

397 *Disapproval of Customs Trif. (Amdt.) Ord. (St. Res.) & Customs Traff. (Amdt.) Bill.*

MR. CHAIRMAN: Has the hon. Member the leave of the House to withdraw his amendments?

SOME HON. MEMBERS: Yes.

SHRI JYOTIRMOY BOSU (Diamond Harbour): No.

MR. CHAIRMAN: All right. I will have to put it to the vote. I will put all amendments moved by Shri T. R. Shamanna to clause 2, to the vote of the House.

Amendments Nos. 2 to 7 were put and negatived.

SHRI N. K. SHEJWALKAR (Gwalior): I want to be enlightened on one point. When leave for withdrawal of amendment is asked for, it is not as if it should be granted unanimously. Majority is there. It need not unanimous. But majority is enough. It can also be voted. It is not necessary for the Chair to just put them to the vote.

MR. CHAIRMAN: If there is even one dissenting voice, I have to put it to vote. That is the rule. I have to put the question to the House in order that the House may give its permission to withdraw or not to withdraw.

SHRI JYOTIRMOY BOSU: That you did, Sir.

MR. CHAIRMAN: Thank you. The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

MR. CHAIRMAN: Now, the hon. Minister.

BHADRA 4, 1903 (SAKA) 398
Ord. (St. Res.) & Delhi University (Amdt.) Bill

THE MINISTER OF FINANCE (SHRI R. VENKATARAMAN): I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: Motion moved:

"That the Bill be passed."

Now, Mr. Jyotirmoy Bosu, do you want to speak?

SHRI JYOTIRMOY BOSU: No, Sir,

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

16.25 hrs.

STATUTORY RESOLUTION RE: DISAPPROVAL OF DELHI UNIVERSITY (AMENDMENT) ORDINANCE, 1981

1981

AND

DELHI UNIVERSITY (AMENDMENT) BILL

SHRI N. K. SHEJWALKAR: Mr. Chairman, Sir, I beg to move:

"That this House disapproves of the Delhi University (Amendment) Ordinance, 1981 (Ordinance No. 4 of 1981) promulgated by the President on the 9th June, 1981."

16.27 hrs.

[SHRI CHINTAMANI PANIGRAHI in the Chair]

Sir, I may be excused for raising the question of propriety of issuing ordinances time and again. Several times, this point has been raised before this hon. House that the measure of ordinance should not be resorted to as far as possible. On the last occasion also, in the year 1980, about ten ordinances were issued by the Government before the start of the session.

[Shri N. K. Shejwalkar]

I had also then raised this very point that the measure of ordinance should be avoided and it should be actually condemned. At that time, I also quoted the earlier rulings of the hon. Speaker of this House and again with your permission I want to quote from *Kaul and Shakdher* from page 522:

"On November 15, 1971, when the Deputy Minister of Parliamentary Affairs sought to lay on the Table copies of the thirteen Ordinances issued by the President during the preceding inter-session period, an objection was raised that never before in the history of Parliament, so many Ordinances were issued during any particular inter-session period. Thereupon, the Speaker observed:

'I agree with you that so many Ordinances should not have been issued. I personally think it is not a light matter to be ignored. Certain observations have been made by my predecessor Shri Mavalankar based on very sound judgement. I would invite the attention of the Government to see that there is real emergency or urgency justifying the issue of an Ordinance.'

Further, it is said:

".. on November 22, 1971, particularly in regard to the Ordinances which had imposed certain levies, the Speaker observed:

'If you think that there should be some distinction between financial and non-financial, tax and non-tax, Ordinances, there is nothing in my knowledge on which I can base my ruling. All I can say is that I do not approve of an Ordinance just at the time when the House is about to meet.'

I raised this objection earlier also and brought it to the notice of the hon. Speaker and the House. The

House should condemn this practice. The hon. Speaker was pleased to observe that such sort of ordinances in such a large number should not be resorted to. This time also what has been done? There are as many as nine ordinances promulgated during the last two and a half months. I do not want to take the time of the House by giving the total list, but it is before me and it has been circulated to all the Members and everybody knows what the list is. Therefore, I will first request that such sort of exercise of power under Article 123 should be condemned outright.

Sir, I will point out the grounds on which this particular ordinance has been sought to be supported. The statement which has been circulated along with this Amendment Bill says:

"From time to time the Government of India has been receiving requests from friendly foreign countries having no university of their own or the Welfare associations of Indians domiciled in foreign countries for affiliation of their institutions of higher education to Universities of India."

After reading these lines one would not really come to the conclusion that from time to time Government of India has been receiving requests may be from the last one year or last two years. Specific data regarding those requests has not been given. I am sure that request must have been coming for a few years. When there was such a demand for affiliation by foreign countries, why at the eleventh hour was such a decision taken? Statement further says: "It was however, not possible for the Government to accede to such request because none of the Universities in India has extra territorial jurisdiction". And for having extra territorial jurisdiction, this ordinance and this Bill has been brought in. So, if they actually wanted and if they had

data with them for considering the demand of foreign institutions earlier, what was coming in their way to increase the extra-territorial jurisdiction of any of the universities the wanted earlier? Why was it not done earlier?

The grounds on which they show the emergency is stated here:

"Recently a request was, received from a friendly foreign country for affiliation of its proposed degree college to the University of Delhi for three-year degree course. In order to make it possible for the Government to enable the University of Delhi to affiliate colleges outside India, it was decided to amend Section 5 etc. etc."

Sir, the snay is here. They give one illustration to show that they want to accommodate one request but while writing plural requests are mentioned namely, "in order to make it possible for the government to accede to such request". Was this actually the purpose of the Ordinance.

Now, why was not this Bill brought in earlier, when they had lot of requests for the affiliation of such colleges. Therefore, on reading all this explanatory statement, it cannot be at all inferred that there was a necessity for such an ordinance. Therefore, I feel that actually this is disregard of Parliament. This is disregard of the Speaker's ruling. Matters are always being taken very lightly and to this I have raised very serious objection. Article 51A of the constitution says that it shall be the duty of every citizen of India to abide by the constitution and respect its ideals and institutions... Parliament being the supreme body, its decision and its giving of mind through the speaker are not light

matters. Every time these ordinance are brought in, we in the Opposition, particularly myself get the chance to oppose this sort of thing with the utmost power at our command. Unfortunately, I can only say that it is a complete disregard of the status of this House. Actually, it is a sort of contempt of this House.

I now come to the ordinance itself. Yesterday also it was said that such-and-such a heading of a particular act was something, but below the heading was something else. The difficulty is to the extent of having some more colleges under the jurisdiction of this University—it may be Delhi University or any other university. I can understand that difficulty. If you have to remove that difficulty, you can bring in some legislation for that purpose. But this particular Bill—and this ordinance—is much more than that.

MR. CHAIRMAN: Mr. Shejwalkar, you knew the entire time allotted for the entire Bill is only one hour.

SHRI N. K. SHESWALKAR: I know; but according to the rules, I am entitled to half an hour in respect of resolutions. It is my right. Am I talking anything irrelevant? I will try but after all I cannot be bound. The amendment suggested is in respect of Section 5. They want to add this clause (1A):

"Notwithstanding anything contained in sub-section (1), the Central Government may, if it is of opinion that it is necessary or expedient so to do in public interest, direct, by order in writing, the University to admit to its privileges any institution situated outside India and the University shall be bound to comply with such direction."

[Shri N. K. Shejwalkar]

There is this University Act; and under that Act, there are statutes and ordinances. Under ordinance No. 21, Chapter 8, they have laid down principles for recognizing institutions. It is said:

"Every application shall contain a statement of the following particulars:

(a) that it is an institution which provides general or special education....

(b) the date of its foundation....

(c) whether it desires to be admitted as a whole or in respect of some branch or department...

(d) whether it is applying for admission as an institution providing courses of instruction for degrees or diplomas of the Universities....

(e) an account of its buildings . . .

(f) the number and qualifications and remuneration and conditions of service of the staff . . .

(g) provision for equipment and laboratories ..

(h) the standard of instruction

(i) the number of students, distinguishing those receiving instruction in the day time and those attending evening classes only;...."

And further, with regard to the Executive Council, under rule 4 of this Chapter, it is said:

"The Executive Council, after considering the above information, may recognise the institution as an institution of the University, subject to the following conditions..."

And conditions have been given thereafter i.e. at page 334 of the Statute Book.

Now, what a funny thing is being done! Government takes for itself all the powers. They say, by an order, they will direct the university to admit any institution and the university shall be bound by that. Why should it be bound? Is it not a discrimination between one college and another.

Today I had read in the paper that there are two colleges which are under consideration for being recognised by the Delhi University. Whether the standard for admitting one college of India can be different from the standard of admitting another college outside? I can understand if you give them extra territorial jurisdiction because that is a matter which concerns the foreign country. The Government of India can rightly decide whether a particular college of a particular country should be asked to be affiliated or not, and to that extent, the judgment or discretion should be that of the Government of India. I do not challenge that; that is a correct procedure.

Secondly, why do you want to interfere in the affairs of the University? The Government can, at the most, recommend that after all this is a college which you kindly consider whether it can be affiliated or not; you kindly consider over that matter and decide. The Executive Council and the academic Council are the bodies which are to be consulted. In the papers, it appears that the associations of teachers also gave an unfavourable reaction. Actually what happened is this. When the Vice-Chancellor was asked about this matter, he said, "When this Ordinance was passed, he was consulted". A question was put to him: "did you ask the Council Members or other members who are under the

Ordinance, or under the Act, or under this statute, empowered to admit a particular college? He said, "No; I do not feel the necessity thereof." Can the Vice-Chancellor say of his own that "all right, we agree to bring forward such an Ordinance"? Whether the Executive Council Members or teachers or others who are directly responsible for admitting such colleges into the University were asked? If such action should have been taken and if they had given the consent, then it would have been quite understandable. Then the fault would not have been that of the Government. As *prima facie* their reaction is that they had been side-tracked. Certain rights were taken away with respect to a particular institution. How is it justified? I do not see any justification in it. Why should it be on their sweet will? So, wide ranging powers are taken by the Government. No principle is laid down: when the University shall be bound. On what principle they will recommend? No.

With your permission I have moved my amendment wherein I have said that there should be a recommendation to the University. The University may or may not consider the case on the basis of the principle laid down in the Act, in the statute, in the Ordinance. So, this is the amendment which I have tried to move. Let me make it very clear that I am not opposed to the extension of the territorial jurisdiction of the Delhi University; not at all. But I am entirely opposed to the intervention by the Government into the powers of the University and the Executive Council under which all these things are being done. I request the hon. Minister that they should reconsider this matter, this sort of discrimination. I am afraid, whether this Act can withstand the judgment of the court because there is a discrimination. A college in India is being discriminated against a particular col-

lege abroad. The same yardstick is not being applied for admitting an institution into the University. It is for those who are in the Academic Council, in the Executive Council to judge whether a particular institution is fit to be given this privilege or that privilege; whether that can be brought under the Delhi University. The Government should not take these powers. They have not laid down any test on the basis of which they can ask. They can ask anybody. Today, they are asking one college; tomorrow, they can ask another college to be affiliated. It means that the University will be bound by that order. I am entirely opposed to the word 'bound'.

Therefore, my submission is that if at all this amendment is accepted, that will be a good step. Otherwise, I oppose the Bill.

MR. CHAIRMAN: Resolution moved:

"This House disapproves of the Delhi University (Amendment) Ordinance, 1981 (Ordinance No. 4 of 1981) promulgated by the President on the 9th June, 1981."

DR. KRUPASINDHU BHOI (Sambalpur): I rise on a point of order.

AN HON. MEMBER: Under what rule?

DR. KRUPASINDHU BHOI: Under Rule 178. Mr. Chairman, you directed the hon. Member to cut short his speech.

MR. CHAIRMAN: I have already told him and he concluded within fifteen minutes. Let the Minister move the Bill.

DR. KRUPASINDHU BHOI: He said that he has a right to ... (Interruptions).

MR. CHAIRMAN: Let the Minister move the Bill.

THE MINISTER OF STATE IN THE MINISTRIES OF EDUCATION AND SOCIAL WELFARE (SHRIMATI SHEILA KAUL): I beg to move—

"That the Bill further to amend the Delhi University Act, 1922, be taken into consideration."

I would like to apprise the House of the background of this measure. In the past, the Ministry of Education had received requests from friendly foreign countries having no university of their own or the Welfare Associations of Indians domiciled in foreign countries for affiliation of their institutions of higher education to a university in India. It has however, ... (Interruptions)

SHRI N. K. SHEJWALKAR: With your permission, Sir, will the Madam oblige by giving the dates on which these requests were made?

MR. CHAIRMAN: She is stating.

SHRIMATI SHEILA KAUL: Will you have the patience to hear me fully? I am giving details. That is my job.

It has, however, not been possible to accede to such requests because none of the universities in India has extra-territorial jurisdiction. Last year, a request was received from a friendly foreign country for affiliation of their proposed degree college to the University of Delhi for Three-Year degree course. Delhi University is a Central University and it has powers to admit to its privileges colleges located within its jurisdiction. By virtue of Article 243(2) Parliament also has power to amend the Delhi University Act so as to extend the jurisdiction of Delhi University beyond the territory of India. In order to make it possible for the Government to accede to this and similar requests and to enable the University

of Delhi to affiliate colleges outside India it was decided to amend Section 5 of the Delhi University Act. This was done through a Presidential Ordinance, as the foreign country has desired that the College should start functioning from the academic session beginning in July, 1981, and Parliament was not expected to be called in session before that time. Accordingly, the Delhi University (Amendment) Ordinance, 1981, was promulgated by the President on 9th June, 1981, to empower the Central Government, if it is of opinion that it is necessary or expedient so to do in the public interest, to direct or order in writing the University to admit to its privileges any institution situated outside India, and the University will be bound to comply with such direction. The present Bill seeks to replace the Ordinance. I trust that the House will appreciate the objective of the Bill and give its whole-hearted support to this measure. With this, I request the House to take the Bill into consideration.

Now, I have been asked to give the dates and the countries who have asked for the affiliation and which have been asking for affiliation Dubai School in U.A.E. had asked in 1979, as also Mauritius. They have been asking but the request did not come from that Government. But this time the request came from the Royal Government of Bhutan and since it was a request from a Government to Government, it became the policy of a different nature, when there is a large policy objective, with which an autonomous authority is not directly concerned. If a friendly foreign country requests the Central Government, it becomes a matter of foreign policy and a decision in this regard is required to be taken to fulfil the objective of the foreign policy. Such a decision cannot be left to the will of an autonomous body, because they may have certain members who might disagree and then the relations

between our country and a friendly foreign country may get upset or may not be in the right way. So, it was necessary and it was taken up by the Government. An ordinance was promulgated by the President. The hon. member also read out a long list that the Executive Council could do such and such things, but he did not mention the authority of the Executive Council to affiliate a college of a foreign country, which also exists. This is precisely what we want to do now under this Bill.

He also mentioned that the Executive Council was not asked about it. But I would like to inform him that the Executive Council welcomed the idea and suggested to the Vice-Chancellor that he should take up this matter. So, nothing has been done out of the way.

SHRI N. K. SHEJWALKAR: What are the actual dates on which the requests have been made earlier?

SHRIMATI SHEILA KAUL: On 6-2-80 the Education Department of the Government of Bhutan wrote to our Ambassador in Bhutan regarding the proposal for the upgradation of the Shrebutse Junior College and its affiliation. On 28-4-80 the Ministry of Education suggested the possibility of affiliation of the college, but the matter was under examination and nothing happened. On 13-2-81 a meeting was held in the Ministry of External Affairs—because it was a foreign country—and the consensus was that the Delhi University could affiliate the college. On 15th April, the Ministry of Education started the modalities of amendment and we discussed how it should be done. On 9-6-81 the President promulgated the ordinance. On 11-6-81 a letter was issued to the Delhi University apprising it of the ordinance. They welcomed the provisions of the ordinance because it gave them status. There were other universities which could not do

it. It was only the Delhi University that had the status of getting affiliation of a foreign country. For them, it was no interference. On 10-7-1981, Bhutan Government made a formal application that they want to introduce Three Year Degree Course. This is how we proceeded.

SHRI N. K. SHEJWALKAR: From time to time Government of India have been receiving requests from friendly foreign countries. She has only mentioned one case regarding Bhutan. I want to know whether there are any other cases.

SHRIMATI SHEILA KAUL: I said, U.A.E. and Mauritius.

(Interruptions)

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Delhi University Act, 1922, be taken into consideration."

There is an amendment to this motion for consideration. Shri Chandrajit Yadav...Absent. Shri Rup Chand Pal,

PROF. RUP CHAND PAL (Hooghly): We have nothing to object to this piece of legislation relating to the amendment to the Delhi University Act. But what has just now been said by a friend of mine from this side is that the Executive Council of the Delhi University as also the Academic Council should have been consulted. We believe that they would have welcomed it unanimously. That would have been good both for the Government and the University so that no one could say that there is an infringement on the autonomy of the University.

When we are extending this affiliation to a foreign country, let us look at the situation prevailing in Delhi itself. Thousands and thousands of students every year come in the queue waiting for admission and they are being deprived of admission.

[Prof. Rup Chand Pal]

If we look at the condition of the privately managed colleges, during the last 58 years about 58 colleges have grown up in Delhi. A number of private colleges received maximum amount of aid from 1971 to 1975. Still we find that some of them have become sick. Later on, a 10-year draft plan had tried to strike a balance between the developed and the developing colleges. But there is a problem regarding taking over of the sick privately managed colleges. I can cite one example.

In South Delhi there is Rao Tula Ram College, of which, so far as I know, our hon. Minister for Agriculture is the Chairman of the Board of Trustees. That College is named after the departed grandfather of our Minister. But the college is closed. The students have been told to go to some other college where they have been deprived of admission. The teachers have not been getting their salaries for months together. That is the situation prevailing in Delhi itself.

The teachers of the Delhi University colleges have been struggling to get some of their demands met for a long time. A few months back, there was a continuous strike. One of the demands was more promotional avenues. In the absence of promotional avenues among the teachers, they are getting frustrated day by day. I would ask the Minister to say something as to what she proposes to do regarding our teachers, to improve their quality and to make them satisfied in these difficult days of price rise and inflation. There is the other demand of the teachers regarding statutory provision for security of service. That is not there in Delhi University.

MR. CHAIRMAN: What you are telling is not relevant to the Bill. So, you please conclude.

PROF. RUP CHAND PAL: I am not discussing any particular college.

17 hrs.

MR. CHAIRMAN: Whatever it is, it is not relevant to the provisions of the Bill.

PROF. RUP CHAND PAL: Delhi University has to run about 250 examinations throughout the year.

MR. CHAIRMAN: This is a very limited Bill.

PROF. RUP CHAND PAL: I will conclude soon.

आचार्य भगवान बेब (अजमेर) : जब श्री शेजवालकर जी ने बिल रखा, तब हमने कोई आपत्ति नहीं की आप बिल पर बोलिए, हमें कोई आपत्ति नहीं है।

PROF. RUP CHAND PAL: Since it has to conduct about 250 examinations, it is over-burdened. Since all the colleges are over-crowded the students are deprived of many amenities. If you look at the student teacher ratio of the Delhi University, it is not at all happy.

17.01 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Higher education is in the doldrums. We find today there is discrimination in the country in the field of education. While the Central Universities are having a lot of funds, the State Universities are starving for funds. In the Sixth Plan there is a drastic cut in the allocation for education for State Universities. I would say that if there has to be a cut in the allocation for education in the Sixth Plan, it should be equally shared between the Central and State Universities. The Government should ensure that the State Universities are not deprived of funds, while the Central Universities are pampered, like their own children and step children.

Originally, education was in the State List. During the days of the Emergency it was brought into the Concurrent List. It is the demand throughout the country, of teachers, students and others, that it should be brought back to the State List. We demand that the Government should give due consideration to this demand.

आचार्य भगवान देव : उपाध्यक्ष जी, इस बिल से इन बताएं का क्या सम्बन्ध है? हमें समझ में नहीं आ रहा है, ये क्या बोल रहे हैं। आप बिल पर बोलिए।

PROF. RUP CHAND PAL: Lastly, I will come to a problem faced by the Delhi University where, I am sure, Acharya Bhagwan Dev will support me.

MR. DEPUTY-SPEAKER: Bhagwan is always on your side.

PROF. RUP CHAND PAL: Although there is a provision for writing the examination in the mother tongue, even those students who opted for Hindi do not get text-books in science subject with the result that they are facing untold difficulties. I hope the Government would go into this.

PROF. NARAIN CHAND PARASHAR (Hamirpur): Sir, I rise to support this Bill to amend the Delhi University Act, 1922. Many irrelevant things have been said during this discussion. This is not a debate on the Delhi University or the University Grants Commission. When the occasion comes, Members can speak on that.

This Ordinance is for a limited purpose. The discussion should have been within the scope and contours of the Bill rather than taking this opportunity to flaunt all the demands of the Delhi University. I would do that when there is a discussion on the Delhi University.

On this occasion, I would confine myself strictly to the parameters of this Amending Bill. If you look into the figures of foreign students in the Delhi University, the number has been continuously going up. While in 1975-76 the number was 295, in 1978-79 it went up to 1,504. This shows that the Delhi University has acquired a respectable status in the international world of education and it deserves our congratulations for having put one of the Indian Universities in the international map of education. Once upon a time Nalanda University used to attract students from foreign countries. Those were days of glory for India and we are surely coming back to that position.

Sir, the limited purpose of the Ordinance and this present amending Bill is that we enable a college in Bhutan to get affiliated to our Delhi University. As has been rightly pointed out by the Minister, this is the area where the foreign policy also comes in and it is a very sensitive issue in which the external relations, our relations with the friendly governments, are involved. The hon. Member, Shri Shejwalkar, has asked a few questions as to why it was not done earlier. I was listening very attentively to the dates supplied by the hon. Minister. During 1978-79 when certain other foreign colleges or departments made requests, the Government was not with us, it was with them. Had they got the vision and projection for the future, they would have immediately accepted this and raised the status of the Delhi University to an international university. But, Sir, not to speak of international things, they cannot even think on a national scale. Now Education is a Concurrent subject and rightly so not because we passed the Constitution (Forty-second Amendment) Bill, but because all the forces represented by Janata and Marxists failed to get the amendment ratified in the Rajya Sabha on 31st August, 1978 when the motion fell through.

[Prof. Narain Chand Parashar]

because they could not marshall two-thirds of the Members present and voting and a majority of the House to vote. So, it is their fault that they were unable to raise the university to an international status. When their Government was there, they were unable to accede to their request and when the Constitution (Amendment) Bill was to be passed, they could not marshall the votes required for passing the amendment. So, the Congress Government has done a right thing and I would request the Minister to go ahead with this. Even if some other universities which may not be Central Universities want some sort of affiliating powers, they should be given, and the earlier the better.

Sir, I would also suggest that at present 108 universities in the country are there and there are 12 Institutes which are deemed universities. In this big expansion, the population of students in the universities now is more than 26 lakhs, in the Delhi University alone there are more than 1,26,000 students and, Sir, if you kindly look at the figures to find how Delhi University has attracted the students for research, I will give the figures. During 1978-79, 2,190 students were enrolled for Ph.D. research, and in the year 1978-79, the figure has gone up to 3,133 which only shows that the Delhi University has become not only a centre of education, but also a centre of higher academic research, and it is a welcome development.

Sir, on this occasion I would like to ask the Minister a few questions. Now that Education is a Concurrent subject, the Delhi University is a Central University, and under Section 18 of the University Grants Commission Act of 1956, it is the obligation of the UGC to place the report of the University Grants Com-

mission on the Table of the House which we discuss every year, the Central Government has a stake and a responsibility in the determination of excellence in standards throughout the country. Sir, we want to project the national picture outside. Is it not a fact that certain forces are active on the Campus which not only want to take education out of the Concurrent List and push it back to its original status, but also want to create chaos by distorting the syllabi and courses and text-books and their only aim is to satisfy their political whims because I can challenge any Member of this House, especially from this side....

(Interruptions)

AN. HON. MEMBER: Why?

PROF. NARAIN CHAND PARASHAR: I will tell you.

MR. DEPUTY-CHAIRMAN: That is all right. Mr. Parashar, because you advised them that they should not talk about irrelevant things, they are saying this.

(Interruptions)

MR. DEPUTY-SPEAKER: I very much appreciate. That is all right. You have very correctly caught him.

PROF. NARAIN CHAND PARASHAR: My question is this. When the history of Russia is taught up to 1974 in the universities, how is it that the History of India has been taught up to 1952 only. Is it because India has not advanced on the path of progress? It is a sinister design and I charge certain political forces in the country for creating chaos.

Sir, I welcome the raising of the standard of the Delhi University to an international status and I would suggest that care should be taken to see, and it is the responsibility of the University Grants Commission, that nothing happens which mars our image abroad and mars the image of a nation on the move and the pro-

jection of our higher education as a Concurrent subject, as a subject underlined by the National Policy Resolution on Education adopted by this august House on 24th July 1968 and endorsed by the Kothari Commission and also endorsed by 30 Members of Parliament in a Committee is fully implemented in the national contours and an international projection is given to this and India is given a status in the world of learning. Thank you.

MR. DEPUTY-SPEAKER: We have got another subject at 17.30. We have to complete it by 17.30.

SHRI NGANGOM MOHENDRA (Inner Manipur): I have been listening to the arguments advanced by my learned friends on both sides and I do not want to join in the affray in the matter.

The Bill before us is apparently innocuous and there is nothing much to be said about it except that it was very unfortunate and it is still unfortunate for all of us here in this country where Ordinances have been issued at the eleventh hour which, perhaps, could have been avoided. I want to say this much. It is no good depending on ordinances and ordinances. We have already had quite a large number of Ordinances. So far as mentioning of commission and the like is concerned I do not want to add any names of commissions or committees. I wish our universities should ramify beyond the territories of this country. That does not necessarily mean that things about irregularities which have been attempted here to be listed, should go along with such ramifications.

It is a very simple Bill and it must have been very much better for our learned friends on the other side to take things with some benevolence rather than as criticism. Sometimes criticisms help. With this idea I appeal to my friends to listen to others with some sort of benevolence and charity.

MR. DEPUTY-SPEAKER: Shri Ram Singh Yadav. He is not there. Shri Harikesh Bahadur. You will be given three minutes only.

SHRI HARIKESH BAHADUR (Gorakhpur): I shall finish in 2½ minutes. This could have been enacted without promulgating the ordinance. This is the first thing that I would like to say. Promulgation of this ordinance was a wrong thing which I must oppose at this point of time.

The purpose of this Bill does not appear to be very bad. But the intention of the Government appears slightly wrong because Government always tries to concentrate powers in its hands and wants to interfere with the affairs of the university, though there is Academic Council and there is Executive Council in almost all universities. These Councils could have been consulted when any kind of thing was to be done but the Government which wants to take the entire power in its hands wants to dictate terms. We are finding that in almost all the Central Universities the Government of India has always been interfering. It has been doing so not only in Delhi University but also in Banaras Hindu University, Aligarh Muslim University and everywhere.

Shri Parashar was given a chance to speak. But I have been told to take only three minutes.

This interference business is very bad because it ultimately paralyses the academic atmosphere. It sometimes creates discontent among the academic community. Therefore, whenever the Government is going to legislate anything, the Government must consider to take the executive council and the academic council into confidence. I do not know whether the Government has consulted them or not.

Even in this affiliation matter also, I would like to suggest that there should be some provision through which the Government must see that the academic council and the executive council are also consulted before

[Shri Harikesh Bahadur]

giving any affiliation to the colleges of foreign countries. I am happy that the Government has thought in these terms so that foreign relations do not deteriorate but some times the Government does something without taking into consideration foreign relations. I appreciate this particular thing which the Government is going to do.

MR. DEPUTY-SPEAKER: So, you are welcoming the Bill.

SHRI HARIKESH BAHADUR: Then, the sanctity of academic atmosphere of the university must be properly preserved. I find that not only in Delhi University but in other Universities also, there is some problem of law and order. Even in the Banaras Hindu University, the law and order situation has completely deteriorated. The teachers have gone on strike. Actually, I wanted to raise this matter but I could not get time. Therefore, I take this opportunity and draw the attention of the hon. Minister to this matter and I request her to look into it. Similarly, the sanctity of academic atmosphere on the campuses of other universities should also be protected. It is the duty of the State Governments to see that proper situation prevails there and normalcy is restored there.

MR. DEPUTY-SPEAKER: You have not touched upon the Bill proper at all. You have not said a single word about it. You come to the Bill proper.

SHRI HARIKESH BAHADUR: I have already said that the intention of the Government may be to interfere in the affairs of the universities. But the purpose of the Bill is not bad. I have already said that.

The last thing which I would like to say is that in some universities, the Vice-Chancellors are not there. It is so even in respect of universities which are under the jurisdiction of

the Central Government, like, the Banaras Hindu University. There is no Vice-Chancellor in the Banaras Hindu University. The Government should see that the Vice-Chancellor is appointed there.]

With these words, I conclude.

MR. DEPUTY-SPEAKER: Shri Zainul Basher. Yours should be the shortest speech today.

SHRI ZAINUL BASHER (Ghazi-pur): It is going to be my shortest speech.

MR. DEPUTY-SPEAKER: Sir, I support the Bill.

श्री शिव कुमार सिंह ठाकुर (खंडवा): उपाध्यक्ष महोदय, यह जो दिल्ली यूनिवर्सिटी बिल 1981 लाया गया है मैं इसका समर्थन करता हूँ। इस से ऐसा लगता है कि हमारे देश के पढ़ाई के स्तर का भव बाहर के देशों में सम्मान किया जा रहा है, हमारी शिक्षा को बाहर के देशों से भी आदर मिलने लगा ह। यह बड़ी प्रसन्नता की बात है कि शासन ने बाहर के देशों की भावना की कद्र करते हुए इस बिल को यहां लायी है। इस से हमारे समाज और देश का पढ़ाई का स्तर और कंचा होगा।

माननीय उपाध्यक्ष महोदय, इस से हम पर आर्थिक प्रभाव नहीं पड़ेगा बल्कि भारत के जो मिल देश हैं उनसे हमारे सम्बन्ध और भी सुधरेंगे। जिन देशों की शिक्षा संस्थाएं हमारे विश्वविद्यालय से एफिलियेट होंगी उन देशों में जो भारत के निवासी रहते हैं उनके बच्चों को भी उच्च शिक्षा प्राप्त करने में कठिनाई नहीं होगी। जो लोग उन देशों से यहां वापस आना चाहते हैं, उनके वापस आने के बाद भी उनके बच्चों की पढ़ाई अच्छी प्रकार से चल सकेगी।

जिस प्रकार से हमारी शिक्षण संस्थाओं का पुरातन काल में आदर होता था उसी

प्रकार से आज भी हमारी शिक्षण संस्थाओं की अतिथा बढ़ने लगी है और विदेशों में हमारी शिक्षा को आदर की दृष्टि से देखा जाने लगा है।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

THE MINISTER OF STATE OF THE MINISTRIES OF EDUCATION AND SOCIAL WELFARE (SHRIMATI SHEILA KAUL): I feel very much greatful to the hon. Members who have taken such great interest in this Bill and who have given very useful suggestions and have agreed to the passing of the Bill in a manner which I expected.

There have been some suggestions by some Members. I would like to mention that the other University could also have the right to affiliate. I would just like to mention that no State University can directly deal with the institutions of foreign countries. Anything that has to be done must go to the Central Government and so the Universities or the Colleges which would like to give application, their methods will be considered by the Central Government taking into account all the relevant aspects of the case. Mention was also made that the University text-books have some passages or some of the books are not really up to the standard and now that we are proposing to grant affiliation to the colleges in foreign countries, it is necessary that we should have a brighter projection of our country.

I would also like to say about the academic life of the Universities that has been mentioned. But I am sorry to say that this is not the proper time to mention about these things. Perhaps the hon. Member would give me his views on that subject some time in future when we have a debate in this connection.

SHRI SATISH AGARWAL (Jaipur): Have you taken any action in this regard?

MR. DEPUTY-SPEAKER: Yes.

SHRIMATI SHEILA KAUL: The interference of the Central Government was mentioned. The Central Government does not interfere in the affairs of other Universities or even in respect of Delhi University in matters other than affiliation of proper institutions. Universities are autonomous bodies and now "Education" is in the Concurrent List and the Centre must take more of what is happening in the different Universities. If there is a consensus on this and if hon. Members agree on that, we will take note of that and see what can be done about it.

I would now request the House that the Bill be passed.

MR. DEPUTY-SPEAKER: That is after he replies.

SHRI N. K. SHEJWALKAR: I was trying with great aptitude to understand what the hon. Minister was going to say. I am sorry to say that the points which I raised have not been replied at all.

The first point which I raised is regarding the propriety of this Ordinance. Nothing has been said about it. But, on the other hand, when I was pressing time and again what are the dates on the basis of which action has been taken, the date which I have come to know is 6th February, 1980. This is the date of the letter from the Bhutan Government. Thereafter another etc. etc. The decision was taken on 13th April, 1981. At that time, the House was in Session. Why at that time the Bill was not moved? It hardly took one hour today. It could have taken one hour during that Session. After all, the matter regarding the Ordinance should not be

[Shri N. K. Shejwalkar]

taken so casually. This is what I am saying right from the very beginning. I am sorry to say that there is no justification for this Ordinance and that the matter has been taken casually this time also. I have not been able to get it. I do not know wherefrom Mr. Parashar got this information that in 1978-79 there were other applications also. This Government came to power in January, 1980. It is all right if the previous Government had failed. Why was action not taken by this Government? Why was recourse to issuing an Ordinance taken? That has not been clarified. It is for the people of India to judge whether this sort of action is justified or not. I am not convinced. Unfortunately, the Minister has not even cared to reply to this particular point which I had raised at great length.

I am afraid I could not perhaps make myself clear to the Minister. I have said that I am not opposing this measure of extending the territory of Delhi University. I have said that it is a correct action. I distinguished it from the other thing. The recommendation is a different thing: because it is about a college in a foreign country so far as that matter is concerned, Government has rightly, to take the decision whether they should or should not. But so far as the academic matter is concerned, who is the authority? The hon. Minister has said that they cannot leave this decision to the University. So far as the recommendation about a foreign college is concerned, I emphasize that it is only the Government of India which has to do. But so far as the academic matter is concerned, how is this Government going to decide whether a particular college is going to be affiliated to a particular University. There are a large number of Universities in India and the stan-

dards are different and so many other considerations are also there. I have already read out. I do not want to repeat them. On that basis the decision has to be taken not by the Government but by the institution itself, by the University itself. The University is being deprived of that. With due respect to the hon. Minister, I would say that that point has not been replied to all. She has not replied to the two relevant points which I had raised, I have not raised anything about the teachers pay or about the students or about the standards. I have only pointed out specifically to what is contained in the Ordinance and in the Bill. (*Interruptions*)

One point was raised. I want to put the record straight. When I said that half an hour time was required, my friend raised an objection. I would only invite his attention to the proviso under rule 178. If my hon. friend reads that, he will know. The Mover of a Resolution is entitled to speak for 30 minutes: it is written there.

I would again say this. Let this not be so hastily decided. So far as the latter part is concerned, that is, giving powers to the Government, that should be withdrawn.

MR. DEPUTY-SPEAKER: I shall now put the Statutory Resolution to the vote of the House. The question is:

"This House disapproves of the Delhi University (Amendment) Ordinance, 1981 (Ordinance No. 4) of 1981) promulgated by the President on the 9th June, 1981.

The motion was negatived.

MR. DEPUTY-SPEAKER: I shall now put the motion for consideration to the vote of the House. The question is:

"That the Bill further to amend the Delhi University Act, 1922, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: Now we take up clause-by-clause consideration. There are no amendments to Clauses 2 and 3.

The question is:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRIMATI SHEILA KAUL: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed.

The motion was adopted.

—
17.30 hrs.

HALF-AN-HOUR DISCUSSION

INCENTIVE FOR INDUSTRIALISATION OF BACKWARD AREAS

MR. DEPUTY-SPEAKER: Now, we take up Half-an-Hour Discussion by Shri B. V. Desai.

SHRI B. V. DESAI (Raichur): Mr. Deputy-Speaker, Sir, the discussion pertains to the question arising out of an answer given on 19th August, 1981 to an unstarred question No. 548 regarding incentives for industrialisation of backward areas.

Sir, I would like to read out the answer given, I will quote:

"Will the Minister of Industry be pleased to state:

(a) Whether a Committee of Secretaries was considering incentives for accelerating the pace of industrialisation in the backward areas."

The answer is:

"No final decision has been taken in this regard"

In fact, either he should have said that it is neither accepted or rejected. The question was: whether a Committee of Secretaries was considering it or not. Instead of saying 'Yes or No' he said 'No final decision'. The same reply is there to all the questions. The question was:

"Whether a fresh look at the incentives already given by the Union Government has become necessary."

To this the answer is same thing—'No final decision'.

In reply to a question namely:

"If so, what are the new incentives that are being considered and again how many incentives are being provided to the backward areas."

For all this there is only one reply 'No final decision has been taken in this regard by Government'. I do not know whether, with due respect to the hon. Minister, he has gone through the question at all. If he had gone through it he would have tried to give replies which were required. Let me take some time of the hon. House. I would like to state that in our country, the development of backward areas has got a historical background. Upto 1968-69, different Five Year Plans tried to toy with the idea of developing the backward areas in a different way. But, this time for the first time, in the history of this country, in 1968-69, two Working Groups were formed—one the Pande Working Group and another the Wanchoo Working Group.

In this connection, I would like to state that at a meeting—this is regarding the identification of the backward areas for which this Committee was formed—of the Committee of the