

319 *Re: Employment of Manual Scavengers and Constitution of Dry Latrines (Prohibition) Bill* MAY 13, 1993 *Re: Tejpur University Bill* 320

MR. CHAIRMAN: The Question is:

"That the Preamble, as amended stands part of the Bill"

MR. CHAIRMAN: The question is;

"That long title stand part of the Bill"

The motion was adopted

The Preamble, as amended, was added to the Bill.

The Long Title was added to the Bill

The Motion was adopted

MR. CHAIRMAN: The Minister may now move that the Bill as amended, be passed.

SHRIMATI SHEILA KAUL: I beg to move:

"That the Bill, as amended, be passed"

MR CHAIRMAN: The motion moved- "That the Bill, as amended, be passed."

{ Translation }

SHRI RAM VILAS PASWAN (Rosera): Mr. Chairman, Sir, I would like to give one suggestion that in the proposed important committees, more than 50 per cent representation should be given to the people belonging to these sections of the society only then the objective of the Bill could be fulfilled.

SHRIMATI SHEILA KAUL: All right, it will be taken into consideration.

[English]

MR. CHAIRMAN: The question is:

"That the Bill, as amended be passed "

The motion was adopted

SHRI GIRIDHARILAL BHARGAVA (Jaipur):

*Moved with the recommendations of the President.

Mr. Chairman, Sir, now-a days all the Member are facing the problem of receiving electricity tails of excessive amount. Some Members have received the bill of Rs. 13, 000 and Rs. 26, 000/ I would like to know the reason if issuing bills of such excessive amounts. The Members have been given exemption in the payment of electricity Bills upto Rs. 3600 in a year but the bill for s. 26,000 is being issued for one month only. On the one hand the Government is paying some extra amount by increasing pay and allowances of the Members and on the other the Telephone and Electricity departments are recovering it from the Members thorough their Bills.

Therefore I would like to say that the Minister of Parliamentary Affairs should also pay attention to it so that in future such bills excessive amounts are not issued and the previous bills should also be corrected.

MR CHAIRMAN: All right please sit down

[English]

MR CHAIRMAN: We shall now go to Item No. 13

[English]

16.04 hrs.

TEZPUR UNIVERSITY BILL

As Passed by Rajya Sabha

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUAMRI SELJA): On behalf of Shri Arjun Singh, I beg to move.*

"That the Bill to establish and incorporate a teaching and residential university in the State of Assam at Tezpur and to provided for matter connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

MR. CHAIRMAN: Motion moved:

"That the Bill to establish and incorporate a teaching and residential university in the State of Assam at Tezpur and to provide for matter connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

SHRI K̄ABINDRA PURKYASTHA (Silchar). Mr. Chairman, Sir, I rise to support the Bill to establish and incorporate a teaching and residential University in the State of Assam at Tezpur and to provide for matter connected therewith or incidental thereto.

Sir, this Bill was to come before the Parliament long ago. It is unfortunate that after a few years, the discussion states and now the Bill has come before the Parliament for passing. In this connection I must say that I am totally doubtful about the intention of the Government regarding the establishment of the University. I will tell you why such although had come to my mind. I must make it clear that just to bring before the Parliament such a Bill and making an Act will not serve any purpose. Perhaps, the House is well aware of the fact that in the year 1998-89, another Bill viz. Assam Central University Bill, was passed in the House by the Government. Since 1989, till today about four years have elapsed, but practically, no action was yet been taken for setting up this University at Silchar in the State of Assam. The Government had to take or the Government took several years to finalise this site for the University after dilly-dally activities by the Government. Only in the year 1992 this site for the University was finalised. This is not enough. After finishing the site, the Government simply appointed for this University, the Officer on Special Duty but this Officer on Special Duty—fortunately, he was my classmate told me that he had been put there and no task had been entrusted to him. He has no work. He is sitting at Silchar and doing nothing.

Perhaps you may be knowing that the people of Barak Valley, since 1971, had been

launching movements. There are many activities for the university. Ultimately, the Bill come before the Parliament and an Act was made. After this, it was found that the Government—although an Act had been made—had not allotted any fund for this University for the construction of the building. You will be astonished to know that I have had discussions with Mr. Arju Singh, the Minister for Human resource Development several times and he had assured me that the classes in the University would be started by 1993. But, later on the Government or the Minister had decided to start the classes from 1994. I had given a proposal to the Government or to the Minister that pending construction of the University building, classes should be started in some other building as was done in the case of REC, Medical College etc. earlier. But except giving assurance, the Government did not do anything. They have not kept up those assurances. That have not kept up those assurances. That is why I doubt whether the Government is very much active in this respect. The University must be set up, the Government should take up some definite programme for training of students. I am very much doubtful about the intention of the Government. They, first make an Act, befool the people by not allowing the Act to materialise.

As regards this Tezpur University Bill, it is good that the Government has brought forward this Bill before this House and I hope, definitely, this Bill will have the support from all sides and it will be passed. But I am doubtful whether this Act will ever materialise. I am sorry to say that when I talked about the Central University to be set up at Silchar, the Minister for Human Resource development told me (1) that the Prime Minister desired that both the Universities should be started at a time.

For one University, the Act was made in the year 1989, but at that time the Bill for the Tezpur University was not brought in the House. In that position, the Minister was telling me that the Prime Minister desired that both the University should be set up at the sometime. What was the

[Sh. Kabindra Purkayastha]

reason behind it? The people of Assam would never demand that the Assam Central University should not be started so long as Tezpur University was not started. That was the intention of the people of Assam; because the whole population of Assam is one; and the people of Assam want that one by one these Universities should be started. There was a proposal as regards starting a university at Silchar.

In this connection, I must say—even if the Bill has been brought by the Government in the House. I am doubtful whether it will be implemented after passing it. That is why I would like to draw the attention of the Government or the Minister to this aspect that before passing the Bill the Minister should assure that House that actually the desire of the State to set up the University would be fulfilled as soon as the Act is made. Only making an Act will not serve the purpose of the Government. Again I must say that the fund should be allotted for the Assam Central University for which the Act was made in 1989; and arrangement should be made for construction of the University building and starting classes from the year, if not from 1994. At the same time, as soon as this Act is made, funds should be allotted for the construction of the University building; if possible, classes, for the Tezpur University should also be started in due time. There should be no delay on the part of the Government in doing it and the Government should come out with a concrete decision and the University should be set up as early as possible.

With that, I support the Bill.

SHRI PROBIN DEKA (Mangladci): Mr. Chairman, Sir, I would like to speak in Assamese. I extend whole-hearted support to the Tezpur University Bill, 1992. On this occasion I pay my humble tribute to our departed leader, the ex-Prime Minister Shri Rajiv Gandhi, who had the noble idea of establishing an University at Tezpur in Assam. Today his dream is

being translated into reality by passing this Bill in this house. Earlier, the same Bill has been passed by the Rajya Sabha.

Sir, it is great pleasure that on the north bank of the river Brahmaputra the Tezpur University is being established. So long there was no University on the north bank of the river Brahmaputra. The establishment of this University will fulfill the long cherished aspirations of the people of that region. This will benefit the students of Arunachal Pradesh also.

As it has been rightly pointed out in the objects and reasons of this Bill that to promote motional integration and the study of the rich cultural heritage of the region and in particular, the diverse ethnic, linguistic and tribal clusters of the State. This will provide in remote and rural areas, to upgrade the professional knowledge and skills of in-service personnel, in particular school teachers, medical personnel and extension staff and to provide opportunity for life-long learning for adults.

I hope, this University will not neglect the local and regional aspirations and the developmental needs of the State of Assam.

In this regard I would like to request the Union Government to allocate adequate funds for setting up the University and work should be started as early as possible.

I think you very much for giving me an opportunity to support this Bill. With these words I conclude my speech because there are so many other Hon. Members who would like to speak.

SHRI BIJOY KRISHAN HANDIQUÉ (Jorhat): Mr. Chairman, I rise to support the Tezpur University Bill. The people of north-eastern region, particularly Assam, are happy to see that the Bill is being brought forward in the House today.

It meets aspirations of the entire north—eastern region, particularly Assam. On this

happy occasion let us remember the then Prime Minister, the late Shri Rajiv Gandhi. Actually, it was he who meted the idea that there would be two Central University one at Silchar and the other at Tezpur. After a long time, say, five-six years, we are happy to see that his idea is being materialised. Sir this particular university has another aspect. I agree with my colleague Shri Probin Deka that the northern side of the river Brahmaputra is quite undeveloped particularly educational institution wise. There are no engineering colleges, in medical colleges. etc. So actually the choice of this place, Tezpur on the other side of the river is really a wise one and the neighboring States like Aruanchal Pradesh will get the benefit of Tezpur University. But I would like to request the hon. Minister of human Resources Development particularly our lady Deputy Minister Kumari Selja, who has introduced the Bill not a let this university be just like any other university. Let it be specialised university with new subjects. Even if we introduce science and technology as a subject let it be in tune with the modern development of science and technology of the whole world.

I have another suggestion. I would like to see that this university develops a well laid distance education system so that the entire North Eastern Region, the people of region can take advantage of this distance education.

I hope this unvesities Bill will be commissioned within two years and Government will take steps so that it can be started immediately and if necessary classes can be started in rented houses.

However, I would like to tell you that I am not like one of the doubting to one like our hon. feign Shri kabindra purkayastha. I do not know why he has got the suspicion that the Silcher University will not come up. It is not case of one upmanship. It does not matter. Both will whether Tazpur precedes Silchar or silcher precedes Tazpur. Both will come up at the night time.

SHRI KABINDRA PURKAYASTHA: My

doubt was only that e Act was made in the year 1989 and till today no action in this regard has been practically taken to finales the site of the university. Therefore, this dobut arose in my mind.

SHRI BIJOY KRISHNA HANDIQU: This idea was imitated in 1987 and to today it is 1993 but it does not matter. Now the bill is being any it brought forward and we are looking forward tose a new university coming up at Tezpur and along with this another central university at Silcher,

With these words, I support this Bill.

SHRI UDDHAB BARMAN (Barpeta): Mr. Chairman Sir, I support this Bill. It was the long standing demand to constrict a university at Tezpur particularly to meet the needs to develop human resources in the North Eastern Region, so that it an help in the development of that area economically socially and cultura byl. It is good that this Bill is being token into an Act.

Sir, while welcoming this Bill, I want to draw the attention of the House and also of the Government towads the development of democratic atmosphere in this proposedd Tezpur University. Naturally autonomy has to be there but democracy should also be there. A university not only comprises its teachers and students but its employees also.

In respect of higher education there were two Commissions Gahebndra Gadkar Commission and Kothari Commission which recommended that here should be a democrat management in the Board of Management there should be respersesatives fro different sections comprising the university community and elected member should be the more than nominated members there in the Committee. If there are only ex-office members or some officials on the Board of Management then they will not be very scent to the promises expressed in this Act. The will be very such during the tune of bureaucrat

[Sh. Uddhab Barman]

here, much to the neglect of the socio, political and cultural needs of that area.

I therefore, urge upon the Government to see that in the II Scheduled, it is added that on the Board of Management Academic Council students Union, etc. election principles dominate and they should be representatives in Management from different sections like teachers, student, etc.

At the same time I want that the students union or council be constituted not by nomination but through elections and in the case of Academic Council also the principle of elections should be there. With these things, I feel that democratic atmosphere in the university will prevail and it will help not only the democratic functioning but also the autonomy of the University.

At the same time, I urge the Government to see that Silcher University also starts along with the Tezpur University so that both these universities can help in the development of manpower, human resources in the North Eastern Region.

With these words I again thank the Minister for bringing this Bill in this Session itself.

[Translation]

SHRI SURYA NARAYAN YADAV (Saharasa): Mr. Chairman, Sir, I welcome and support the Bill brought by the Government.

[SHRI SHARAD DIGHE *in the Chair*]

16.24 hrs.

It has been stated in the objectives of the Bill that for the education and training of the people, for the improvement of social and economic conditions and for the intellectual, educational; and

cultural development of the people of Assam, special attention has to be paid. Therefore, the objective which the Government is going to achieve through this Bill, is in fact a welcome step.

I think this University should have been established much earlier. One of the hon. Members was saying that the idea of establishing this University was mooted by late Prime Minister Shri Rajiv Gandhi. What has been stated in the objectives of the Bill proves that the efforts which should have been made for education, training and intellectual development of the people of that State have not been made during 40-45 year of independence. Though it is a late step yet I would like to say that as the Government has now taken it up so the Government should take effective steps to fulfill its objectives. It should not happen that even after passing the Bill, its implementation takes another two to four year's time. What I want to say is that the people of that State may remain no more neglected. With these words I support the Bill and congratulate the hon. Minister for bringing this Bill.

[English]

DR. C. SILVERA (Mizoram): Mr. Chairman Sir, I rise to support the Tezpur University Bill. I would like to congratulate the Assam State also for having the second Central University and fourth University there.

I am very grateful to the Central Government for understanding the problems and the difficulties faced by the North Eastern States. This manifests that the Center is caring for the welfare and development of the North Eastern areas. It is being said number of times in this very House also that North Eastern States are neglected. True. Most of the North Eastern States are backward and under developed and there are no industries in some of the State at all.

I am very glad that the Central Government has come out with this Bill. I am sure that this

university will bring lot of improvement in the welfare of the people in that area.

Sir, this Tezpur University Bill has been brought and passed in Rajya Sabha. It is mainly because it was the promise of the late Prime Minister Shri Rajiv Gandhi. prior to this a Central University was granted in the Kachar District of Assam in Vrakh valley and I would urge upon the Government to implement that Bill.

In North Eastern Region, there are about 5-6 States and almost all the States are having universities of their own. There was a University, the North-Eastern Jill University which was shared by four States, namely, Meghalaya, Mizoram, Arunachal and Nagaland. But the Arunachal State and the Nagaland State have each a university of their own. The only State which are sharing the Nehru University are the Mizoram State and Meghalaya.

As we all know, Mizoram had been under the spell of insurgency for about 20 years and when the Accord was signed one of the Clauses of the Memorandum of Settlement was that a University should be established in the Mizoram State.

Paragraph 12 of Section 2 stated:

"It is open to the State to move for establishing a separate university in accordance with the prescribed procedure"

The Central Government have been approached a number of times for this, but the answer we got is that due to financial constraints it was not possible at that moment. I would like to remind the House that this Memorandum of Settlement was signed during the time of Shri Rajiv Gandhi and the Minister of Human Resource Development was very much involved with that settlement. I would like to urge upon the Central Government to look into this matter and fulfill the promises made by the Central Government to Mizoram State by giving a Central University to Mizoram. Once again I would like

to support the Tezpur University Bill and I congratulate both the Assam State and the Ministry of Human Resource Development for bringing this Bill.

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOMOHAN DEV): Mr. Chairman, Sir, at the very outset I must convey my heartfelt thanks to the Government of India and specially to the Human Resources Development Minister and to the hon. Prime Minister. The Tezpur University Bill has now been introduced and it is going to be passed in Lok Sabha. This Bill has already been passed in Rajya Sabha.

Sir, this year all Members of Parliament from Assam met the hon. Prime Minister and requested that this Bill should be passed in this Session so that we can have a beginning to both the Universities - the Assam University in Silchar and the Tezpur University in Tezpur - with temporary classes by June-July. The Prime Minister gave his blessings. Subsequently, during our discussion with the Minister for Human Resources Development, the Minister said that if the cooperation of the State Government is received, there will be no difficulty in starting makeshift classes.

Sir, in the Assam Accord, various clauses - IIT, Central University and other things - are there. With the blessings of Shri Rajiv Gandhi, we got the Assam University in Silchar. But there was unhappiness from the people of Brahmaputra Valley and they said that this University should have been in Tezpur. When we find that the sentiment of Brahmaputra Valley people is quite high and justified, we appealed to the present Prime Minister to agree to this. Shri Rajiv Gandhi also at a later stage said that we should have another University at Tezpur.

My good friend, Shri Rajesh Pilot, who is here, was not against having a University in Silchar but he was very much for having a University in Brahmaputra Valley. Ultimately all of us had agreed that we should have another University

[Sh. Santosh Mohan Dev]

in Tezpur and start the classes of both the Universities simultaneously. This is one of the reasons why the Assam University Bill, which was passed earlier, has not implemented so far.

My good friend, Shri Purkayastha, who represents Silchar constituency, has expressed his unhappiness very rightly so over the delay in starting classes in Silchar when the Bill was passed in 1989. I would like to remind my hon. friend that after 1989, we were not in power and the Government in power was with your support. The then Congress Government tried their best to have a University in Silchar. Unfortunately, the then AGP Government took a stand that no land was available in Silchar for a Central University and land was available in Tezpur and hence it should be there. Fortunately by the verdict of the people, the AGP Government is no more there now and the Congress Government is there. The Congress Government has already made available land for the Assam University as well as for the Tezpur University. Lands have been identified. The UGC's money is available for the help of certain Universities. I have spoken to the hon. Minister Arjun Singhji and he said that there will be no dearth of money and classes for both the University buildings. The only condition they have laid down, which the Assam Government has agreed, is that the infrastructural facilities like roads, electricity water supply, medical aid to the students and employees to start with in a University campus shall have to be provided by the State Government and that has also been agreed to. The Chief Minister and I personally met the honorable Human Resource Minister and we were given the assurance that this will be done. Two OSDs are going to be appointed very soon for both the Universities and class will start.

One point has been raised by Mr. Das. Yes, the Bill has not been given consent by the President only for the reason that according to the status of the Bill, the moment this Bill is given the consent, from that very moment all the

colleges in the Barak Valley come under the University. So, the University must have an infrastructure to take up the work and this is the only reason for which it has not been done. If you go through the Bill and read it very carefully, you will see that clause. So, there is nothing to be afraid of. This is a long-felt desire of the Assam people to have the two Universities, this is the triumph of the people of Assam because irrespective of political parties, all supported both the Universities and today the Government of India has accepted it. So, on behalf of the people of Assam, I convey my heart-felt thanks to the Government of India for getting it implemented.

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): Mr. Chairman, Sir, it was a long-standing demand of the people of Assam to have a Central University in that State and on the eve of the Assam Accord our late Prime Minister, the then Prime Minister Shri Rajiv Gandhi, on his visit to Assam, announced the setting up of a Central University. So, the background has been explained at great length by Shri Santosh Mohan Devji.

Sir, I would only like to point out that though the Bill was passed by Parliament in May 1989, but after that there were some reservations by the Assam Government and in June 1989 the Legislative Assembly of Assam adopted a Resolution that we should amend the Assam University Bill and they wanted that immediate steps should be taken to establish a Central University at Tezpur and the University should be made unique.

Apart from this, there were some problems about the location of the University also and it was decided in our CPPA Meeting held in 1990 that perhaps we could have two causes of the Assam University. But that is also not agreed to by the State Government. So, ultimately it was decided that perhaps instead of one we should have two Central Universities in Assam, one in

Barak Valley at Silcher and another one at Tezpur in the Brahmaputra Valley.

Sir, this University will meet the longstanding demand of the people of Brahmapuratra Valley also.

Sir, some of the Members have raised a few points. I would like to respond to them.

Mr. Purkayastha wanted to know about some of those points that I have just explained. Mr. Probin Deka wanted to about the finances. I would like to inform him that we have set aside Rs. 15 crores for the Tezpur University.

SHRI KABINDRA PURKAYASTHA: How much for Barack Valley?

KUMARI SELJA: For Assam University we have Rs. 70 crores in the Eighth Plan.

SHRI KABINDRA PURKAYASTHA: Why is this difference?

KUAMRI SELJA: Sir, the difference is because the University at Tezpur is going to be a compact University and non-affiliating, though they have a compact campus it does not really require that amount, as much as the Assam University, which is going to be an affluent University.

Also, Sir, Mr. Handique raised a few points about the specialization of this University. I would like to inform him that the University would offer mainly post-graduate courses and it would also offer courses in remote research in areas which are of special and direct relevance to the region, namely tea petroleum, agro-industries, non-conventional sources of energy, minerals, forestry, earth sciences, water resource management, environment and like science and crises in management studies, computers and electronics and emerging areas in science and technology will also be offered.

Mr. Barman raised a point about the elected

persons in the University bodies and students' unions. Sir, his suggestion can be considered at the time of formulating the statute.

Sir, Dr. Silvera wanted to know about the Mizoram University. May I point out that even the the time of Mizoram Accord it was nowhere mentioned that we are going to set up a Central University in Mizoram. It was only mentioned that the Central Government would help the State Government in setting up a University and there has been some.

DR. C. SILVERA (Mizoram): Was the agreement between the Center and the MNF to have a Central University in Mizoram? But unfortunately in the Memorandum of Settlement, 'Central University' was not mentioned. Only 'University' was mentioned. But he idea was to have a Central University and that was the idea of Rajivji to get a Central University to the State of Mizoram.

KUMARI SELJA: Then Sir, there has been some correspondence between the State Government and the Central Government, and I think we are sorting it out with them.

Sir, I would like to thank all the Members who have welcomed this setting up of this University cutting across party lines and I would like to inform them that as soon as this Bill is passed, the notifications for both the Universities will be issued. And as far as the Assam University is concerned, the site has already been finalised at Durgapona and the Meeting to work out the Notification and other operational problems has been fixed for 25th of this month and I hope everything will be sorted out by then. with all the Members. Thank you.

MR. CHAIRMAN: The question is'

"That the Bill to establish and incorporate a teaching and residential University in the State of Assam, at Tezpur and to provide for matters connected therewith or incidental

[Smt. Kumar Selja]

thereof as passed by Rajya Sabha, be taken into consideration."

The motion was adopted

MR. CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill. There are no amendments to the clauses.

The question is:

"That clause 2 to 44 stand part of the Bill."

The motion was adopted

Clauses 2 to 44 were added to the Bill.

MR. CHAIRMAN: The question is

"That the first Scheduled and the Second Schedule Stand part of the Bill"

The motion was adopted

The First Scheduled and the Second Schedule were added to the Bill.

MR. CHAIRMAN: the Question is:

"That Clause 1, the Enacting formulae and the long title stand part of the Bill"

The motion was adopted

Clauyse 1. the Enacting Forumla and the long Title were added to the Bill

KUMARI SELJA: I beg to move;

"That the Bill be passed."

MR. CHAIRMAN: The question is

"That the Bill be passed."

The motion was adopted.

MR CHAIRMAN (Shri Shared Dighe): We put off it, no. 11 for some time and now we are taking up item no. 12.

16.45 hrs.

CENTRAL LAWS (EXTENSION TO ARUNACHAL PRADESH) BILL

As Passed by Rajya Sabha

THE MINISTER OF STATE IN THE MINISWTRY OF HOME AFFAIORS (SHRI RAJESH PILOT): Mr. Chairman. Sir, I beg to move:

"That the Bill to provide for the extension of certain Central laws to the State of Aruanchal Pradesh, as passed by Rajya Sabha, be taken into consideration."

The Bill seeks to provide for extension of certain per-construction Central laws to the State so far.

Arunachal Pradesh is most composed of the hill areas earlier known as North East Tracts inhabited by several tribes. These areas were separated from the then Darang and Lakhimpur district of the Province of Assam in the year 1914, under the Assam Frontier Tracts Regulation, 1880. In the year 1937, the said Frontier Tracts came to be known collectively as the "Excluded Areas" in the province of Assam under the Government of India (excluded and partially Excluded Areas) Order, 1936 issued under the provisions of the Government of India Act, 1935. The Central laws would apply to these areas in the pre-Constitution days only if sepcifically extended by the Governor.

When the Constitution of India came into force on 26th January, 1950 these areas were covered by the provisions of the Sixth Schedule to the Constitution, which provided for considerably greater autonomy to Tribal Areas within the State of Assam. The North-Eastern Frontier Agency. The status of Union Territory was con-