

last day of the Budget session. That is a good compromise. There will be no more extensions. Please make it sure that you will submit your report by the first week of the Budget session.

SHRI SEZHIYAN (Kumbakonam): In this regard I want to appeal to you that regarding Select Committees the General Purposes Committee may go into their working. I think we should have some norms of working as it is causing some embarrassment as also sometimes wrong criticisms are levelled.

SHRI BHAGWAT JHA AZAD (Bhagalpur): Other committees have not done that. Only because there is a single instance, why should the General Purposes Committee be asked?

SHRI SEZHIYAN: There are other matters also which I want to refer to the General Purposes Committee on which I do not want to speak here.

MR. SPEAKER: So, they will submit the report by the first week of the Budget session. With this slight modification, I hope you all accept this.

SHRI S. M. SIDDAYYA: I beg to move:

"That this House do further extend upto the first week of the next session, the time for the presentation of the Report of the Joint Committee on the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951."

MR. SPEAKER: The question is:

"That this House do further extend upto the first week of the next session, the time for the presentation of the Report of the Joint Committee on the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951."

The motion was adopted.

STATEMENT RE: STUDENT STRIKE
IN BIRLA INSTITUTE OF TECHNO-
LOGY AND SCIENCE, PILANI

MR. SPEAKER: Now, before I call Shri Mishra and Shri Limaye, Prof. Yadav has to make a statement on the Birla Institute of Pilani. It is a very long statement. He can lay it on the Table of the House.

SHRI SHYAMNANDAN MISHRA (Begusarai): We are feeling very much concerned; we do not know what statement he has to make.

MR. SPEAKER: Once it is laid, it will be circulated to you.

THE DEPUTY MINISTER IN THE
MINISTRY OF EDUCATION AND
SOCIAL WELFARE AND IN THE
DEPARTMENT OF CULTURE (SHRI
D. P. YADAV): Sir, I lay the state-
ment on the Table.

Statement

The Birla Institute of Technology and Science, Pilani, a registered society under the Rajasthan Societies Registration Act, 1958, is run under the superintendence, direction and control of its 15-member Board of Governors on which are represented, *inter alia*, the Birla Education Trust, the Government of India and the All-India Council of Technical Education. The Institute's Students Union presented a Charter of 28 Demands to the Director on October 29, 1973 and asked for a positive response within six hours. The Director wanted more time to give consideration to the demands and do justice to them. Not satisfied with this, the students went on an indefinite strike the same right.

The major demands of the students can be grouped under the following main heads:

[Shri D. P. Yadav]

- (1) Effective student participation in all policy making bodies of the Institute;
- (2) Changes to be brought about in the pattern of courses of study, curriculum, examination system and grading;
- (3) Reduction in tuition fees, hostel rent and other fees, and
- (4) Local demands, such as facilities for extramural activities, sports, etc.

The Institute's authorities, apprehending trouble, declared the Institute closed *sine die* from the morning of October 30, 1973, and asked the students to vacate the hostel and leave for their homes. That morning the Director and some senior staff members were *gheraoed* and telephone wires and water and electric connections were cut-off. There was pelting of brickbats and also some damage to property. Some members of the staff are also reported to have received minor injuries. The Institute's authorities summoned police help to maintain law and order in the campus. This was provided by the State authorities.

When a meeting took place the following day, on October 31, 1973, between the Students representatives and the Director, with the District Superintendent of Police present as an observer, the students presented a new set of eight demands. These comprised, in the main, (a) acceptance of the earlier 28 demands, (b) withdrawal of the notice to vacate hostels, (c) no victimisation or criminal prosecution, (d) withdrawal of a letter addressed by the Dean of Students to the students' parents/guardians asking for an assurance that there would be no students' strike in future and (e) withdrawal of the police from the campus. The students wanted these new demands to be conceded immediately, failing which they threatened to go on hunger strike.

These demands having not been acceded to, some of the students have remained on hunger strike from the evening of October 31, 1973. However the situation in the Campus is peaceful and no instances of violence have been reported since then.

An officer of the Ministry of Education, Social Welfare and Culture visited the Institute on November 7, 1973 and had prolonged discussions with the Director and the student leaders in an attempt to bring about a dialogue. This attempt did not succeed owing to the students' insistence on prior acceptance of their demands as a pre-condition. A delegation of the students met the Education Minister yesterday afternoon and expressed the readiness of the students to hold a dialogue with the authorities of the Institute without pre-conditions. An officer of the Ministry is visiting the Institute again today to assist the two parties to have a dialogue so as to enable them to arrive at an amicable settlement.

श्री अटल बिहारी वाजपेयी (ग्वालियर) : श्रीराम इंस्टीट्यूट में हड़ताल है उसके बारे में श्री स्टेटमेंट दीजिये ।

अध्यक्ष महोदय : हड़ताल तो रोज़ होती है ।

श्री अटल बिहारी वाजपेयी : पिलानी के बारे में सुप्रो-मोटो स्टेटमेंट दिया है और श्रीराम इंस्टीट्यूट के बारे में हम काल प्रटेन्शन दे रहे हैं लेकिन आप मंज़ूर नहीं कर रहे हैं ।

अध्यक्ष महोदय : वहाँ तो ग़ाल रेडी हड़ताल हुई है ।

श्री एस० एम० बनर्जी (कानपुर) : श्रीराम इंस्टीट्यूट 90 दिन से बन्द पड़ा है ।

MR. SPEAKER: I shall quote one instance. In the House of Commons, the Speaker—there was a similar motion about somebody's murder—did not entertain it. He said that it can

only come after he is dead. When it comes we shall certainly consider it. Don't worry about it much in advance.

SHRI S. M. BANERJEE: It is not about Pilani Institute. This is about the institute in Delhi itself. This is virtually closed. It is now more than sixty-days. All the scientists are involved. They presented a memorandum to Shri Charat Ram.

MR. SPEAKER: Mr. Banerjee, I have not called you to speak.

श्री अटल बिहारी वाजपेयी : आप ने पिलानी के बारे में स्टेटमेंट देने की इजाजत दी। पिलानी दिल्ली से बहुत दूर है। लेकिन इस सरकार के नाक के नीचे श्री राम इंस्टीट्यूट में क्या हो रहा है, इस का पता नहीं।

MR. SPEAKER: No more please.

13.22 hrs.

MATTER UNDER RULE 377

OBSERVATIONS MADE BY THE
HIGH COURT OF ORISSA ON WRIT
PETITION ABOUT PRESIDENT'S RULE
IN ORISSA

MR. SPEAKER: Now, matter under Rule 377. Shri Mishra.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Speaker, I respectfully draw the attention of the House to the strictures passed by the High Court of Orissa on the conduct of the Governor of Orissa, Shri B. D. Jatti. ⁷⁴ M.L.A.s of the dissolved Orissa Legislature had filed a Writ Petition before the Orissa High Court challenging the issue of Proclamation of President's Rule and the Governor's conduct in recommending the issue of such a Proclamation.

The Writ Petition was dismissed on the ground that the issue of Procla-

mation was outside judicial review but the High Court held:

(a) that the Pragati Party commanded a strength of 70 in a House of 139 excluding the Speaker, that is, absolute majority; and

(b) that the Governor did not honour the well-established constitutional conventions in not calling upon the Leader of the Pragati Party to form the Government.

I quote a few lines from the judgment of the High Court. The High Court says:

"The Leader of the Opposition asserted that he had majority support and that is confirmed by Governor's own finding that he had support of seventy members. Even assuming that the Governor wanted to test the exact support he should have called upon the Leader of the Opposition to test his strength in the House itself which was in session."

"The Governor is not concerned whether the Ministry would be stable in future..."

"Our conclusions may be summed up:

"In Great Britain the following conventions are prevalent:

"The party who commands the majority in the House of Commons is entitled to have its leader placed in office as Premier with the right to select his colleagues.

"On the defeat or resignation of the Government the Queen should first send for the leader of the Opposition.

"Before sending for the leader of the Opposition the Monarch should consult no one.

"The Queen should not engage in party politics. Not only she should