

mercial posts are staffed by officers of both the I.F.S. (A) and (B) and non-I.F.S. officers, depending upon the needs of the post and the experience of the officer.

(b) No, Sir.

Bharat Electronics, Bangalore

537. **Shri M. R. Krishna:** Will the Minister of Defence be pleased to state:

(a) whether the Bharat Electronics Ltd. Bangalore are enjoying monopoly for producing valves in the country;

(b) if not, how many other concerns are in the line;

(c) the annual output of valves from the Bharat Electronics Ltd; and

(d) whether any selling agents have been appointed throughout the country to market the valves manufactured in the Bharat Electronics Ltd.?

The Minister of State in the Ministry of Defence (Shri A. M. Thomas):

(a) and (b). At present Bharat Electronics Ltd. are the only manufacturers of Radio Receiving Valves in the country.

(c) In 1964-65, Bharat Electronics Ltd. produced 2.27 million receiving valves of value Rs. 62.34 lakhs. During 1965-66, the production is expected to be 3.1 million receiving valves of value Rs. 85 lakhs.

(d) The Company has appointed distributors in the principal cities of India for sale of the valves direct or through their agents and dealers at fixed prices.

12 hrs.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

INCIDENTS IN THE BANARAS HINDU UNIVERSITY CAMPUS

Mr. Speaker: Now, we shall take up the calling-attention-notice. Hem Barua.

डा० राम मनोहर लोहिया : (फर्रुखाबाद) : अध्यक्ष महोदय, मैं एक व्यवस्था का सवाल उठा रहा हूँ प्रक्रिया नम्बर 40. . .

अध्यक्ष महोदय : घब मैं ने कौलिंग अटैशन नोटिस बुलाया है ।

डा० राम मनोहर लोहिया : मैं इस सवाल के घंटे पर व्यवस्था का प्रश्न उठाना चाहता हूँ । मैं ने प्रक्रिया नम्बर 40 के अन्तर्गत माननीय विजयलक्ष्मी पंडित से. . .

अध्यक्ष महोदय : वह जो घाप ने मेरे पास भेजा है उस के लिए मैं घाप से प्रार्थना करूंगा कि घाप घाज या कल मेरे पास तशरीफ ला सकते हैं । मैं ने मिस्रज पंडित को भी कहा है कि वह भी आयें ।

डा० राम मनोहर लोहिया : घब मैं घाप का ठुकम कैसे टाल सकता हूँ ?

अध्यक्ष महोदय : मेरी तो दरद्वारा है कि दोनों साहबान कल तीन बजे मेरे कमरे में तशरीफ लायें ।

An hon. Member: It should be brought up before the House.

Mr. Speaker: First, let me hear the facts. If there is any necessity, I shall bring it up before the House later.

Shri Hem Barua (Gauhati): I call the attention of the Minister of Education to the following matter of urgent public importance and request that he may make a statement thereon:—

"The reported police atrocities in the campus of Banaras Hindu University on the 3rd February, 1966."

The Minister of Education (Shri M. C. Chagla): On the 3rd February, 1966, when the District authorities and police went to the Banaras Hindu University to make arrangements for the visit of the President

[Shri M. C. Chagla]

of India on the following day in connection with the special Golden Jubilee Convocation of the University, a student of the University was knocked down by a police truck as a result of which he later died in the hospital. The unfortunate accident sparked a series of incidents involving the police and the students of the University. The facts have been ascertained from the University authorities and the State Government.

According to the University authorities. Shri Mohan Lal Verma, a student of B.Sc., was run over by one of the incoming police vehicles. The occupants of the vehicle made no attempt to render any assistance to the victim and the vehicle did not even stop to enquire. The boy was removed to the University hospital by students passing by, where he died. The news regarding the fatal accident and the carelessness on the part of the police caused considerable excitement among the students and outsiders in the campus of the University. The police personnel started withdrawing through a side-gate. But one police vehicle went towards the main gate and was held up near the place of the accident. A crowd, consisting of students and outsiders which had collected on the scene of the accident, pelted the vehicles with stones. The occupants ran here and there and left the van, which later on set on fire.

An order was promulgated under Section 144 Cr. P.C. prohibiting assembly of more than 5 persons within as well as outside the campus. Shortly after 3 p.m., the District Magistrate went with a police force in uniform through the main gate of the University to look for two missing vehicles and some police personnel, against the advice of the University authorities and without giving sufficient time as had been requested by them so as to enable them to control and disperse the students. On hearing

that the police had broken open the lock of the gate and after making a lathi charge had entered the campus, the University authorities went to the District Magistrate and suggested that if the police stood where they were, they would see that the group of students that had collected would disperse immediately. No sooner had the crowd started dispersing, than a group of policemen appeared from behind wielding lathis indiscriminately thereby injuring some of the students badly. The Senior Superintendent of Police thereafter restored order among the police.

The Additional District Magistrate was taken to the University hospital where 3 police constables, detained there because of the situation outside, were handed over to him. In the meantime, some teachers and students reported to the District Magistrate that the police had raided the Department of Pharmacology, the Central Office and the International House and some of the students and some members of the staff were beaten. Subsequently the police withdrew.

According to the report received by the Government of U.P., two University students double-riding a cycle collided with a rickshaw and fell down in the middle of the road inside the campus striking against the rear-wheel of a P.A.C. truck. The driver stopped the truck, and some students who had assembled removed the injured student to the hospital. The driver of the truck was immediately suspended and put under arrest. Shortly after the incident, a mob of students assembled near the spot and attacked a police party in a truck which was burnt. Stones were pelted on the unarmed policemen as a result of which some of them were badly injured. Some of the policemen managed to come out of the University campus, whereas some were trapped in the campus and wrongfully confined by students who threatened more violence. On receipt of this

information, the District Magistrate, after discussing the matter with the University authorities on the telephone, went with a police force to the site to rescue the trapped policemen and the police trucks. An order under Section 144 Cr P.C. had been promulgated but the passage of the police was blocked and, therefore, force had to be used to disperse the mob in order to get an entry into the campus. The police again came in conflict with the students inside the campus when a mob started throwing stones at them and injured some of the policemen. A mild lathi charge was resorted to, to disperse the unruly mob. Soon after, the section of the police force in search of the missing policemen, while trying to join the main party, found themselves surrounded by excited students who jeered and threw brickbats at them and therefore had to use mild force once again. The police force returned after rescuing the missing policemen.

It will be seen that there are important variations in the facts of the case as received from the State Government and the University authorities. The State Government have appointed a retired High Court Judge as a Single-member Commission of Enquiry under the Commissions of Enquiry Act, with powers of a Civil Court, to enquire and report into the entire series of incidents with a view to ascertaining facts and causes which led to the incidents and assessing responsibilities and extent thereof. The Commission is seized of the enquiry. And, the Chief Minister of U.P. Government has announced on February 8 in the U.P. Assembly that if any official is found guilty after the enquiry, appropriate punishment will be given.

In view of the fact that the matter is under enquiry, it will not be appropriate nor in the interest of justice to discuss the incidents at this stage as that will prejudice the enquiry.

श्री किशन पटनायक (सम्बलपुर) :
यह माइल्ड लाठी चार्ज क्या होना है जरा इस का स्पष्टीकरण दे दें ।

अध्यक्ष महोदय : उन के स्टेटमेंट में यह शब्द आया है अब उसका स्पष्टीकरण क्या दिया जाय ।

श्री किशन पटनायक : उस का कोई अर्थ तो होना चाहिए ।

Shri Hem Barua: The police broke open the lock of the main gate and committed unprecedented vandalism in Banaras Hindu University on 3rd February . . .

Mr. Speaker: The hon. Member would kindly recollect the last observation of the hon. Minister, with which I also agree.

Shri Hem Barua: I shall remember it. I will not come to that.

Mr. Speaker: We ought not to discuss those things until the inquiry is completed and facts ascertained.

Shri Hem Barua: This is already admitted in the statement. Out of the 500 policemen, 100 were steel helmeted and they carried fire-arms. They went about belabouring the students, teachers and members of the administrative staff of the University with dastardly vandalism. I have been to the campus and I have got the facts. In the context of that, may I know what steps Government have taken to ensure the sanctity and autonomy of the University so that these things might not be violated as they were violated in Banaras Hindu University by the police? Also, since Banaras Hindu University is under the direct control of the Central Government and Parliament, why is it that the Central Government have not considered it fit to order an inquiry on their own into these incidents under

[Shri Hem Barua]

the auspices of a Supreme Court Judge, since the Minister has himself admitted in his statement that there is a lot of variance between the report submitted by the university authorities and the report submitted by the U.P. Government. The U.P. Government is a party to this vandalism; it is the police of the U.P. State Government that has perpetrated this vandalism. I want a straight reply to these two questions.

Shri M. C. Chaglia: I am strongly in favour of the autonomy of the universities, and we will do whatever we can to maintain that autonomy, but before I pass judgment, I must await the report of this tribunal. My hon. friend says he has gone and ascertained the facts, but these are the very facts to be ascertained. The District Magistrate's report is one, the report of the Vice-Chancellor is different. That is why the Chief Minister of U.P. appointed a tribunal. We must await its report.

Mr. Speaker: But who is responsible for giving these facts that have just now been read by the hon. Minister?

Shri M. C. Chaglia: On the one hand, I have got the facts from the Vice-Chancellor; on the other hand, I have got facts from the District Magistrate, and I have put them fairly and squarely before the House. As I pointed out, the two sets of facts differ. That is precisely the reason why a judicial tribunal has been appointed, to ascertain what the facts are, before we can draw any inferences.

Mr. Speaker: I entirely agree with the hon. Minister that unless the facts are known, no action can be taken, and we also cannot go further into these things, but one difficulty I am not still able to surmount. If the Government comes up with certain facts, if this is the Government's own position that such and such things

have happened, and there was vandalism or excesses committed, whatever it might be called, then Members can ask if some preliminary action by the Government is not called for before any final action is taken after the decision of the tribunal.

Shri M. C. Chaglia: We are not in a position to know what the facts are. As I said, both are responsible authorities. I attach the greatest importance to what the Vice-Chancellor says, but on the other hand, you have got the facts from the District Magistrate. How are we to decide which facts are correct? *(Interruptions).*

Shri Priya Gupta (Katihar): The Minister has prejudiced the enquiry.

Shri Raghunath Singh (Varanasi): The police have indulged in excesses there, we know that.

Shri M. C. Chaglia: If we knew certain facts to be established, then it would be incumbent upon us, Banaras University being a Central university, to take necessary action, but I am not in a position, sitting in Delhi, to know what happened on that unfortunate day.

An hon. Member: Why didn't you go there?

Shri Raghunath Singh: Why was Government sitting idle for the last so many days?

Shri S. M. Banerjee (Kanpur): On a point of order. The rule is either 40 or 41. I do not know exactly. It relates to replies to questions.

Mr. Speaker: A Member of his position and stature should quote some rule definitely. 40 or 41—what does it mean?

Shri S. M. Banerjee: Make it 40. I would only invite your attention to this. The Minister has replied that the case is sub judice. When the facts are brought by the hon. Minister in a case

which, according to him, is *sub judice* and is being enquired into by a retired Judge, I would like to know whether it is open to the Central Minister or the State Minister to state certain things. Shri Hukam Singh, the State Minister, went there and issued a statement condemning the students, even foreign students. If the Minister can condemn the students openly in the State, and the Education Minister here can make a statement, is it not open to us to put questions on that?

Mr. Speaker: First, he asked me to make it rule 40, and rule 40 is that the question may be addressed to a private Member. That finishes the whole thing.

Secondly, whatever the Minister might have stated, even if I were to answer it, he is not able to quote that rule. Then too, if some Minister has committed indiscretion, then too we have to wait for the verdict of the enquiry that is being held and every body shall be bound by what it gives and then we will see when the facts are known. Otherwise, with regard to any discussion taking place here would be prejudicing the enquiry that is to be held. Therefore, we cannot go into the details. *(Interruptions.)* Order, order. All shall resume their seats. They need not take that further since I put that question myself to the Minister. He has stated that he has certain facts. He says that there were two versions and he has tried to make out a story out of these versions as dispassionately as he possibly could but that is not his own information or conclusion. The result of the enquiry is to be awaited. Other matters, at what stage it is, whether there is one man making the enquiry, by what time would it be concluded—these things can be asked, not the merits.

Shri Hem Narua: On a point of clarification. We want that the Union government should hold the enquiry into the incident because the Banaras Hindu University is under Parliament and the Central government.

Shri Warior (Trichur): May I know whether this enquiry is entrusted to a retired judge and whether he is still under the employ of the U.P. government?

Shri M. C. Chaglia: As far as I know he was a judge of the Allahabad High Court and after he retired was appointed a member of some tribunal.

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मैं आप को कुछ नियम बताएँ देता हूँ—मैं इस समय नम्बर नहीं बता सकता—, जिस के अन्तर्गत मंत्री महोदय से इतिहास लेने के लिए सवाल पूछे जा सकते हैं। तो उस नियम के अन्तर्गत मंत्री महोदय को इतिहास देनी चाहिए। उस में लिखा हुआ है फार दि परपत्र आफ एनिसिटिय इन्फर्मेशन।

अध्यक्ष महोदय : वह मुझे पता है। आप ने उस दिन उस को क्वॉट किया था। इस वक़्त हम यही कोशिश कर रहे हैं।

डा० राम मनोहर लोहिया : मेरा व्यवस्था का प्रश्न उती के अन्तर्गत आता है।

अध्यक्ष महोदय : मैं ने उस को समझ लिया है। हमें उमी के अन्तर्गत बतल रहे हैं।

डा० राम मनोहर लोहिया : मंत्री महोदय इन्फर्मेशन, इतिहास, नहीं दे रहे हैं।

अध्यक्ष महोदय : जहाँ पर "एनिसिट इन्फर्मेशन" के बारे में लिखा है, वहाँ पर ही लिखा है कि अगर कोई मामला जुडिसल एन्क्वायरी या मैजिस्ट्रेट एन्क्वायरी के पास है, तो वह सवाल नहीं पूछा जा सकता है।

Shri A. P. Sharma (Buxar): Regarding the point of order raised by Mr. S. M. Banerjee he has quoted a wrong rule. Will it be a precedent for the future? Without quoting the proper rule, can a point of order be raised?

Mr. Speaker: If he has quoted a wrong rule, I have given my decision about it.

Shrimati Renu Chakravarty (Barrackpore): In view of the fact that this is a very serious case where starting from the Vice Chancellor down to the entire Banaras Hindu University staff, professors, teachers, everybody has condemned the police for coming into the campus without the permission and against the will of the university authorities, also, in view of the fact that large incursions are being made into the authority of the universities in many States, may I ask why it was thought fit to ask a quasi-judicial person, about whom there is grave suspicion and various other feelings are also entertained, and why a man of the stature of a judge, of the stature of Shri Gajendragadkar or somebody else—(Interruption)—it is a serious question and let me proceed—why such an eminent judge was not appointed to look into this question which is of such grave import for the future of the university?

Mr. Speaker: First of all, before the hon. Minister answers, I have to suggest to the hon. Members one thing. We all ordinarily here suggest that there ought to be some judicial enquiry. And when that is accepted, then, when we begin to distinguish that one person is not so distinguished and the other person is—(Interruption)—Order, order. I have followed all that. Let me conclude.

डा० राम मनोहर लोहिया : मैं जायको इतना दे रहा हूँ कि इस घटना के लिए जिम्मेदार अफसरों को मुफ्तिल कर दिया गया है। इतना गम्भीर ये मामला है। उत्तर प्रदेश सरकार ने खुद उनको मुफ्तिल कर दिया है।

Mr. Speaker: Then the only question that ought to be put is whether there are charges or whether he was suspected or he had such and such antecedents. Otherwise, this comparison that this judge is not competent or that judge is not competent is not necessary. (Interruption).

Shri H. N. Mukerjee (Calcutta Central): As far as this judge is concerned, according to the information given to you already, he is working on a tribunal or something, which means he is already in possession of a gift from the State Government concerned, which State Government has already taken a partisan notice. (Interruption). So, to call it judicial investigation is a travesty of words.

Mr. Speaker: I would request hon. Members just to exercise some restraint when we are passing any remarks against our own judiciary and judges. (Interruption).

An hon. Member: A retired judge.

Mr. Speaker: Order, order. Let hon. Members listen to me. When there was so much of divergence between the two stories and a judge had to be appointed, at least efforts should have been made to see that a judge should be such as would inspire confidence. (Interruption).

Shri M. C. Chagla: I shall say what I have done. A statement was issued by 12 members of the court, some of them very distinguished people—ex-judges and ex-Vice-Chancellors—complaining that this was not a proper tribunal. A delegation of students waited on me and also said that they were not satisfied. I have written to the Chief Minister and I will tell the House what I have written to her. I have written to her that there is not much point in appointing a tribunal which does not inspire confidence and that no useful purpose would be served by the tribunal appointed by her if it starts with the handicap that a

large section of public opinion is opposed to it. I have not received a reply from her.

Shri Raghunath Singh: It is very clear.

Shri Ranga (Chittoor): It is a matter between the Union Government and the State Government. In their correspondence, they are supposed to maintain the utmost confidence and secrecy and it ought not to be divulged in this House like this. But here is the Minister who dismisses all that claim and creates a new precedent. I have no objection, but I only warn the Government about it. (*Interruptions*).

Mr. Speaker: That cannot be made a precedent. The discretion is to be exercised by the Minister himself, as to whether he can disclose it or not. (*Interruption*).

Shri Surendranath Dwivedy (Kendrapara): About the remark on the judiciary, I quite agree with you that we should not make any aspersion on the judiciary, but does your ruling apply to retired judges also who have nothing to do with the judiciary at the present moment? You make a general remark in which you mentioned the judges. Does a judge include the retired members of the judiciary who are in employment somewhere else?

Mr. Speaker: I only advised the hon. Members to exercise restraint.

Shri S. M. Banerjee: Sir, while I appreciate the letter written by the Education Minister, Shri Chagla, to the Chief Minister of Uttar Pradesh, is it a fact that a students' delegation which met the hon. Minister yesterday or the day before and also the Prime Minister, have requested—also the university professors—that just to create an atmosphere of confidence in the public and the students, it is necessary to form a three-man Commission, the chief of which should be not less than a Supreme Court Judge?

What is the impression of the Government? May I know also whether it is a fact that 10 criminal cases are pending and whether those cases will be withdrawn.

Shri M. C. Chagla: About the second question, the students told me there are 10 cases pending. My information is eight cases are pending. Whatever the number, I wish, with all respect to the Chief Minister of U.P., she would look into these cases. It is always unfortunate if cases go to court and the accused are acquitted. The right test is not whether there is a *prima facie* case but whether there is a probability of conviction. I wish the Chief Minister and her legal advisers will look into these cases and will come to the conclusion that if there is no probability of conviction, they would be released. This is a matter which is for the Chief Minister; law and order is her concern and it would not be right for me to interfere with the legal process. I do not know whether prosecution has been launched, but they have been arrested. I cannot tell the Chief Minister to release them. When the students met me, I told them, "How can I, as Education Minister tell your Chief Minister 'Don't prosecute these students?'" I do not know what material she has got and what material the students have got. But I do want to say on the floor of this House that I sincerely hope the Chief Minister herself will look into this matter assisted by her legal advisers, see the material and come to a conclusion.

Shri S. M. Banerjee: What about the first part of my question about the demand of the students for a three-man commission?

Shri M. C. Chagla: That was the same demand made by 12 signatories who are members of the Court. I have pointed out to the House what I have written to the Chief Minister

Shri S. M. Banerjee: The students represented that a three man Commission should be appointed with the Chief Justice or a Judge of the Supreme Court as Chairman. What is the impression of the Government? One-man commission or three-man commission?

Shri M. C. Chagla: The tribunal has been appointed by the State Government.

Shri S. M. Banerjee: They can always dictate to the Chief Minister...

Shri M. C. Chagla: We cannot dictate.

श्री मधु लिमये (मुंघेर) : यह मामला बहुत गम्भीर है क्योंकि इस में अन्तर्राष्ट्रीय बात भी आ जाती है। बारिक्स के दो नडकों को पीट दिया गया है। ये जो घटनाएँ बनारस में हुई हैं उसकी जड़ में जाना चाहिये। मुझे ऐसा लगता है कि विश्वविद्यालय की जो स्वायत्तता है और वहाँ के लड़कों का जो सामुदायिक जीवन है, उनकी यूनियन बगैरह है, इसको समाप्त कर इस विश्वविद्यालय को सरकारी विश्वविद्यालय बनाया गया और छात्रों के ऊपर दिमागी गुलामी लावने की कोशिश हुई। नतीजा यह हुआ कि एक ओर छात्रों में गुस्सा बढ़ता चला जा रहा है, बेचैनी है। दूसरी ओर अनुशासनहीनता बढ़ती है। जब पुलिस द्वारा ऐसे घराबारा होते हैं तो उसका विस्फोट हो जाता है। इसलिए ग. मंत्री महोदय से जानना चाहता हूँ कि क्या विश्वविद्यालय की स्वायत्तता को बनाये रखने के लिए और विद्यार्थियों का जो अपना सामुदायिक स्वस्थ जीवन है उनकी यूनियन बगैरह है, उसको फिर से कायम करने के लिए वह कोई कदम उठायेगी जिससे ऐसी घटनाएँ घाइंदा न हों ?

Shri M. C. Chagla: The university is a Central University and I want to assure the House that I am as jealous

of the autonomy of this university as any member of this House Let me get the report and then I will decide what action should be taken to see that the autonomy of the university is not undermined or in any way affected. I want to get the facts.

डा० राम मनोहर लोहिया : 1959 से छात्र संघ नहीं है।

श्री मधु लिमये : 1942 में जो घटनाएँ हुई हैं उसी किस्म की घटनाएँ हो रही हैं। छात्र संघ को भी समाप्त कर दिया गया है। मैं प्रधान मंत्री से यह जनना चाहता हूँ....

अध्यक्ष महोदय : रिपोर्ट आने के बाद क्या एकशन लेंगे यह वह फिर बतायेंगे।

श्री मधु लिमये : छात्रों में जो गुस्सा और बेचैनी है उस का एक कारण यह है कि उन का सामुदायिक जीवन समाप्त किया गया है, उन के ऊपर दिमागी गुलामी लायी गई है। क्या सरकार कोई ऐसा इन्तजाम करेगी जिस से कि वह अपनी यूनियन बना सकें और अपनी बातों को व्यक्त कर सकें ताकि उन की बेचैनी और गुस्सा खत्म हो जाये ?

अध्यक्ष महोदय : इस का जबाब आ गया।

श्री मधु लिमये : इस का जबाब नहीं आया। उन्होंने जो बात कही वह भ्रमलु है। उन्होंने स्वायत्तता के बारे में कहा था और मैंने छात्र संघ के बारे में पूछा था।

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): Sir, I just want to say that I have noted the views of the hon. Members expressed in this House. The education Minister has himself expressed his deep concern and has desired to do something about this matter. I shall discuss this matter with the Chief Minister myself and see what can be done.

श्री किशन पटनायक : वह यूनिजन के बारे में जवाब दें।

अध्यक्ष महोदय : वह इस वक्त नहीं दे सकते।

श्री मधु लिमये : मंत्री महोदय बतला सकते हैं। एक भरसे वहाँ छात्र संघ...

अध्यक्ष महोदय : इस का फैसला यहाँ कैसे हो सकता है ?

श्री मधु लिमये : इसी की वजह से छात्रों में गुस्सा धीरे-धीरे बढ़ रहा है। इस लिये मुझे इस का जवाब दिलवाया जाये।

श्री शिव नारायण (बांसी) : मंत्री महोदय ने जो बिट्टी उत्तर प्रदेश सरकार को लिखी उस को यहाँ पढ़ कर सुनाया, यह बहुत गलत बात है। सीक्रेट बिट्टी को यहाँ कैसे पढ़ा जा सकता है ?

अध्यक्ष महोदय : अब आप बैठ जाइये।

श्री शिव नारायण : अध्यक्ष महोदय...

अध्यक्ष महोदय : जो कुछ मैं कह रहा हूँ वह किसी एक तरफ के लिये नहीं है। मैंने इन माननीय सदस्यों से कई वक्ता कहा कि वह बैठ जायें। एक तरफ के माननीय सदस्य बैठ जाते हैं तब दूसरे के माननीय सदस्य खड़े हो जाते हैं।

Shri P. K. Deo (Kalahandi): Sir, while condemning... (Interruptions). Sir, there is so much noise in the House. Is the House functioning properly?

Mr. Speaker: Order, order.

Shri P. K. Deo: Sir, while condemning the heinous atrocities committed by the police.....

अध्यक्ष महोदय : हीनम है या नहीं इस का फैसला अभी कैसे हो सकता है ?

Shri P. K. Deo: on the students including foreign students, girl students and members of the staff, and, at the same time, while reiterating that only the appointment of a tribunal headed by a Judge of the Supreme Court could only inspire confidence in all concerned, may I know, as an interim step, if the Government are going to suspend the district authorities so that the evidence is not biased and, secondly, the property and money that has been taken away from the students be returned immediately?

Mr. Speaker: That is for the State Government to do and not for the Centre.

Shri P. K. Deo: They can give advice.

Mr. Speaker: That is for the State Government to do. The Centre cannot take away law and order from the State. I have disallowed that question.

Shri Kapur Singh (Ludhiana): May I know whether the Government of India are prepared to advise the State Government that in the interest of fair-play they should immediately return the considerable amount of property snatched away from the students and withdraw the cases that have been launched against them.

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): Sir, after the statement made by the Prime Minister, I hope the House will not discuss the matter any more.

Shri Kapur Singh: Sir, that is no answer to my question—that the Prime Minister will discuss it with the Chief Minister.

Mr. Speaker: This also will be discussed.

Shri P. K. Deo: Then you need not have called us.

Shri Kapur Singh: Let them at least say that they will put these suggestions before the Chief Minister.

Mr. Speaker: That is exactly what has been said.

श्री मधु लिनये : प्रधान मंत्री किन किन चीजों पर बातें करेंगी ?

Shri D. C. Sharma (Gurdaspur): Sir, I have been a Member of this House for quite a number of years. I have never come across a situation like this. The Education Minister has read out two statements which do not agree with each other. The Banaras Hindu University is a central university. The members of the Court which include ex-Vice Chancellors and judges of the Supreme Court have issued a statement condemning all that. May I know what is the function of the centre vis-a-vis a central university? When atrocities take place there which are unmentionable, when the Vice-Chancellor was also going to be molested and beaten, what is the Central Government to do, I want to know from the hon. Minister?

Shri Kapur Singh: May I rise on a point of order?

Mr. Speaker: What is the point of order?

Some hon. Members: Mention the rule.

Shri Kapur Singh: Members cannot be expected to quote the rules from the cuff. Give me the book and I will quote the rule. I have never raised a point of order which is irrelevant.

Mr. Speaker: I am sending him the book. In the meanwhile, the Minister might answer the question.

Shri M. C. Chagla: We have to distinguish between the autonomy of the university, the academic life that is carried on there and the question of law and order. Under the Constitution, law and order is the

concern of the State Government. We can advise the Chief Minister, we can make suggestions but, ultimately, the question of law and order must be decided by the State Government. As far as the autonomy and academic life of the university are concerned, they are the concern of the Central Government, because it is a Central University. I have already given an assurance to this House that I will see to it that the autonomy of the university is in no way interfered with. As regards law and order, the Prime Minister has assured the House that she will convey to the Chief Minister all the suggestions made in this House,—suggestions about release of students, return of property, transfer of police officers. All that will be conveyed to the Chief Minister and I am sure the Chief Minister will give sympathetic consideration to all that has been said in this House.

Shri Kapur Singh: Sir, I rise on a point of order under rule 41, sub-rule (2), clause (xv) of the Rules of Procedure and Conduct of Business in Lok Sabha.

Mr. Speaker: Now he might pass on that book to me so that I might also see that rule.

Shri Kapur Singh: Sub-clause (xv) of that rule says that nobody shall ask for information set forth in accessible documents or in ordinary works of reference. The supplementary question asked for information as to what were the functions of the Central Government in relation to a Central university, information which is already available in accessible documents. Therefore, that supplementary is impermissible under the rules.

Mr. Speaker: He should also point out to me in what accessible document this information is available.

Shri Banga: Banaras Hindu University Act..... (Interruptions).

Mr. Speaker: Order, order.

Shri D. C. Sharma: May I know from the hon. Member which astrologer told him of the atrocities committed in the university, which astrologer told him....

Mr. Speaker: Order, order. It is not a matter for laughter. It is a serious matter to be considered. Of course, when the information is contained in an accessible document...

Shri D. C. Sharma: Which document?

Mr. Speaker: That is the question which I put to the hon. Member. Why should he borrow it from me?

Shri Surendramath Dwivedy: Can he sit and speak?

Mr. Speaker: No, he cannot; but some are privileged. I have already pointed it out to him and, therefore, that is over. Why drag it again now?

श्री मधु सिमये : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मैं इस के लिये धारा बतलाने के लिये भी तैयार हूँ। मेरे प्रश्न के उत्तर में मंत्री महोदय ने अभी जो बयाना दिया कि व्यवस्था और कानून राज्यों के अधिकार में आता है। उसी के संबंध में मेरा व्यवस्था का प्रश्न है। संविधान की अनुसूची 7, फेडरलिस्ट 1 (63) है जिस में कहा गया है कि बनारस हिन्दू यूनिवर्सिटी, धलीगढ़ मुसलिम यूनिवर्सिटी, दिल्ली यूनिवर्सिटी वगैरह केंद्र के अधीन हैं। लोक सभा के प्रक्रिया तथा कार्य संचालन संबंधी जो नियम हैं उन में नियम 41 (16) में लिखा हुआ है कि जो विषय केन्द्रीय सरकार के अधीन हैं उन्हीं के बारे में प्रश्न भा सकते हैं। अब मेरा व्यवस्था का प्रश्न यह है कि विश्वविद्यालय के प्रांगण में जो दफा 144 लगाई गई है उस के कारण सधा टकराव आता है विश्वविद्यालय की स्वायत्तता में, जो कि हमारे मातहत है, और कानून अथवा व्यवस्था के मामले में। इस लिये

उन का यह कहना कि इस के बारे में हम नहीं कह सकते हैं और हमारा अधिकार चल नहीं सकता है, यह मैं मानने के लिये तैयार नहीं हूँ। विश्वविद्यालय के प्रांगण में पुलिस राज कायम करना हमारे कानून और संविधान की अवहेलना है। इस संबंध में मंत्री महोदय जरूर राज्य सरकार को लिख सकते हैं।

अध्यक्ष महोदय : अब आपने सलाह दी है, उसको लिख सकते हैं, तो उसको सोच लेंगे। अगर आपका सबाल प्वाइंट आफ आर्डर है तो वह कोई प्वाइंट आफ आर्डर नहीं उठता। ... (व्यवधान) ... आप मुझे सुनने भी नहीं हैं। ... (व्यवधान) ... आप अपना फैसला भी दे देंगे क्या? ... (व्यवधान) उनके लिये नहीं मेरे लिये हैं। A point of order is between a Member and Speaker and not between two Members.

प्वाइंट आफ आर्डर आपने उठाया है, यह सेंट्रली एडमिनिस्टर्ड भी है और उनका अधिकार भी है तब भी जो ला एंड आर्डर का क्वेश्चन उठेगा वह स्टेट गवर्नमेंट को करना है, चाहे एडमिनिस्टर सेंटर भी कर रहा हो तब भी ... (व्यवधान) ...

12.41 hrs.

RE: MOTION FOR ADJOURNMENT
 —Contd.

FOOD SITUATION AND SUPPLY OF KEROSENE IN WEST BENGAL AND OTHER PARTS OF THE COUNTRY

Mr. Speaker: There is an adjournment motion pending. The Minister of petroleum and Chemicals has to make a statement about the shortage of kerosene in Calcutta.

Shri Hanu Baspa (Gauhati): When is the Prime Minister making the statement?