

[श्री नागेश्वर प्रशाद शाही]

पास अपनी कोई सम्पत्ति नहीं है, उन लोगों का पहले खयाल किया जाना चाहिए और उसके बाद बक्फ, मंदिर और मस्जिदों की तरफ हमारा ध्यान जाना चाहिए ।

एक अन्य अंतिम बात कह कर मैं अपना भाषण समाप्त करना चाहता हूँ । मंत्री महोदय ने इस बात को देखा होगा कि ऐसे हजारों केसेज होते हैं जिनमें अदालतों के अन्दर क्लेम्स के मामले लटकते रहते हैं । गरीब आदमियों के क्लेम्स के मामले कई सालों तक सैटल नहीं होते हैं और कभी-कभी ऐसी स्थिति आ जाती है कि संबंधित गरीब आदमी हताश और निराश होकर बैठ जाता है । ऐसी स्थिति में आज आवश्यकता इस बात की है कि इस प्रकार के मामले में कोई टाइम लिमिट निश्चित की जानी चाहिए । जो अधिकारी इस प्रकार के मामलों में फैसला करते हैं उनके लिए कोई न कोई टाइम लिमिट फिक्स होनी चाहिए । अगर उस टाइम लिमिट के अन्दर इस प्रकार के मामलों का निपटारा नहीं होता है तो उसके लिए कोई सख्त एक्शन होना चाहिए । मैं इस बात को जानता हूँ कि कुछ मामलों में कोर्ट की तरफ से समय निश्चित होता है कि इतने टाइम के अन्दर इस प्रकार के मामलों का फैसला हो जाना चाहिए । लेकिन आमतौर पर यह दखा जाता है कि इस प्रकार के मामले में नक्शे वगैरह मांगने में बहुत टाइम लग जाता है और जब नक्शे आ भी जाते हैं तो उन पर कोई एक्शन नहीं होता है । इसलिए मेरा यह निवेदन है कि ऐसी व्यवस्था की जानी चाहिए जिससे एक निश्चित समय के अन्दर इस प्रकार के मामलों का फैसला हो जाए । अगर एक्ट में इस प्रकार का प्रावधान नहीं किया जा सकता है तो रूल्स के अन्दर इस प्रकार का प्रावधान अवश्य किया जाना चाहिए जिसमें यह स्पष्ट तौर पर लिखा हो कि इतने महीनों के अन्दर इस प्रकार के मामलों में डिसपोजल

पूर्णरूपेण हो जाना चाहिए । जो अधिकारी ऐसा नहीं करेगा उसके विरुद्ध सख्त कार्यवाही की जाएगी । मैं समझता हूँ कि इस प्रकार का प्रावधान लोगों को राहत पहुंचाने में बहुत सहायक सिद्ध होगा ।

श्री उप सभापति : अब सदन की कार्यवाही दो बजे तक के लिए स्थगित की जाती है ।

The House then adjourned for lunch at three minutes past one of the clock.

The House reassembled after lunch at two minutes past two of the clock, Mr Deputy Chairman in the Chair.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Reported indefinite closure of Delhi University, creating grave situation of insecurity and instability among the University and academic community

DR. V. P. DUTT (Nominated): Sir, I beg to call the attention of the Minister of education, Social Welfare and Culture to the reported indefinite closure of the Delhi University, creating a grave situation of insecurity and instability among the University and academic community.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER):

Sir, This House will recall the statement made by me on November, 17, 1977 in response to a Calling Attention Notice by Shri Shyamlal Gupta and other Members *inter alia* on the locking up of the offices of the Delhi University by the students. The statement covered the events upto November 16, 1977.

Groups of students continued to agitate in one form or the other till November 23, 1977. Meanwhile, the non-teaching staff of the University and the affiliated colleges, in pursuance of a call given by the Delhi University and College Karamchari Union, started an indefinite strike from November 18, 1977, primarily demanding re-instatement of three employees of the St. Stephen's College, whose services, according to the Union had been terminated by the College authorities on flimsy grounds. A rival Union, namely, the Delhi University Workers' Union, also gave a call for a sympathetic strike. A delegation of the Karamcharis led by Shri S. M. Banerjee, ex-Member of Parliament, met me on November 21, 1977, and informed me that the St. Stephen's College authorities had asked a High Court Judge to review the case of one of the dismissed employees. The Karamcharis wanted that the case should be entrusted to the Vice-Chancellor as the High Court Judge was likely to take very long time to give his report. Similarly the cases of two more dismissed employees should also be referred to the Vice-Chancellor. On November 22, Principal of the St. Stephen's College met me and informed that the papers relating to one case were already with the High Court Judge and that the Judge was likely to give his decision within two weeks. The Principal also agreed that he would move the Governing Body of the College to refer the other two cases also to the High Court Judge for review within a specified period.

Some of the Karamcharis also came near Parliament House on 21st and again on 23rd November and staged a demonstration in violation of the Prohibitory orders and were therefore arrested. They were, however, released after administering a warning.

On November 22, 1977, the University after having reviewed the disturbed conditions, decided to suspend the teaching work

on November 23-24, 1977 in the University and all Colleges except professional colleges. On November 24, 1977, the University authorities had prolonged negotiations with the representatives of the Karamchari Union about the cases of the employees of the St. Stephen's College, whose services had been terminated. They were informed that the case of one employee had already been referred to a retired High Court Judge for review, and the college authorities had agreed to have the case of one more employee reviewed within a month by a retired High Court judge.

The negotiations were expected to continue on the following day *viz.* 25th November but a letter was received by the University from the President of Karamchari Union on that day containing certain additional demands. The Vice-Chancellor's appeal to the leaders of the Union for not closing door of negotiations unilaterally and to help in maintaining the essential services, like running messes and libraries, did not meet with any response. An emergency meeting of the Executive Council was held on November 25, 1977 at which they decided to make an appeal to the employees to resume their duties on November 26, 1977. It was also decided that the attendance of the employees should be recorded. In response to this appeal, a large section of the employees reported on duty and recorded their attendance on November 26, 1977.

As the employees who reported on duty on 26th November, 1977 were intimidated by dissident strikers and prevented from doing their work, the Executive Council held another emergency meeting on Sunday, November 27, 1977 and resolved to again call upon all essential service employees to resume their duties with immediate effect. It also called upon all the other karamcharis also to resume their duty on Monday, the November 28, 1977 so that the teaching work in the University and Colleges may be resumed on that day.

[Dr. Pratap Chander Chunder]

While teaching work was resumed in the University departments and Colleges on November 28, 1977 some of the Karamcharis went round and disrupted the teaching work. They also held rallies and demonstrations in the Campus and prevented those on duty from continuing their work.

Another emergency meeting of the Executive Council was held on November 29, 1977, at which the Council came to the conclusion that the agitation was a direct interference with the internal administration and prejudicial to the interests of the University and its Colleges, and attracted Rule 51 of the University Non-Teaching Employees (Terms and Conditions of Services) Rules, 1971. The Executive Council issued a notification under the said Rule informing the employees on strike of the provisions of the said Rule and warning them that participation in the strike in any form will be a violation of that Rule, and treated as unauthorised absence from duty which would render the concerned employees liable to disciplinary and administrative action including break in service in the case of permanent employees and termination of services of temporary and *ad hoc* employees.

In spite of the notification under the said Rule 51 issued by the University, the karamcharis continued to disrupt the teaching and office work, and held rallies and demonstrations in the Campus on November 30, 1977 and December 1, 1977. The Delhi University Teachers' Association also gave a call to go on strike in support of the demands of the Karamchari Union. The situation was reviewed by the Executive Council at an emergency meeting held in the evening of December 1, 1977. The Executive Council noted with concern the situation that had become grave in view of increasing incidents involving violence and continued intimidation of the karamcharis who wanted to resume duties and in view of the sympathetic strike notice of the Teachers' Association. The

Council also apprehended that in the prevailing disturbed atmosphere, when teachers would also be absent from duty, the students might suffer at the hands of the violent elements. In view of this, the Executive Council reluctantly decided to close the University and the Colleges *sine die* with immediate effect. A copy of the Press Release by the University is placed on the Table of the Sabha. (See below) It also appreciated the latest demand of the Delhi University Students' Union that the studies should not be disturbed and expressed the hope that this demand might evoke positive response from the teaching community. The Executive Council further decided that the examination scheduled for December 2, 1977 will be held as already notified. Further, the examinations in the Faculty of Medical Sciences and Technology will also be held as scheduled. The examination scheduled for December 2, 1977 were held smoothly.

UNIVERSITY OF DELHI

PRESS RELEASE

Ever since the strike by the Karamcharis of the University, the University authorities have made serious endeavours not only to meet the just demands but also to ensure that teaching and other activities of the students should continue unhindered. Our repeated appeals have not borne any fruit. The Vice-Chancellor had discussions with the representatives of the Karamcharis and subsequently with the DUTA Executive Committee members. It was hoped that the teaching in the University would continue as this would be in the best interests of the student community. Rule 51 of the University Non-Teaching Employees (Terms and Conditions of Service) Rules 1971, as amended from time to time, had to be invoked as the continued absence of the Karamcharis from work and its consequent impact was certainly prejudicial to the interests of the student community. The hostel messes have not been functioning properly; the libraries have not been allowed to be opened; the

sanitary conditions in the colleges have rapidly deteriorated causing health hazards; in many colleges even the security of the buildings is not being maintained by the essential staff. It was expected that by the 30th of November Karamcharis will attend to their duties. Instead, they stayed away from work. The students have throughout the last three days have demonstrated their anxiety to study and in fact presented themselves in different institutions of the University. The DUTA on the other hand has not responded to this legitimate desire of the students to continue their studies. Now the call for strike by the DUTA and its programme of agitation clearly indicates that the interests of the students have not been kept in mind.

The Executive Council also noted with concern that the situation has become all the more grave in view of increasing incidents involving violence, and continued intimidation of karamcharis who want to resume duties. The Council fears that in this atmosphere of violence when teachers would also be absent from duty the students may also suffer at the hands of violent elements.

In view of all the above the Executive Council has been left with no other option but to reluctantly decide the closure of the University *sine die*. All the colleges, departments and offices (with the exception of professional colleges) will remain closed with immediate effect.

The Executive Council, however, appreciated the latest decision of the DUSU demanding that the studies of the students should not be disturbed. The Executive Council hopes that this appeal of the DUSU will evoke positive response from the teaching community and that it will help in creating conditions for early resumption of normal functioning of the Univer-

sity whereby the studies of the students can be resumed without any further loss.

The Examinations scheduled for December 2, 1977 will be held as already notified. The Examinations in the Faculty of Medical Sciences and Faculty of Technology will also be held as scheduled.

The Watch and Ward staff will report for duty as usual.

Sd/-
(Registrar)

Delhi-110007

December 1, 1977

DR. V. P. DUTT: Mr. Deputy Chairman, Sir, I must say that I was speaking with a rather heavy heart that my own University is closed and is passing through very troubled times. The Universities all over the country over the last few years have been highly politicised and this is an unfortunate fact of life with which we have to live. I think it is the duty of all of us to try to contribute to the resolution of the problems and to the recreation of an academic atmosphere in the Universities. To many teachers there are ominous portents. I would be failing in my duty if I did not convey to the hon. Minister for Education the widespread feeling among teachers, a feeling of fear, of repression, a feeling that what has happened in the Jawaharlal Nehru University would soon be repeated at the Delhi University, and that somehow the developments are closely related. What has happened at the Jawaharlal Nehru University? The Chancellor the Prime Minister has said that he is going to constitute himself into a one-man-inquiry committee to go into the affairs of the Jawaharlal Nehru University since its inception, ever since it was founded. What kind of enquiry that is going to be? Letter boxes have been placed there. People can come and put petitions there. It reminds me of the courts of medieval India where petitions were sent to the emperor. After all, if a one-man inquiry is

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going to be there, we must know what it is going to enquire into for all these ten years. There is a fear that there will be selective harassment, selective witch-hunting. I am mentioning this—I hope the hon. Minister for Education will accept my *bona fides*—to convey the feelings among many teachers that one movement there was used to suppress everything by having an omnibus kind of enquiry and another movement in the Delhi University will be used for another omnibus kind of enquiry. After all, placing of letter boxes, posting of petitions and omnibus enquiries ever since the Universities came into being—these are not the ways by which the Universities can be run. There is a fear that the Chancellor is taking his functions as Chancellor alarmingly seriously and that the University is sought to be run by Chancellors. It is the Vice-Chancellor, the teaching staff, the students, the Karamcharis together and the appointed bodies which run the universities and not the Chancellors. Sir, our hon. Minister for Education is a man of learning. He is a man of the Universities. He knows that the Universities cannot be run in this manner, that you hold the Damocles' sword over the head of everybody. Is the teacher's security going to be threatened now? Are all the appointments going to be reviewed now? Are the teachers and others who have been functioning or working through duly constituted selection committees for the last 10 or 15 years going to be thrown out? After all, what is going to be looked into?

As I said, the fear is that what happened there is going to be repeated in Delhi University. Sir, I must say that we have been learning one kind of lesson from the painful days of 1976. It is that no rationale is good enough for choking the normal processes. But there are some people in the Home Ministry and in the Prime Minister's Secretariat who seem to be learning the other kind of lesson that this is the time to repress everything. I am sure that the Minister of Education does not believe in that. But I would like him to assert

himself more forcefully in the situation. I would like to assure that we are willing to give whatever assistance is needed for the recreation of academic atmosphere in the universities. But, Sir, I find no justification for the closure of the Delhi University.

SHRI SHYAM LAL YADAV : (Uttar Pradesh) : I would like to interrupt. How do you run the universities if the Karamcharis are facing violence? Every part of the university is not functioning. How can the university be opened? You kindly explain that. If they do not allow the Cooks to cook food and if they do not allow the libraries to be opened, how can you run the university?

DR. V. P. DUTT : I know that you have been briefed well by the authorities.

SHRI SHYAM LAL YADAV : I am sorry that Dr. Dutt should speak like this. I was not there but I know what was happening there.

DR. V. P. DUTT : Either he speaks or...

SHRI SHYAM LAL YADAV : If a person does not agree with you, you cast aspersions on that person. A learned man as you are should not speak like that.

DR. V. P. DUTT : Either I can speak or he can speak. It is your choice. I can sit down if you like. Now, Sir, as I said I find no justification for the closure of the Delhi University and I say it as a fully responsible person who has been the Pro-Vice-Chancellor and the acting Vice-Chancellor of the Delhi University and who is a responsible Professor of that University. I say with all sense of responsibility that I do not find any justification for the closure of the Delhi University. I have already expressed the fears of the teachers. You cannot get away from that. There is

a fear among the teachers today that there will be repression. You cannot get away from that. You can ask any section of the people in the university whether that fear is there or not. I would like to say that different issues should not be mixed up. Some students had given a demand that some "Caucus" should be removed. That was a different issue. It has nothing to do with the present problem. Some others had suggested that some excesses of the emergency must be inquired into. Of course if there are specific cases of excesses of the emergency, they should be looked into. But in the garb of that, the teachers and others should not be threatened. As I said, I am against the suspension of any one, high or low, without an inquiry establishing a *prima facie* case. The University Karamchari Union has demanded the fulfilment of certain agreements. All these issues should not be mixed up. Let me say that I have not heard of any case of violence so far as the present struggle is concerned. The only violence that was threatened was on a different issue by some students. That is a very different thing. As I said, let us not mix up these issues. St. Stephens is a good institution. It is one of our foremost institutions. I have the good of St. Stephens at heart. I spoke to the Principal this morning also. I have also the good of the students at heart. But can you say that the students' interest will be served by closing the university *sine die*? Certainly not. I have also the good of the employees of the university at heart. Justice must be done and, in addition, justice must seem to be done. Today I talked to the Vice-Chancellor. I said the same thing to him, I said the same thing to the Pro-Vice-Chancellor. I said the same thing to the Principal of the St. Stephen's College this morning and I have said the same thing to the Karamchari Union people also. It is not that I am saying different things to different people. I would like to submit to the hon. Minister of Education whether he would care to consider the following proposals that I have and whether he would like to comment on them : I want that, as I said

earlier, normalcy in the University be restored. I would like to point out that no section of the University has supported the closure of the University. No section, neither the teachers, nor the students nor the Karamcharis nor any section of the students or the teachers or the Karamcharis supported the closure and, therefore, obviously there is something wrong somewhere. I would like to submit, the following and I made a suggestion to the Vice-Chancellor also most humbly and respectfully as an employee of the Delhi University, as a professor of the Delhi University that : (1) That the University should be immediately re-opened; (2) that the application of Rule 51 should be withdrawn; (3) that all interested groups and parties which are now in the midst of this problem should be brought together in a dialogue immediately and asked to find a solution—I think the best course would be for the Vice-Chancellor to take an initiative but certainly the hon. Minister of Education can take the initiative. It is necessary that the Karamchari Union representatives, the Teachers' Union representatives, some professors of the University, some Principals be brought together round a conference table and asked to find a solution to the problem. I am sure when educated and reasonable people sit together round a table, they can find some solution and let us, therefore, try to find a solution for these problems. And this must be done immediately along with the re-opening of the University and the withdrawal of Rule 51.

Fourthly, Sir, a high level committee may be appointed by the University, if necessary, or by someone else on service conditions so that they are rationalised. And fifthly, I would like to suggest to the hon. Minister of Education that he might

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consider calling a conference of various educationists, administrators, professors, teachers' representatives and others involved to come together and consider the larger problem of the whole country where half the universities are closed, and find some norms and guidelines so that academic functioning can be ensured. Finally, Sir, I would suggest that the autonomy and the independence of the universities must be strengthened and ensured, and that autonomy and independence can only come about if there is a feeling of involvement. I must say that some of the authorities told me: "When Dr. Swarup Singh was the Vice-Chancellor, you were the Pro Vice-Chancellor. You also did some of these things." My answer was: "There was a difference. All the teachers were with us at that time. But today that situation does not prevail." Therefore, there is something of the problem there. When I say that the autonomy and the independence of the University should be strengthened, I do not mean just the Executive Council or the Vice-Chancellor. That cannot be done because whether we like it or not, the University community still does not recognise the Executive Council as a fully representative body because it does not yet have the representation from all except the nominated ones. Therefore, I will say that a sense of involvement must be created and, therefore, I would like to suggest that such a conference may consider various measures that have to be taken in order to create this kind of participatory situation in the universities and I hope that the hon. Minister of Education will give thought to what I am suggesting and comment whether he would agree to it.

DR. PRATAP CHANDRA CHUNDER: Sir, the hon. Member, Dr. Dutt, is now associated with this University. Certainly he can speak better than I can on this. I share with him his concern about the student unrest in the country but it is not a fact that about half of the universities are closed. There has been some trouble in universities in different parts for various

reasons; sometimes on local issues, sometimes on political issues and sometimes on economic issues. But when I made enquiries I found that no more than half a dozen universities have been affected at the present moment. It is true that in Delhi the Jawaharlal Nehru University was closed but it has reopened and it is functioning subject to certain steps which are being taken. Similarly, the Jamia Millia, which is deemed to be a university, was closed for some time but the university itself has settled the problem and I hope that many good and constructive suggestions which have been made by hon. Member, Dr. Dutt, will be considered by the Delhi University itself and ultimately the University will take its own decisions. If Dr. Dutt is so concerned about the autonomy of the University, how can he expect that for every situation arising in the University, the Minister should intervene?

I have been one of the Ministers who have stoutly defended the autonomy of the universities since the beginning. I have always said that universities are governed by their own Acts and Regulations and we must uphold this principle of autonomy and go by this principle. As you know, Sir, pressure has been brought to bear upon us for removing the Vice-Chancellor, the Registrar and various other teachers and officers. I have said that we cannot do it according to law. So, I should think that hon. Member, Dr. Dutt, will support my stand and say that the Government is not interfering in the internal management of the University. I would like to say that the position, which the Delhi University is now in, is a complex one. Originally the trouble started with certain demands by the students and I made it quite clear before the House that no enquiry into emergency excesses has been shut out by the Government. There is the Shah Commission. One of the responsible members of the University Council has referred the matter to the Shah Commission and the Shah Commission will decide what it will do. As regards the other

matters concerning the University, a preliminary inquiry is being made and if some *prima facie* case is found out then steps will be taken according to the Act and statutes. There is no question of making any omnibus inquiry or doing anything which is illegal or which results in any witch-hunting and so on, as has been suggested. We have no such intention. So, I would request the Hon. Member through you, to take up this matter with his colleagues so that the problem in the University may be resolved. My predecessor, Dr. Nurul Hassan, is also connected with the University. Let him also exert his influence so that the problem, which has been created, is resolved. The University of Delhi is one of the best Universities in the country. It has so many colleges, which have been having a very high standard of education. So, the days that we are losing will certainly affect education in general.

I am certainly not happy with the situation and in my own humble way I have tried to meet the students' representatives, teachers' representatives, representatives of the Karamchari Union and even the Principal of the St. Stephen's College to see how the things could be resolved. But, if we have not been successful, it is due to no fault of ours and we cannot impose our will on the authorities of the University. It is for the authorities themselves to resolve the problem.

SHRI JAGJIT SINGH ANAND (Punjab) : Mr. Deputy Chairman, Sir, firstly about the Statement of the hon. Minister, he has said that there are only about half a dozen universities which are affected due to various reasons. A very responsible correspondent has recently written that 42 out of 112 universities are affected because of various reasons, Vice-Chancellors' problems, students' demands, employees' demands, and so forth. Now, I ask how does he vouchsafe for this figure which a very highly placed officer in the Education Ministry has given him. I would, therefore, request Dr. Chunder to tell us whe-

ther half a dozen universities are closed or 42 universities are closed. That is point number one. It is a very serious situation. Then, he assured that there will be no witch-hunting. But, just now my colleague, Dr. Dutt, was mentioning how a Chancellor has appointed himself as a one-man commission of inquiry in regard to the affairs of the Jawaharlal Nehru University. It has appeared in the press that the Chancellor, who happens to be the Prime Minister, who has many admirable qualities, has himself so appointed but he is a man of strong prejudices. He asked the Vice-Chancellor: "I am told that every single employee, every single teacher of Jawaharlal Nehru University is a Communist. Are you also a Communist?" If a man with this mind, if a man with this prejudice appoints him on the one-man inquiry, I do not know what is going to happen to Jawaharlal Nehru University, one of the two universities in the Capital.

Now, Sir, the trouble that was there in the Delhi University is symptomatic of a very very great disease and the disease is that the rights of the employees of the universities, of the non-teaching employees of the universities have gone un-protected all along. This is my fourth year in the House. His predecessor Prof. Nurul Hasan is also sitting here. On many things we used to agree with him. But he stood solidly by the bureaucrats to deny any benefit at all to the university karmacharis, to get justice done. They are neither covered, like the Government servants, under the Constitution so that there is a proper notice served and a proper explanation demanded, nor are they covered by the Indian Trade Disputes Act, though the National Commission on Labour had recommended it and though one of his predecessors had come to the House and agreed that they will be covered under the Indian Trade Disputes Act. They are neither covered by the Indian Trade Disputes Act nor they are given any protection which the Government servants are given. Above all, even the U. G. C.

[Shri Jagjit Singh Anand]

hardly does anything. It recognises the students, it recognises the teachers but it does not see that non-teaching employees are the third leg of the tripartite committee and they are a very responsible part of it. Therefore, Sir, while we are on this, I want to request the hon. Education Minister—I have already conveyed this request to the hon. Labour Minister; the previous Labour Minister of the same Government was sympathetic but the previous Education Minister was not even prepared to receive our deputation while the former Prime Minister was prepared to do so—and I want an assurance that he will sympathetically look into it. Unless and until you look into the roots of the problem, it will not be solved. This big segment of non-teaching employees has no rights at all under any law. Now that a comprehensive legislation is being brought about regarding the labour disputes, I hope hon. Dr. Chunder will be sympathetic to the employees to see that they are coverage.

Then, Sir, I have only one small matter to dispute about the long statement that he read. He said that a large number of employees responded. If a large number of employees responded—and as Dr. Dutt mentioned, there is not one single case of specified violence on the part of the karmacharis; the only thing that has come to the press is that they twice came outside the Boat Club and violated Section 144 and were arrested and released the same day; obviously, they were released the same day because there was no act of violence involved but it was only an act of protest involved—why did the situation slip down to this that the university had to be closed? Hon. Dr. Chunder is aware that there were two unions functioning, Delhi University Karmachari Union and Delhi University Workers Union, and both the unions were at loggerheads but for this action of the university, both the unions have come together and are standing unitedly against the

decision to close down the university. Not only that, according to the press, there are 150 teachers who have signed—not less than 150 teachers—saying that the demands of the university employees are absolutely genuine. Then there are 13 other teachers, out of whom 7 are members of the Academic Council, who have also come out to say that the demands of the employees are genuine. Now, what are the demands? There were certain excesses during the emergency. Services of 17 employees were dispensed with and in May, there were negotiations on two occasions, on May 18 and May 27, and it was agreed that the cases will be re-examined and everything will be decided by June itself. July, August, September, October and November have gone and we are in December now. Most of the cases are satisfactorily solved. In six colleges, seven employees were involved and I do not want to take the time of the House by reading out the names. It was agreed that the employees will be reinstated pending a review or a fresh inquiry into their cases. About this St. Stephens College, for which my hon. friend has very good words,—I hardly know about this college; I was not educated in Delhi—the only thing I know about it is, it has produced many bureaucrats, some of them are very highly placed, taking cover under the minority rights, the snobs and the bureaucrats and one of them happens to be the Cabinet Secretary today, whose father was the Principal of this institution. It is not a question of one College. Here, neither the Executive Council of the University nor the Vice-Chancellor nor anybody else is prepared to put some sense into the governing body of the St. Stephens College. What is the stand of the Union. There was one employee who was dismissed and there was another who was suspended during the Emergency. In the post Emergency period, the suspended employee is dismissed. This was in September. When the issue had to be resolved by June, when we came to September, we found that instead, he was also dismissed. Now, the

Employees' Union says that these two employees should be reinstated and there should be an inter-service inquiry, as has been agreed to by six other colleges of this very University in the case of seven other employees. They did not agree. Then, the Union further climbed down and said 'If you feel that for the purpose of discipline, these employees, these two employees, should not be present on the college premises when a former High Court Judge is to hold the enquiry, you reinstate them and then suspend them'. Reinstatement will be there and by suspension, they will no longer be on the college premises. In that situation, the enquiry could be held. This thing is not also agreed to. Now, the Executive Council, which is a nominated body, decides on a Sunday evening to close the whole University. In what circumstances? In the circumstances in which both the organised groups of the workers, the karamcharis, have come together and an overwhelming majority of the academicians and University teachers have expressed themselves individually and collectively on this issue. The Delhi University Teachers' Association which is of a different political colouring than the Karamcharis Union has also come out in support of the employees. It is also on record that on a future date, when the Karamcharis Union organises a demonstration, the Teachers Association will also join this demonstration. When this is the situation, I would request the hon. Minister, firstly to kindly see that the problem is solved at its root by bringing the non-teaching employees of the University under some law and giving them some protection. I am all for University autonomy. But this question of autonomy has come to tell upon my nerves because this was the very word used by the predecessor Minister, who is present here, to deny justice to the University employees all along. One of the persons who led the Union—I am now the President of the All-India University Employees' Federation—happens to be the Union Cabinet Minister, Shri George Fernandes. He should also urge

upon the present Government not to follow the footsteps of the previous Education Minister in this matter and look to the interests of the University employees. He also heads a Confederation of University employees even today. My first suggestion is that we should go to the root of the problem. Secondly, we should take into account the sentiments of the workers, the Karamcharis, who have now come to take united action. We should also take into account the sentiments of the teachers, their Union and the Academic Council members. Kindly try to put some sense into the Principal and the management of St. Stephen's College to go by what the other colleges have done, to accept what the other six institutions have accepted and the snobbery of the bureaucrats who are highly placed should not come in the way. Secondly, the way the Chancellor is going about in regard to the Jawaharlal Nehru University, I am very much afraid whether anything will be done. Earlier in the day, Shri Bhupesh Gupta, raised a motion in which one thing had to be pointed out that the Union Home Minister is carrying on a smearing campaign against the personality of Jawaharlal Nehru. If this is so, every Tom, Dick and Harry will start writing nonsense about Jawaharlal Nehru. Similarly, there are certain people, to whom the very name Jawaharlal Nehru is obnoxious, who would like to see that the University is dismantled. Already, Shri L. N. Mishra's name was removed from one of the Universities in Bihar. If this is allowed to go on and if this is tolerated, it will really be witch-hunting. I absolutely agree with Dr. Chunder when he says that he is not for witch-hunting. I would only appeal to him to see that there is no witch-hunting either by the Government or by the party which is running the Government or from any quarter. We should try to preserve not only the autonomy, but we should also ensure smooth life in the Universities where the rights of the karamcharis will be protected. In this case, the management of St. Stephen's

[Shri Jagjit Singh Anand]

College should be asked to do what the rest have done. The University should be opened and studies should commence.

PROF. S. NURUL HASAN (Uttar Pradesh) : Sir, on a point of personal explanation. I did not wish to intervene in this Calling Attention Motion, I have no doubt that my distinguished friend, hon. Dr. V. P. Dutt and the very distinguished Minister of Education who himself is a University man, would be able to deal with this unfortunate situation properly and adequately. I had no desire to intervene in this debate. But since my respected friend, Shri Anand, the hon. Member, is a little excited about the role of the previous Education Minister and not merely of the previous Government, I would like to deny, as strongly as it lies in my power, the allegation that the previous Education Minister was anti-karamacharis.

In fact, the previous Education Minister, unknown to the hon. Member perhaps, had been himself the President of a Karamchari union in Aligarh. If he were ever to find out. He would recall that in the case of the mess employees of the Central Universities the previous Education Minister was one of those who had played a leading part in ensuring that they are treated as University employees, that they are given all the privileges of the University employees, that in the case of one of the University Bills that he put forward before the two hon. Houses he had given for the first time among any central Universities, a definite representation to the elected representatives of the karamcharis on the Court of the University, and that in the matter of security of service one of the reasons that led the previous Ministry to bring Education on the Concurrent List was that a legislation would be brought before the two Houses

of Parliament which would grant to the employees of educational institutions due protection of the law and a procedure whereby they can be reinstated so that they do not have to face merely the master-servant relationship but something more. And this was one of the proposals on which the previous Government was working when the election, in fact, took place and the Government was voted out of power. So, it would not be factually correct to say that the previous Government or the previous Education Minister had no interest in the welfare of the karamcharis or that it wanted to deny the karamcharis protection of service, or did not wish to improve their conditions of work. I do not want to take more time, but I just want to put the record straight.

DR. PRATAP CHANDRA CHUNDER

Sir, the hon. Member, Mr. Anand, has taken up many points. Some of them are important and I would like to answer them. In the first place, I did not say that many Universities had not been in trouble during the past few months. There had been trouble in many Universities and that is a fact, but what I said was that the Statement that about half the number of the total Universities are at present closed is not correct. I made enquiries from the University Grants Commission. They have no such information and as far as our information goes, not more than half a dozen Universities are closed. I do not say that there has been no trouble. Certainly there has been a trouble in a larger number of Universities. I myself have cited the instances of the Jawaharlal Nehru University and the Jamia Millia University which were closed, but at present they are not closed. I request the hon. Members of the House not to exaggerate these facts because these give a wrong emphasis on these aspects, which will not ultimately do good to our education at large. I am not playing down the importance of students unrest. In answer to

certain specific questions in writing I have indicated how the students unrest is prompted by various factors, like social, political, economic, and the hon. Member who unfortunately is no more with us, Shri Prakash Veer Shastri, raised those points in some questions and I definitely answered those questions in writing as well as in the course of discussions. I am very much conscious that the Universities should be kept out of political interference and unless we do it, it will not be possible for us to run the noble institutions for the welfare of the country. So I should think that the hon. Member, Mr. Jagjit Singh Anand, will be satisfied with this part of my answer.

I agree that there has been trouble in a large number of universities. But, at the present moment, not more than perhaps six are closed. Anyway, this is neither here nor there. As regards the rights of the karamcharis, I am also one with him that their rights ought to be protected. There is a general protection of rights under the Constitution. As you know, Sir, the principle of natural justice is there. So a charge-sheet has to be given and he must give a reply. I have been a practising lawyer for 34 years, so I know all these problems and I have dealt with many such situations sometime on behalf of the karamcharis, sometimes on behalf of the universities also in a professional capacity. So there is some protection under the general law. Apart from the protection under the general law, here we find, so far as the Delhi University is concerned, that there are special terms and conditions of service and conduct rules of university non academic employees under Appendix VIII of Ordinance 22D. So there is some protection. Of course, Mr. Anand has pointed out that there should be something analogous to—not the Trade Disputes Act but the Industrial Disputes Act. We do not have the Trade Disputes Act any more. Universities are not industries and that has been held by the Supreme Court on

several occasions, because there is no profit motive in that sense and there is no private profit in running these educational institutions. Still I feel that there should be some comprehensive law for the purpose of protection of the interests of karamcharis because I also believe that they are an integral part of the university system. Just as the teachers are, the students are, even the other managers are similarly the karamcharis are an integral part of the university system, and that part cannot be neglected. So I had taken this matter up with my esteemed colleague, the Labour Minister, and the matter is under consideration of the Government whether some Act can be brought before both the Houses so as to protect the interests of the employees in the universities and other educational institutions.

As regards the other problem, namely whether a large number have re-joined or not, Sir, that is a question of fact. As I find from the Press Note published by the University, the continued absence of karamcharis from work and its consequent impact was certainly prejudicial to the interests of the student community. The hostel messes have not been functioning properly, the libraries have not been allowed to be opened, the sanitary conditions in the colleges have rapidly deteriorated causing health hazards. In many colleges even the security of the buildings is not being maintained by the essential staff. Again, the Executive Council also noted with concern that the situation had become all the more grave in view of increasing incidents involving violence and continued intimidation of karamcharis who wanted to resume duty. It is a question of fact. I am not the Judge of facts here. I can only submit that it does not take a large number of people to create disturbance in any institution. A small number of determined people can upset any institution anywhere in this country.

श्री प्रेम मनोहर (उत्तर प्रदेश): दिल्ली
यूनिवर्सिटी अनिश्चित काल के लिए बंद कर

[श्री प्रेम मनोहर]

दी गयी है। विद्यार्थी, आचार्य और कर्मचारी सब लोगों में असंतोष है। मंत्री महोदय को पता है कि इमरजेंसी के दौरान 280 आचार्य पकड़ लिये गये थे। रुखसाना जी ने कैम्प लगाया था तो उसकी अध्यक्षता करने के लिए दिल्ली यूनिवर्सिटी के बाईस चांसलर गये थे, इसलिए विद्यार्थियों का असंतोष कुछ दूसरे रूप का है, आचार्यों का दूसरे रूप का और जो कर्मचारी हैं उनका भी दूसरे रूप का है। इस समय जो हड़ताल हो रही है यह स्टीफन कालेज में जो कर्मचारी नहीं लिये गये हैं, जैसा अभी मंत्री महोदय ने बताया, उसके बारे में हो रही है। समस्याओं का हल मैं समझता हूँ कि आखिरी बंद करने से नहीं होगा। हमारे मंत्री महोदय ने बताया कि कितनी यूनिवर्सिटी बंद हैं केवल यूनिवर्सिटी के नम्बर गिनने से काम नहीं चलेगा। मेरठ में, कानपुर में या और कहीं भी, यह एक इन्फेक्शियस डिजीज की तरह है अगर एक जगह कुछ होता है तो सभी जगहों पर कुछ न कुछ इस प्रकार की बातें खड़ी हो जाती हैं और यूनिवर्सिटी तथा कालेज बंद होते चले जाते हैं। यह लाखों विद्यार्थियों का प्रश्न है। अपने मित्र नूरुल हसन साहब बैठे हैं। जब भी टीचर्स से बात करते हैं या आचार्यों से बात करते हैं तो वे कई कई तरह के आरोप लगाते हैं यह सब असंतोष हर वर्ग में तब बढ़ता है जब वे यह समझते हैं कि माईट इज राइट हो रहा है। नूरुल साहब मिनिस्टर थे, उनका अप्पॉइन्टमेंट दिल्ली यूनिवर्सिटी में हो गया, अलीगढ़ यूनिवर्सिटी में लीव पर थे। तो ये सब लोग-बाग आपस में बातचीत करते हैं और उन बातों पर असंतोष बढ़ता चला जाता है। मैं तो अपने मंत्री महोदय से यह कहूंगा, प्रार्थना करूंगा कि ब्यूरोक्रेटिक लाइन लेने की अपेक्षा मानवता की लाइन लें। ये दो चार आदमी जो निकाले गए हैं उनको वापस लें। आपने सब डिपार्टमेंट्स में, रेलवेज में, सब जगह इमरजेंसी में

निकाले गए लोगों को वापस ले लिया, उनको क्यों नहीं ले रहे हैं? क्या वह इस लिए कि उस कालेज को इस बात का श्रेय है कि 10-15 लड़के हर साल आई० ए० एस० में आते हैं? इसलिए आप भी उनका सा एटीट्यूड सब के प्रति रखें? जब हमने सब लोगों को माफ किया है, सब लोगों को लिया है, तो उन दो चार कर्मचारियों को, स्टीफेंस कालेज के, क्यों न लिया जाए? हम एक प्रेस्टीज प्वाइंट पर क्यों खड़े होते हैं? जब हम इस तरह का प्रेस्टीज प्वाइंट बनाते हैं तो उसमें लाखों विद्यार्थियों का नुकसान होता है। ठीक है, आटोनामस बाडी है, लेकिन मैं मंत्री महोदय से प्रार्थना करूंगा कि वे इस बात के लिए प्रेस करें कि वहां चल रही हड़ताल को समाप्त करें और इस बात का विश्वास सब लोगों को दिलाएं कि जो आथॉरिटी में है वह अब कोई गड़बड़ नहीं करेगा, माईट इज राइट नहीं होने वाला है, हर एक के साथ जस्टिस होगा। जब हर एक वर्ग को प्रतीत होने लगगा, चाहे आचार्य हो, कर्मचारी हो, विद्यार्थी हो, कि हमारे साथ जस्टिस किया जाएगा तो मैं समझता हूँ इस तरह की घटना नहीं घटित होगी।

डा० प्रताप चन्द्र चन्द्र : उपसभापति जी, माननीय सदस्य ने शायद मुझे समझा नहीं जब मैंने यह कहा कि सेंट स्टीफेंस कालेज के अध्यक्ष ने यह स्वीकार किया कि जांच कराने के लिये वे रिटायर्ड हाईकोर्ट जज के जरिए जांच करवाने के लिए तैयार हैं। यह सही बात है। कर्मचारियों की मांग पूरी की पूरी वातिल न हो जा रही है। जांच कराने के लिए बाहर के आदमी हैं और रिटायर्ड जज हैं जिसमें तमाम लोगों को विश्वास है। उनका जो राइट है वह बिलकुल वातिल नहीं होता जा रहा है।

श्री भीष्म नारायण सिंह (बिहार) : माननीय उपसभापति जी, माननीय डा० दत्त और अन्य कई साथियों द्वारा प्रश्न पूछे जाने के बाद कोई बहुत विशेष बातें नहीं रह जाती

हैं लेकिन फिर भी 2 मुख्य बातें मैं माननीय मंत्री जी से जानना चाहूंगा। पहली बात तो यह है कि आपने जो वक्तव्य दिया उसमें कहीं स्पष्ट रूप से हम लोगों को यह पता नहीं चला कि यह वाइस चांसलर ने जो युनिवर्सिटी बंद करने का आदेश दिया वह उनका अपना फैसला था या कोई उनके अधीनस्थ जो बाडी है उसकी राय से उन्होंने किया, क्योंकि हमारे पास समाचारपत्रों के जरिए जो सूचना है उसको मैं बताना चाहता हूं। हम यहां ऐसे विश्वविद्यालय पर चर्चा कर रहे हैं जो देश की चोटी की युनिवर्सिटियों में माना जाता है। यहां न केवल दिल्ली के छात्र पढ़ते हैं बल्कि देश भर के छात्र अध्ययन करते हैं और हमारे बिहार राज्य से तो बहुत सारे विद्यार्थी इसलिए यहां पढ़ने आते हैं क्योंकि बिहार में, शिक्षा मंत्री को पता है, कि किस तरह से शैक्षणिक संस्थाओं की दुर्दशा हो गई है। इसलिए मैं जानना चाहता हूं कि क्या यह वाइस चांसलर का अपना फैसला था या उन्होंने सब से राय लेकर क्लोजर का फैसला किया। समाचारपत्र में लिखा है :

"TEACHERS, STUDENTS WANT UNIVERSITY REOPENED"

Teacher-members of the Delhi University Academic Council, the National Forum of Teachers, DUSU and the Chhatra Sangharsh Samiti have deplored the unilateral decision of the University authorities in closing the University sine die without consulting the broad spectrum of the University Community."

यह जो इस तरह का समाचार है इसको ज़रा स्पष्ट करेंगे तो हम लोगों को पता चलेगा। दूसरी बात यह है कि माननीय मंत्री जी ने कहा कि हम शिक्षा संस्था में स्वायत्तता बनाए रखना चाहते हैं। उसको अटोनामस बाडी वह बनाए रखना चाहते हैं। हम लोग वैसा ही चाहते हैं। लेकिन सरकार का भी कुछ

कर्त्तव्य होता है सरकार कहे कि मूक दृष्ट रहेगा, ऐसा मैं नहीं मानता हूं। सरकार को निर्देश देने का पूरा अधिकार है। इसको ध्यान में रखते हुए इस महत्वपूर्ण विश्वविद्यालय को शीघ्र खुलवाना चाहिए। क्या आप कोई प्रयत्न कर रहे हैं कि आपको कोई आसार नजर आ रहे हैं कि अमुक वक्त तक युनिवर्सिटी को आप खुलवाएंगे ये दो स्पेसिफिक बातों की जानकारी मैं आपसे चाहता हूं।

डा० प्रताप चन्द्र चन्द्र : पहले सवाल का जवाब यह है कि मैं पहले ही पढ़ चुका हूं कि युनिवर्सिटी बंद करने की जो राय हुई वह एकजीक्यूटिव कौंसिल की राय है।

"... the Executive Council reluctantly decided to close the University and the Colleges *sine die* with immediate effect."

यह सिर्फ वाइस चांसलर की राय नहीं है। लेकिन वाइस चांसलर तो एकजीक्यूटिव कौंसिल में शामिल रहता है। दूसरे सवाल का जवाब यह है कि मैं पहले से ही छात्र प्रतिनिधियों से, शिक्षक और कर्मचारियों के प्रतिनिधियों से बात करता रहा हूं और मैंने पूरी कोशिश की कि किसी तरह की गड़बड़ न हो। लेकिन वह हुई। कल भी मैंने वाइस चांसलर से बात की थी। अगर कोई मार्ग निकल सका तो मैं उस से सब से ज्यादा खुश होऊंगा।

PROF. RAMLAL PARIKH (Gujarat):

Mr. Deputy Chairman, sir, I do not wish to take more time of the House, but I am rather constrained to rise here to give suggestions on one or two points that have come up during this Calling Attention Motion. But, before I do that, I want to express my sense of sadness that my friend hon. Member Prof. Dutt, who has been in the Delhi University in a very

[Prof. Ramlal Parikh]

responsible position, should have thought it proper to bring this matter before the House. It is very unfortunate that matters relating to universities should frequently be brought to this House.

DR. V. P. DUTT : I will just explain why I did it. I would like to . . .

MR. DEPUTY CHAIRMAN : There is nothing personal about it. You cannot go on like this.

DR. V. P. DUTT : It was said to the teachers' representatives that . . .

MR. DEPUTY CHAIRMAN : Please do not interrupt the speakers like this, Prof. Dutt. Do not disturb him.

DR. V. P. DUTT : Since he said why I raised it. I must explain it. Because the Prime Minister had told the teachers' representatives . . .

MR. DEPUTY CHAIRMAN : This is very wrong. Prof. Dutt, Please resume your seat.

PROF. RAMLAL PARIKH : Well, Prof. Dutt, I thought that at least on this issue both of us will speak not as members of any party. For my part, I believe and trust—and you would also accept this position—that at least in the matter of universities, let us restrict our position as teachers and professors. I am not speaking here on behalf of any party or on behalf of the Government. I am only expressing my regret that in such an unfortunate situation you should have been instrumental in bringing the matter before the House, because it does not help anybody. If we think that by debating in the House such matters frequently it is going to lead to any kind of solution, by all means let us do it. Our House is supreme and let us discuss it. But it does not lead to any solution of the problem. We, the members of the teaching profession, who are sitting here—our present Education Minister, our erstwhile

Education Minister, yourself and myself—want the universities is to be away from partisan politics. This has been our pledge, our aspiration, our effort all along. Therefore, please do not misunderstand me. I am not here to answer of your statements. I am only expressing as one belonging to the teaching community that it does not help any one of us to debate these matters in the House in a political and partisan style. I only plead with you, and with the Minister, that let us try to find out some way so that when such a situation arises, we do not rush to this House immediately—at least some of us, those who are in the teaching field, I do not speak about others—and avoid, as far as possible, bringing it to the House so that it can be kept aloof from the political and partisan colour.

Now, only one or two points I just want to make. The hon. Education Minister made it very clear that he is one on the issue that the autonomy of the universities must be preserved and protected. I think this is a very good, consistent stand of the Government.

3 P. M.

Both the Prime Minister and the Education Minister have unequivocally stated several times that they want the universities to solve the problems themselves as far as possible and defend their autonomy and I think that nobody can say that they have anywhere interfered in the autonomy of any university because both of them are trying and struggling hard to protect the autonomy and the dignity of the university. In such a situation, therefore, I felt sorry, and at least my friend, Dr. Dutt, should not have been involved. I do not say anything else.

DR. V. P. DUTT : So, you can imagine how bad the things are. That is why I am constrained to raise it.

PROF. RAMLAL PARIKH : Secondly, when the Education Minister has now stated here that he is consulting

the Labour Minister on a point of a legislation or what possible legislative measures can be taken here for resolving such disputes in the university it may be the students today, tomorrow it may be the karamcharis and the third day it may be the authorities—I would only urge upon the hon. Minister to make sure that when he is drafting or considering a legislation, he does not—do it in a piece meal, way but to take the situation in totality, together, let him now come with a proposal for the karamacharis on one day, for the students on another day and with that for the authorities on yet another day. We have to ensure that the universities function and that all have a protected place as well as legitimate and due share.

If a Vice-Chancellor is coerced or if the university authorities are coerced, that is also equally wrong. You cannot say that it is right even if there is a legitimate demand. Sir, a point was made here about violence. Violence does not mean only the physical violence; coercion is the worst type of violence. Nobody's violence, whether it is done by the authorities the karamcharis or the students, should be supported or promoted or allowed to increase in any way. What we are finding in the university system today is that each sector of the university is trying to coerce the other. This is what we people belonging to the teaching profession will have to consider quietly, dispassionately, and objectively, rising above our partisan loyalties and politics. I think the time has come when we should also work for an understanding between the political parties and have certain conventions by which their interference in the university affairs is limited. I do not say that they will not have any right to do so. In democracy we cannot say that somebody is prohibited, but, Sir, the time has come when, if we want that our educational institutions should run properly, we should not take advantage of any situation in any university for our partisan interests.

I am only standing here to appeal to all my friends, either on this side or on the other side, that we should not make the universities the instruments of partisan politics.

Political education is all right. We need it. We cannot keep the universities away from the political stream of the country, but that is a different issue. The Government has been consistently supporting the university's stand according to law. The issue is not whether the demands are right or wrong. Well, there are several forums, and if those forums are inadequate, my friends like Dr. Dutt can work for, creating new forums. But to support anybody's coercion is not correct. I heard a story that the karamcharis refused to cook for the students and the students starved. Now, how can you support them irrespective of their demands. I am not going into them. Perhaps, they may be right, they may be wrong. But, can you support this kind of things in which the arrangement for providing meals to the students was dispensed with? The students wanted to study and to go to the library. They were prevented. Can we agree to this kind of things? I am not supporting the university authorities at all. If they are wrong, they should also be told.

The point, therefore, is, let us keep universities away from partisan politics. And I even appeal to political parties let us arrive at some understanding and convention whereby we restrain ourselves from interfering in the affairs of the universities.

Sir, one more point. The point was brought up in this discussion that if we had it as a concurrent subject, perhaps this would resolve many of the problems. Let me say with the respect to my erstwhile friend, Prof. Nurul Hasan, that this is again a great illusion

PROF. S. NURUL HASAN : I hope I am not an erstwhile friend and I continue to be a friend.

PROF. RAMLAL PARIKH : Oh, I am sorry. I meant erstwhile Minister. Sir, therefore, what I say is that this is an illusion. To say that merely a national legislation passed in this House will resolve this problem is a very, very untenable proposition, as the very experience of the Central Universities proves. Otherwise, there should have been no trouble in the Central Universities. Well, I do not know how they are Central or national. I do not say anything Central or anything national in them. But they are being poured with amounts of money and grants—not even 10 per cent of that is available to the other universities in the States—in the name of making them ideal institutions. You cannot make an ideal institution by merely pouring money. You cannot create ideal institutions simply because the Central Government has passed a Central legislation and Central support is given. It is a great illusion. Even we have legislation in some of the States with regard to security of service of teachers and karamacharis. Security of teachers, security of “Karamacharis” and security of the Vice-Chancellor, all these are equally important. It is not a question of the security of one side or the other side only. Therefore, what I submit to the hon. Education Minister is that it is very good that he has stated here that legislation is being considered. All I say is that it should not be a piecemeal legislation only for securing the rights of one side or the other, but the legislation should be considered taking the situation in its totality, as to how the university will function without any clashes among the different sections of the University Community.

Lastly, my only further distress and pain is, how when we were debating the situation in the Delhi University, the affairs of the JNU were brought in. Here again it is not a criticism of my friend, Dr. Dutt. But I thought some of us could avoid

issues which are not strictly concerned with the motion. Here again, the Education Minister could perhaps tell us that the Chancellor of the University, who is the Prime Minister, according to the statute will go into the affairs of the university. After all, Chancellor is a Chancellor. And the Chancellor has a right to enquire into the affairs of the university which he is heading. If you are the head of an institution, nobody can say you cannot enquire. He has not come out with a form of enquiry or anything. Rising above partisan politics, both the Prime Minister and the Education Minister have stated that they are with the universities. Therefore, let us please not try to complicate the situation further and let us not weaken their hands in protecting the universities. I am, therefore, pleading with Prof. Dutt and other friends that this is a situation which is not being considered on partisan lines by the Prime Minister and the Education Minister. Therefore, let us also...

DR. V. P. DUTT : All I say is that an omnibus enquiry covering a period of 10 years or 15 years or since the university was founded, this kind of enquiry, is never done. Therefore, there must be a certain definition of what enquiry is to be done.

PROF. RAMLAL PARIKH : Prof. Dutt, you have been a head of the university yourself and that is why I am saying this. I know you have held a very high and important position in the university. It does not behove any of us to discuss these matters in this way. How can you say that the Chancellor of the university will not enquire into the affairs of his own university? Whether it is one year or ten years or fifteen years is immaterial. That is between the Chancellor and the Executive Council. It is not for us to prescribe it or to interfere in that kind of a situation. The JNU has its own Executive Council and it has its own court. I do not know. I have very little experience of the Central Universities.

Anyway, Sir, the debate that was brought up here was unfortunate. In spite of it, this debate has at least provided an opportunity for the reassertion of the Government's stand for protecting the dignity and the autonomy of the universities. I hope that the only suggestion that I have made to the Education Minister about considering the problem in a totality, will be kept in mind.

DR. PRATAP CHANDRA CHUNDER :

While I agree with most of the views and sentiments expressed by the honourable Member, Prof. Ramlal Parikh, I think by bringing this matter before this House the honourable Dr. V. P. Dutt enabled us to clarify the Government's stand. To that extent this Calling Attention Motion has served its purpose. I shall certainly bear in mind some of the valuable suggestions that have come from the honourable Member.

SHRI NARASINGHA PRASAD NANDA (Orissa) : Sir, I happen to be a guardian of six students in the Delhi University and therefore I have some concern about the closure of this University. I have very carefully heard the statement of the honourable Education Minister. I have also heard the speech of Prof. Dutt and also Prof. Ramlal Parikh. The important point is this. In spite of the fact that the University is to remain autonomous, I just want to put a simple question to the Education Minister. Regard being had to the circumstances, will he use his good offices now to see that the University reopens, particularly when we find that the JNU and Delhi University are the greatest beneficiaries of the University Grants Commission? Out of the grants made by the UGC, they take the maximum share . . .

MR. DEPUTY CHAIRMAN : That is all right now.

SHRI NARASINGHA PRASAD NANDA : I would, therefore, like to

know from the honourable Minister whether he will use his good offices or whether he will only take the plea of autonomy of the University and will just be an on-looker. That is the question I want to ask of the Minister.

DR. PRATAP CHANDRA CHUNDER :

I have explained repeatedly; I am not an on-looker: even yesterday I had a discussion with the Vice-Chancellor.

SHRI BHUPESH GUPTA (West Bengal) : Sir, this discussion has got a wider scope. Good that it has been so. Now one point seems to be missing. The honourable Education Minister spoke of the autonomy of the universities. There is discontent in the universities; not only among the students, among the teachers also . . . Today teachers from all over the country have come to this Capital city and they are demonstrating near the Boat Club. I understand their representatives will be meeting the Education Minister or the Prime Minister. I think they are meeting now at 3 o'clock. By going through the memoranda I find that one of their demands, which is being fully supported by the students, is that the pay-scales sanctioned by the University Grants Commission are not being implemented in a number of States. Even when a decision has been taken, the decision is not being implemented. I should like to know what steps the Minister is going to take in this matter so that University Grants Commission decision with regard to pay-scale is implemented. Now they have power under the Constitution also. That is number one. Number two. In some places, when we are talking about autonomy of the universities, elected senates and syndicates have been done away with, have been dismissed unlawfully, as in Andhra Pradesh, for example. What steps are we going to take to revive these bodies? There are other demands also. I think all those demands require a little more comprehensive discussion between the Government on the one hand

[Shri Bhupesh Gupta]

the Education Minister in particular—and the representatives of the teachers on the other; and the students also can be brought in. That is how the matters should be looked at. The honourable Minister has taken a complacent view. He thinks only six universities are closed now. But those that are not closed, they are also thinking along these lines for a variety of reasons. I think the matter should be given top priority and the academic world has to be brought on an even keel. And that can be done by the initiative and intervention of the Central Government in this matter and the Education Minister can do so and he is expected to do so. Again I hope that the Government will take steps and tomorrow I would like the honourable Minister to come and tell us results of the discussions between the deputationists who have come from all over the country and the Prime Minister and the Education Minister. We would also like to be supplied with copies of the memoranda they have received from the teachers.

DR. PRATAP CHANDRA CHUNDER : I am very happy to find our honourable and respected friend Shri Bhupesh Gupta present in the House today after some time, but I respectfully say that the point he has raised does not fall within the purview of today's Calling Attention Motion which relates only to the Delhi University. But if he wants an explanation, I can give it.

SHRI BHUPESH GUPTA : Yes.

DR. PRATAP CHANDRA CHUNDER : The University Grants Commission which is under the direction of the Central Government have offered the scales of pay. But the State Governments are to make some contribution in this respect. Very often the State Governments do not accept these scales of pay. Even when these scales are accepted by the State Governments, some of them are not implementing them fully. Wherever the matter

is brought to my notice, I take the matter up with the State Governments. For instance, I have spoken to the Education Ministers of Maharashtra and Karnataka and recently I had a long discussion lasting more than three hours with the Education Minister and the Chief Minister of West Bengal. It is not correct to say that we are complacent. We are trying to do our best.

PROF. S. NURUL HASAN : What about Madhya Pradesh?

श्री महादेव प्रसाद वर्मा (उत्तर प्रदेश) :
एक सवाल ...

श्री उपसभापति : अब तो बहुत समय हो गया है ...

श्री महादेव प्रसाद वर्मा : मान्यवर, सिद्धान्तः इस बात से कोई इन्कार नहीं कर सकता कि विश्वविद्यालयों को स्वायत्तता के अधिकार होने चाहिए। लेकिन केवल कानून बना देने से नहीं होगा इसके लिए आपको महामना मालवीय जी, राधाकृष्णन जी और आचार्य नरेन्द्र देव को भी ढूँढना पड़ेगा। केवल कानून से ही नहीं सम्भव हो पाएगा। मैं इसलिए यह कह रहा हूँ कि अगर सरकार की यह मंशा है तो उसको उस रुख में भी जिस तरह अब तक विश्वविद्यालयों में वाइस-चांसलरों की अप्वाइंटमेंट्स होती रही को भी देखना चाहिए। क्या सरकार इस बात पर सोच रही है कि इन वाइस-चांसलरों की नियुक्ति जिस तरह होती है उसमें भी कोई सुधार या दूसरा रुख लेना चाहते हैं? यह मेरा पहला सवाल है।

मेरा दूसरा सवाल यह है कि स्वायत्तता के होते हुए भी अगर किसी विश्वविद्यालय में

नियम की कोई कार्यविधि अवहेलना होती है या फर्ज कर लीजिए कर्मचारियों या अध्यापकों के साथ कोई ज्यादाती हुई तो क्या उसकी जांच कराना ठीक होगा या नहीं और जांच क्यों नहीं कराना चाहते ? अगर राजनीतिक तौर पर उनके साथ कोई व्यवहार किया गया, राजनीतिक कारणों से उन पर कोई दुर्व्यवहार हुआ तो उसकी जांच क्यों नहीं होनी चाहिए और स्वायत्तता के पीछे क्यों छिपाया जाए ? मैं यह जानना चाहता हूँ क्या मंत्री महोदय इस तरह के कार्यों की कोई जांच करेंगे ?

डा० प्रताप चन्द्र चन्द्र : जांच के बारे में मेरा जो कहना है, वह मैं पहले ही कह चुका हूँ ।

THE ENEMY PROPERTY (AMENDMENT) BILL, 1977—Contd.

SHRI JAGAN NATH BHARDWAJ (Himachal Pradesh): There were two more speakers and my name was there.

श्री कल्प नाथ राय (उत्तर प्रदेश) : आदरणीय उपसभापति महोदय, जो मंत्री महोदय की तरफ से एनीमीज्ड प्रोपर्टीज एक्ट का बिल लाया गया है, मैं इसका स्वागत करता हूँ । हिन्दुस्तान के बटवारे के बाद, 1947 के बाद हमारे देश के अन्दर जब

[The Vice-Chairman (Shri Shyam Lal Yadav) in the Chair.]

देश का विभाजन हुआ तो एक रिफ्यूजीस की समस्या पैदा हुई । लाखों लोग वेस्ट पाकिस्तान से हिन्दुस्तान आए और लाखों लोग हिन्दुस्तान से भाग कर पाकिस्तान गए । उस समय नेहरू-लियाकत अली पैक्ट बना जिसके अन्तर्गत यह समझौता किया गया कि जो हिन्दुस्तान से लोग पाकिस्तान जाएंगे और जो पाकिस्तान के लोग यहां पर आएंगे

तो जिन लोगों की सम्पत्ति दोनों मुल्कों में रह गई यह सरकार मूवेबल और इमूवेबल प्रोपर्टी के अनुकूल उनको कम्पनसेशन देगी और वे लोग वहां पर सैटल करेंगे । नेहरू-लियाकत अली पैक्ट सन् 1950 में हुआ, वह जैसे पहले था आज भी वही है । लेकिन शरणार्थियों की समस्या को हल करने का कोई बढ़िया ढंग से कदम उठाना चाहिये था, ऐसा नहीं हुआ ।

मैं वर्तमान मंत्री महोदय मोहन धारिया साहब पर विश्वास रखता हूँ कि वह इस समस्या को हल करने में अपनी कोई कोर कसर उठा नहीं रखेंगे । आदरणीय उपसभाध्यक्ष महोदय, हिन्दुस्तान के बटवारे के बाद हिन्दुस्तान और पाकिस्तान के बीच में कई जंग हुए जिसके कारण भी लाखों लोगों की जिन्दगी और सम्पत्ति बरबाद हुई । बहुत से लोगों की सम्पत्ति पर पाकिस्तान की सरकार ने और बहुत से लोगों की सम्पत्ति पर हिन्दुस्तान ने कब्जा कर लिया । आदरणीय उपसभाध्यक्ष महोदय, आप जानते हैं कि ईस्ट पाकिस्तान में जो माइनारिटीज के लोग थे वे करीब 35 प्रतिशत थे । सब से ज्यादा रिफ्यूजी इसी पाकिस्तान से भागकर हिन्दुस्तान में आए । जो हमारे माइनारिटीज के लोग ईस्ट पाकिस्तान में थे उनके हाथ में देश की इंडस्ट्री, लैन्ड प्रोपर्टी और मारकेट था अथवा जो माइनारिटीज के लोग ईस्ट पाकिस्तान में थे वह वहां की दौलत के, जमीन के और व्यापार के मालिक थे लेकिन जब ये लाखों की संख्या में 70-75 लाख के करीब भागकर हिन्दुस्तान आये तो नेहरू-लियाकत पैक्ट के अनुसार उन लोगों को उनकी सम्पत्ति के अनुकूल जो कम्पनसेशन मिलना चाहिए था, वह सरकार ने नहीं दिया, जो लाखों लोग बिना पैसे के भिखारी बन कर घूम रहे हैं उनके लिए कोई व्यवस्था नहीं की गई । आदरणीय उपसभाध्यक्ष महोदय, यह जनता सरकार जो आयी है, अभी पिछले दो महीनों में मैं कलकत्ता