) that the provision for the residence, discipline and supervision of students is satisfactory;
- (g) that due provision is made for the health and recreation of students;
- (h) that the qualifications and number of its teaching staff are adequate, and the conditions of their service such as may be approved by the University;
- (i) such other matters as are necessary for the maintenance of the tone and standards of University education."

Mr. President (The Honourable Sir Abdur Rahim): Is it necessary to read all that?

Syed Ghulam Bhik Nairang: Yes, Sir. That is very essential. My point is that all this has been already laid down and Statute (16) is superfluous. Clause 13 says:

"(13) A College applying for recognition shall give full information in the application on the following matters:—

- (a) constitution and personnel of its Governing body;
- (b) standards and subjects in respect of which recognition is sought;
- (c) accommodation, library and laboratory equipment and strength of the College;
- (d) number, qualifications work, emoluments and conditions of service of teachers;
- (e) provision for hostels, playgrounds and the residence of the Principal and other members of the staff;
- (f) fees proposed to be levied;
- (g) the financial provision made for the continued maintenance of the College;
- (h) such other matters as may be prescribed by the Ordinances."

Clause 14 says:

"Every College shall comply with the relevant Statutes, Ordinances and Regulations of the University."

Now, Sir, clause 16 in the Statutes says:

"Where a College desires to raise the standard or alter the subjects in respect of which it is recognised, the procedure prescribed shall so far as applicable, be followed."

It means at every stage I am to stand before the portals of the University as a supplicant waiting for their royal favour to allow me now to teach this subject, now to teach that subject, now to teach up to the B.A. standard and all that. Why don't they finish the whole thing in one course and get all these particulars, guarantees, and assurances under these clauses? And when that has been done, it should be unnecessary for me to go to them again and say: now I want to teach up to the M.A. standard in Science and now in Geography and now in History and all that. This sort of thing has led actually to injustice being done to at least one institution within my knowledge whose application to teach up to the M.A. standard has been pending in the University for the last two years and no order has been passed thereon. To take such powers for the University and then to abuse those powers is the idea that is abhorrent to us. And, therefore, I say that it should be deleted. Sir, I move.

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

"That in clause 16 of the Bill, clause (16) of Statute 33 in the proposed Schedule be omitted."

Mr. J. D. Tyson: Sir, I propose to reply very briefly to this. What my Honourable friend has read out is the information that is to be given when a college applies for recognition. Certain standards have to be satisfied and certain additional information has to be given.

The clause that we are dealing with shows that "when a college desires to raise the standard or alter the subjects in respect of which it is recognised, the procedure hereinbefore prescribed shall, so far as applicable, be followed." The clause reads "so far as applicable"; so that it will not be necessary, if a college is recognised up to a certain standard in a certain subject, to give details again about the "provision of library, playgrounds, residence for principal", etc., but it will be necessary to satisfy the University that the teaching staff to teach up to B.Sc., for example, and the laboratories are there,—things that may have been added since the college was first recognised.

That difficulties may have arisen is a different matter, but that some such clause, as this is necessary I should have thought was obvious.

Maulvi Muhammad Abdul Ghani: Sir, we know that there is a provision for inspection of the colleges. What work will be taken from these inspectors and the University Professors if periodical reports are not made in regard to any changes that may be taking place? They will have no work, then if even this is left to Professors. If this work is not to be entrusted to the inspecting body then I think that body should be abolished. We should not go on burdening the college authorities who are thus compelled to do less teaching work.

Sir, whenever any college has to make any alteration in the subjects or to raise its standard they are not to do anything against the scope of powers given to them. Besides the inspecting bodies, such as inspectors and others, are always out and make reports about all such things. And moreover clause 10 has been just adopted. This will be only repetition and there is really no necessity of this. I think it has been rightly moved that this clause should be deleted. Sir, I support the amendment.

Nawabzada Muhammad Liaquat Ali Khan: Sir, I think I am right in understanding that this provision exists in the present Statutes. Is that correct?

Mr. J. D. Tyson: Yes, it is.

Nawabzada Muhammad Liaquat Ali Khan: It was necessary in the old arrangements to have a Statute of this kind, when there was neither any grade fixed for teachers nor any definite qualifications prescribed for them, nor was the number of junior and senior staff fixed for the various colleges. Now under the new scheme the Government have fixed definite grades and qualifications for junior lecturers, and in the same way they have fixed grades for senior lecturers who will be employed by the colleges, and their qualifications have also been fixed. Not only that, but the Government have fixed the proportion of senior to junior lecturers also. In other words, the object of these changes is to bring up the teaching of all the colleges to the same level, and these conditions did not exist before.

Now when all the colleges are bound to employ teachers who fulfil the qualifications that have been laid down by the University, and no teacher can teach in a college unless he is recognised as a teacher by the University, I do not see any reason why a college should go to the University if it wants to raise the standard of education in a particular subject. What the University can do is that they can lay down that for opening post-graduate classes or teaching honours classes, such and such will be the minimum requirements that a college will have to fulfil. But, Sir, what happens and what has been our experience in the past is that a college makes an application that it wants to teach such and such a subject for M.A. or Honours classes. The application is made. First, I suppose, it lies in the Registrar's office for months; then, goodness knows where it goes and what happens next; anyway, I know that one college had to wait for years, before it could get an answer. It applied two years ago and even today it has not got recognition to teach certain subjects to higher classes although it has on its staff qualified persons to teach those subjects. So having a power like that may have been necessary in the past when there was no uniform standard of teaching fixed for all the colleges, but surely it is not the intention of the Government that teachers with less qualifications should

[Nawabzada Muhammad Liaquat Ali Khan.]

be paid the same salaries as teachers with better qualifications! When you have fixed the salaries at a definite scale, then I take it that all the colleges will employ teachers with equally good qualifications, and Sir, in view of that, it seems to me that this is unnecessary and the power that has been given to the Executive Council and to the various committees that may be entrusted with this task (I think it will be the task of the Recognition Committee) may be abused. Any power which is liable to be abused should not be embodied in any Statute. If the Government say that they think that still in spite of fixing all these various grades and prescribing qualifications, some colleges will have inefficient staff, then I submit that all this money will be wasted. But when qualifications are the same, efficiency is the same in all the colleges, salaries are the same, then there is no reason why each college should not be recognised to teach any subjects. What the University can do is that they can lay down that any college which fulfils such and such conditions can teach M.A. and Honours classes in those particular subjects: and every college which fulfils those conditions should be allowed to do so and it should not be left to the sweet will of any committee to decide whether such and such a college should be allowed to raise the standard of education, or whether such and such a college should be allowed to start education in certain subjects. Therefore, Sir, I support the amendment which has been moved by my Honourable friend, unless the Educational Adviser can satisfy us on this point that the object of retaining it under the new Statutes is something different to what it used to be in the past.

Mr. J. P. Sargent: Sir, I do not know whether I can satisfy my Honourable friend. I hope the use of this clause will be different in future from what it may have been in the past. I agree with him that the whole object of fixing grades of salaries is to try and ensure that the standard of college teaching is uniform and that the teachers from all colleges will be available for general purposes. I do not want the House to get tired of my talking about co-operative teaching. But I was glad to find in connection with another amendment we discussed that a number of Members who have not seen eye to eye with us in all the propositions in this Bill did see the great advantage of co-operative teaching. It does seem to me that this Statute is both necessary and desirable in connection with co-operative teaching, if it is going to be made a success. The original recognition of colleges has laid down a lot of requirements which may or may not be necessary with regard to recognition for co-operative teaching. This particular clause deals with changes which a college may wish to make in the teaching responsibilities which it has undertaken. I think Members will agree that if a college, shall we say, in the interest of economy or educational efficiency has undertaken to provide a teacher up to the B.A. in Arabic or Sanskrit, and it wants (this being a co-operative subject) to alter the subject, I gather the University must be kept informed. That is why I think it is necessary to have such a prescription in the Statute. If a college said "We have an excellent man, but we are afraid he has gone and Mr. X in another college will be better qualified to do the work so we propose to give up teaching in this subject and let somebody else do it; or alternatively, we have another man who can do it", it seems to me to be quite essential, if co-operative teaching is to be a success, that the University must be kept informed. This use of this clause will be for that purpose only.

Mr. Lalchand Navarai: I take it that when the colleges are recognised, information as required in the other clauses is being given. After that if there is any change, what I expect by this clause is that fresh information and fresh news of management should be given. If the college wants recognition and it has got recognition, then in that case they are bound to go by the information given. But if they want to increase the standard of the subjects, then I think the University ought to be informed, otherwise it will not know whether the colleges are going on properly according to what is required: not what they have already said they will follow, but what is actually required. That should be made known to the University. For instance, while the University recognises the colleges, they may say that they will give education up to the B.A.

and they give certain information; they inform the University about the subjects and their staff and also the standard by which they will go on. Subsequently they say: we are going to teach up to the M.A. class and the teachers will be the same. Supposing they carry on like that: teaching the B.A. saying, let our class go on: we will make economy; instead of giving higher pay and securing higher ability, we are going to have the same staff to teach M.A. Well, in that case it will not be right. Recognition might be even withdrawn on those grounds. So the University must be kept informed of what the colleges are going to do further on, not that they are going to be asked to restate what they have done because there is a change and that a report is being asked for on that account. The information will be fresh and the standard and the subjects will be different. Therefore information is quite necessary and thus I do not see eye to eye with this amendment and I oppose it.

Dr. P. N. Banerjee: Sir, the objection of my Honourable friend the Mover of the amendment is not so much to the retention of the statute itself as to the manner in which it has been given effect to. He points out that an application was made two years ago for raising a particular college to the M.A. standard and that no decision has been reached on that application as yet. If that is really correct, then it shows a great deal of neglect of duty on the part of the University authorities. Therefore, what we should urge now is not that this clause of the statute should be removed but that the Government and public opinion should impress upon the authorities of the university their duty in this matter. They should not make a wrong use of the power they possess.

So far as co-operative teaching is concerned, that was referred to by my Honourable friend Mr. Sargent. I am a firm believer in it. It is very desirable that there should be pooling of resources in the field of teaching. It is very desirable that the best teachers of the university should give of their best to the students of the university. But co-operative teaching should not be so arranged as to place one particular college or some colleges in a position of disadvantage. Great care should be taken to see to it that the interests of the students of all the colleges are properly safeguarded.

Syed Ghulam Bhik Nairang: Sir, in view of the light thrown on the subject-matter of this amendment by the Honourable Mr. Sargent, I would ask for permission to withdraw this amendment.

The amendment was, by leave of the Assembly, withdrawn.

Syed Ghulam Bhik Nairang: Sir, I move:

"That in clause 16 of the Bill, in clause (7) of Statute 33 in the proposed Schedule all the words occurring after the word 'teachers' where it occurs for the first time be omitted."

The sub-clause reads:

"Every College shall have on its staff a minimum number of teachers maintained for co-operative teaching. The number of teachers and the scope of teaching shall be specified in each case by the University."

I propose to stop short after saying this much:

"Every College shall have on its staff a minimum number of teachers."*

The rest I want to delete. There are two difficulties which appear to lie in the way of carrying out a rule like the one embodied in this statute. The first is that the minimum number of teachers contemplated by this clause appears to be only such teachers as may be useful for purposes of co-operative teaching; and the second difficulty that appears to exist is that their number and the scope of teaching are left unspecified, and yet it has been made the duty of every college to have on the staff a minimum number. The minimum number is, by itself, vague. What is the minimum? Who will prescribe it? Where is it? Could not this statute itself lay down the minimum number or lay down the proportion and why should it be left to be specified in each case by the university? This is the sort of vagueness which appears to be a source of difficulties in that clause. Therefore we say that every college shall have on its staff a minimum number of teachers. Nothing beyond that. Delete the rest. I may add that really some of the statutes are to us very vague in their present condition. We do not necessarily want to insist that the amendments which we propose should be adopted; if, as happened in the last amendment, we get any information from the Government side which satisfies us

[Syed Ghulam Bhik Nairang.]

as to what this clause is intended to mean and to carry out, I may not insist on the amendment at all. For the present, I move.

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

"That in clause 16 of the Bill, in clause (17) of Statute 33 in the proposed Schedule all the words occurring after the word 'teachers' where it occurs for the first time be omitted."

Mr. J. P. Sargent: Sir, this really is the numerical side of the same question that was raised in the last clause. Personally if I had been responsible for drafting these clauses, which are old ones and not new ones, I should have put these two together, at any rate, with regard to the future. This merely requires that colleges should maintain a certain number of people on their staff for co-operative teaching. Just as under the last clause, it is necessary that the university and other colleges should know what any college is doing; so it is necessary in this case that the number of teachers whom a college is prepared to maintain on its staff for co-operative teaching and the scope which they are prepared to cover should be known in case changes are necessary. A college may say "We are prepared to maintain two teachers to teach up to the B.A. honours standard in certain subjects". If they wish to change that, quite clearly they could not do so without consultation with the university or the other colleges; otherwise the arrangements for co-operative teaching will be liable to be upset . . .

Syed Ghulam Bhik Nairang: There the Honourable Member is talking of the last amendment; I am talking of clause (17).

Mr. J. P. Sargent: I am fully aware of that. I say this is the numerical aspect of the same question as in (16); it is that in connection with co-operative teaching colleges must agree to maintain a certain number of teachers on their staff who are equipped to undertake co-operative teaching in certain subjects and they must inform the university and the other colleges as to how many they are prepared to maintain, what subjects and up to what standards they are prepared to teach, and if they wish to make any change either in the number of teachers or the scope of the teaching, they must be prepared to abide by the decision of whatever standing committee there may be to organise co-operative teaching—I imagine there will be a Standing Committee of the Academic Council to organise co-operative teaching in the first instance. It seems to me this is quite a desirable clause and the proposed amendment would really introduce quite another consideration from that which the clause is proposed to cover.

Nawabzada Muhammad Liaquat Ali Khan: I am afraid the doubts that we have regarding the subject-matter of this clause have not been removed yet. The wording of this clause is such that it is not that each college will decide whether it wants co-operative teaching in any subject and as to what staff it would like to engage. But according to the wording of this clause it will be the university that will decide. The number of teachers and the scope of teaching shall be specified in each case by the university. What I fear is this. Supposing the university tells the Anglo-Arabic College, you will do teaching in Arabic, and then it goes and tells the other colleges, you will teach in English, you will teach Economics, and so on, with the result that the Anglo-Arabic College will be left only to teach Arabic—that is what I fear. If you say that every college will have the liberty and if it wants to have co-operative teaching, it can go to the university and say, that it wants to have a system of co-operative teaching, and is prepared to engage the minimum staff for teaching a particular subject, and then the university accepts—that will be all right. But what I fear the interpretation of this clause would be is that the university will tell the colleges, you will do teaching in such and such a subject, without the college concerned having any option whatsoever. That is really our fear. As has been explained by Mr. Sargent, if that was the meaning of this sub-clause, I would agree with him that it should be retained but if the university is going to decide and the colleges, although they may be wanting to teach higher

classes in certain subjects, will be forced to give up teaching in those certain subjects, then I am afraid it will reduce the position of certain colleges very considerably and enhance the position of other colleges.

Then there is another point. As regards co-operative teaching, I think my Honourable friend will agree with me that it can only come into force when all the colleges are situated in one locality. But if the intention is to introduce this now, I am afraid it will be very difficult for the student community. You cannot expect a boy who is studying at the Anglo-Arabic College at the Ajmer Gate to go to the St. Stephen's College in Old Delhi for studying certain subjects. Therefore, I do not see that there is any chance of this co-operative teaching being introduced in the near future, until at least such time as all the colleges are located in the same vicinity. As regards the other point that I have raised we have those doubts. But if that is not so, well then personally I will have no objection to the retention of this clause. But I certainly do not want the university to decide that such and such college will only teach in such and such subjects, and then leave certain colleges to waste their time, money and energy on teaching subjects which are now-a-days of secondary importance.

Dr. P. N. Banerjee: I have only a few words to say on this question. Co-operative teaching implies that there should be a real spirit of co-operation among the colleges, and it does not imply that the university will thrust upon one college one particular view and on the other colleges other views. Besides, I think it is essential to make it clear that co-operative teaching depends not only on the number of teachers but on their qualifications; the quality of teaching is very important. As regards the difficulty pointed out by my Honourable friend, the Nawabzada Sahib, I suggested in the course of my speech on one of the previous amendments that for the present co-operative teaching may be confined only to the M.A. classes, and when further facilities are available then such teaching should be extended to the B.A. classes.

Mr. J. D. Tyson: This is rather a technical educational matter, but, as I understand it, where you have co-operative teaching the last word must be with the university as to how it is to be arranged. But even where the university allocates only certain subjects to a single college that college will go on teaching its own students in all the subjects in which it is recognised. It is only in the co-operative field that it will be restricted to the subjects that have been arranged by the university in concert with it and other colleges.

As regards the second point, there cannot be complete co-operative teaching throughout the university so long as colleges are scattered about in distant parts of Delhi. The arrangement that subsists in more compact universities like Oxford and Cambridge whereby the lecture in one college ends five minutes before the hour and the next lecture in another college begins five minutes past the hour and ten minutes are available for the undergraduates to go by bicycle from one to the other—that would not apply in the Delhi University as it constituted at present. But it is not necessary for the bringing into force of co-operative teaching that all the colleges should come in all at once. You can have co-operative teaching between two colleges on or near the university site or even between two different groups of colleges in different parts of Delhi. It is not therefore necessary to hold up co-operative teaching until all the colleges are collected at one site.

Nawabzada Muhammad Liaquat Ali Khan: May I just ask one question to clarify the position. I will put a concrete case. Supposing one college is asked to arrange for co-operative teaching, let us say, for the higher classes, the post-graduate classes, in economics, and there is another college which is qualified to teach economics for M.A. and Honours classes,—will this college still continue to teach its own students? Or does it mean that the students of this college will have to go to the other college where co-operative teaching has been arranged?

Mr. J. P. Sargent: I am glad the Honourable Member chose the word "economics" and my answer would be that the issue is an economic one. If there were enough students to justify two teachers, obviously they would be

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engaged. But on the other hand, if they were so few that it would be extravagant for two colleges each to maintain a teacher in those subjects, then it would be the object of the co-operative teaching board to try and make them agree that one of them should undertake the responsibility and not both. But if there is a reasonable number I see no objection to both the colleges doing it.

Nawabzada Muhammad Liaquat Ali Khan: That is exactly where the difficulty comes in. The point is this. Each college will have—I will stick to my example of economics although it is not a question of economics altogether to teach B.A. classes and so on in economics. Would it be allowed to continue teaching higher classes in that subject or not? That is what I want to know because that college will have to keep the staff. It will still have students of B.A. and B.A. (Honours). I do not want to hide the fact. I have no faith in the University. I do not want that our college should be permitted to teach only Arabic or Persian and thus be reduced to the position of a glorified Arabic *Madrassa*, while all the other colleges should be allowed to arrange for co-operative teaching in other subjects for higher classes. That is what I fear. Will I be allowed to continue teaching in all subjects if I make arrangements to teach those subjects in spite of the fact whether there is co-operative teaching in a particular subject or not, unless I myself agree to join that co-operative teaching?

Mr. J. P. Sargent: The Honourable Member cannot expect me to answer for the co-operative teaching authorities of the University, but the position he has put seems to me quite a reasonable one.

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

"That in clause 16 of the Bill, in clause (17) of Statute 33 in the proposed Schedule all the words occurring after the word 'teachers' where it occurs for the first time be omitted."

The motion was negatived.

Syed Ghulam Bhik Nairang: Sir, I move:

"That in clause 16 of the Bill, clause (20) of Statute 33 in the proposed Schedule be omitted."

Clause (20) of Statute 33 is worded as follows:

"Every College shall maintain a reasonable proportion of recognised teachers to students on its rolls. Such proportion and the maximum number of students on the rolls shall be determined by an Ordinance."

There are several difficulties which confront one in trying to understand this clause and to decide what its implications really are. We are told by this clause that there shall be a reasonable proportion between the number of students on the rolls of and the number of recognised teachers employed by a college. That is one thing. Then such proportion and the maximum number of students on the rolls shall be determined by an Ordinance. Here, I think, we can infer that there will be an Ordinance which will lay down the maximum number of students which a college is authorised to have on its rolls.

Dr. P. N. Banerjee: Not a Government Ordinance I hope.

Syed Ghulam Bhik Nairang: No, one of the Ordinances of the University.

Nawabzada Muhammad Liaquat Ali Khan: Government Ordinance one can challenge, but this is an Ordinance which you cannot challenge anywhere.

Syed Ghulam Bhik Nairang: Even now something is going on in the Federal Court about the Government Ordinances.

So, this appears to us to be very perplexing. The maximum number of students which a college is authorised to teach may change from time to time and it may become necessary to engage a different proportion of recognised teachers at one time and quite a different proportion of teachers at another time because the maximum number of students to be prescribed by an Ordinance will not be a constant quantity, as they say in Mathematics, but a variable quantity. I have 300 students to-day and I may have 600 students tomorrow, and the maximum will be 600. I do not think a minimum is going to be prescribed. The difficulty will be that no college will know where it stands, while all the time it will feel that it is its duty under this clause of the Statute

to maintain a reasonable proportion of staff. The word 'reasonable' again is most unreasonable because it does not specify what that proportion is. I think in matters of this kind one had better be precise and exact and say five teachers per 100 students or 10 teachers per 100 students or something of that sort. If we know exactly what the proportion is going to be, we can understand and try to attain that proportion. But we are told here that it will be our duty to maintain a proportion between the students and the number of recognised teachers. And when I ask what that proportion will be, I am told a reasonable proportion. Now, my standard of reasonableness may be very different from the standard of reasonableness of my friend Mr. Tyson or Mr. Sargent and we may differ and quarrel and that may, of course, lead to all kinds of complications in the management of colleges. Therefore, I submit that a clause in the Statute which is so vaguely worded and yet so imperative should not stand there and I move that it be deleted.

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

"That in clause 16 of the Bill, clause (a) of Statute 33 in the proposed Schedule be omitted."

Sir Muhammad Yamin Khan: Sir, this clause is very unhappily worded as has been pointed out by my friend Syed Ghulam Bhik Nairang. One thing which I cannot understand and which probably my learned friend will later on explain is how the ratio will be changing from time to time as the number of students increases or decreases. If you want that a reasonable proportion may remain, then does it mean that if in a particular year the number of students decrease, you will have to dismiss some of the staff which had been employed in the previous year when there were more students? Is this the idea? Supposing I have got 300 students on the rolls in one year and I have employed, say, 6 teachers for them and supposing next year the number of students goes down to 200, shall I have to dismiss two teachers of mine? Is this the idea? What is in the mind of the Government should be explained properly. How will the Statute work? Will the number of the teachers go on changing from year to year? Is this the idea of the Government that we should employ our teaching staff without giving them any security of tenure? The teaching staff that we may employ may never know whether next year they will be dismissed for want of the proper number of students. Please tell us how will you work this out? When I was talking about the provident fund, I mentioned the same difficulty there. You may dismiss a teacher because he is not required on account of certain circumstances and therefore you will not give him the provident fund. At that time I foresaw that these things will occur. It will be proper if my Honourable friend is able to give some kind of clue to the House before the House can come to any judgment.

5 P.M. whether to accept the Statute or not, and in reasonableness to the teaching staff whether they will be secure in their places. Does my Honourable friend mean that if 20 students have shifted from one college to another, then one teacher will have to shift from that college to the other? We want to know the real intention of the Government. If you have got co-operative education, then certainly some number will fall, sometime the number will increase. Therefore you will have to make it clear as to how you are going to work this statute. When this is properly explained, we can give our vote. We find that many difficulties will come in the future working of this statute. That is not reasonable and I expect my Honourable friend to elucidate these points very clearly.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 24th August, 1948.