

SHRI LOKANATH MISRA: Once he says that, it is all right.

SHRI MAHAVIR TYAGI: I take it that before the adjournment of the House he will make a statement. Then the matter is finished.

MR. CHAIRMAN: I will make the position clear.

श्री प्रकाशवीर शास्त्री (उत्तर प्रदेश) : मेरा निवेदन केवल इतना है कि यह जो व्यवस्था थी यह आपके आने से पहले दी गई थी। सदस्यों ने केवल आपका ध्यान इस ओर आकर्षित कराया कि इस प्रकार की व्यवस्था यहाँ दी जा चुकी है और सदस्यों को संदेह जैसे है, अतः राजनीतिक जीवन की पवित्रता बनाये रखने की दृष्टि से, उस पक्ष में नहीं, इस पक्ष में नहीं, कहीं भी कोई इस प्रकार का आरोप हो जिससे पूरी संसद् प्रभावित होती हो तो उस आरोप को जहाँ तक संभव हो सके, जितना संभव हो सके उतना हटाया जाना चाहिए। मेरा अनुमान यह है कि इसमें संसदीय कार्य मंत्री स्वतः सहमत होंगे कि उनके पास बाकी कोई इस प्रकार की जानकारी नहीं आई है तो यत्न करें कि कल सायंकाल तक इस विषय में वक्तव्य आ जाये ताकि पता लग सके कि 3 सदस्यों के मौन रहने से जो संदेह तरह तरह के हैं उनके बारे में क्या स्थिति है।

MR. CHAIRMAN : You have expressed your doubt or suspicion. The Minister Shri Om Mehta has said that there is the direction and he accepts it. Why unnecessarily suspect that statement ?

SHRI K. N. DHULAP (Maharashtra): There is no question of suspicion. Will it be implemented ?

SHRI SANAT KUMAR RAHA (West Bengal): Whether it will be implemented before the House is adjourned ?

MR. CHAIRMAN : It is not correct and fair. The direction is there and it is accepted by the Government. We should believe him. I do not think we are such people who do not believe him.

### CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

#### **Demands of Delhi University Teachers' Association**

DR. K. MATHEW KURIAN (Kerala): Sir, I beg to call the attention of the Minister of Education and Social Welfare to the demands of Delhi University Teachers' Association regarding security of service for teachers, takeover of mismanaged colleges and amendment to statutes of the Delhi University Act and Government's reaction thereto.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): Sir, a few days ago, the President, Delhi University Teachers' Association addressed a letter to me drawing my attention to the situation arising out of suspension of three teachers of Shyam Lal College and to the demands of the Association for amendment of the Delhi University Act to provide for (a) statutory security of service of teachers; and (b) University take-over of mismanaged colleges. The President of the Association also drew my attention to amendment of Statute 30 of the Statutes of the University dealing with the structure of College governing bodies and to the implementation of revised scales of pay.

2. The Pro-Vice-Chancellor of Delhi University had earlier suggested to me that action may be taken for amendment of the Delhi University Act. I had several meetings with him to discuss the implications of the proposal. In view of this, I wrote to him that the Government is actively considering the proposal to provide security of service to teachers and to deal with mismanaged colleges and that if the Association had a point of view which was different from that of the University, it may be advised to let me know its thinking in the matter.

3. Some of the Colleges of Delhi University have claimed the status of minority institutions. The amendment to Statute 30 of the Statutes of the Delhi Uni-

I Prof. S. Nural Hasan] veTsity is, therefore, being examined with particular reference to the recent judgment of Supreme Court striking down certain provisions of the Gujarat University (Amendment) Act as unconstitutional in so far as they affect the minority institutions. \* A new clause has, however, been added to Statute 30 of the Statutes of the University, providing that if the University is satisfied that the affairs of an affiliated college are not being managed properly, it may appoint to the Governing Body of such college such number of additional members not being more than one-half of the total number of members of the Governing Body and for such period as it may think fit. but not exceeding three years on any one occasion.

4. Government are of the view that teachers of the University should have adequate statutory security of service and the Act and Statutes of the University should be suitably amended to ensure this, as well as for taking over the management of the mismanaged colleges of the University. As regards revision of pay scales announced by me, the details of implementation are being worked out. I hope a decision will be taken soon.

5. The House will appreciate that provisions regarding taking over of mismanaged colleges established by private Trusts and other related matters have far reaching effects and decisions in this regard cannot be made in haste. All relevant aspects of the matter, *e.g., legal, administrative and financial*, have to be taken into account before making such provisions. I can assure the House that necessary steps will be taken as expeditiously as possible in connection with the amendment of Delhi University Act and Statutes.

DR. K. MATHEW KURIAN: Sir, the Minister has said in his statement that the Government is of the view that the University and the college teachers should have security of service and that the mismanaged colleges should be taken over. Sir, this is an expression of the Government's view only. But what the teachers

of the Delhi University and the colleges would like is only concrete action by the Government and not merely an expression of the view of the Government. There is no indication in clear terms and in unambiguous terms as to what the Government is going to do.

Sir, today, the University teachers, not only in Delhi, but also throughout the country, are on a war path because they are being dismissed. In Madras alone, 312 teachers have been dismissed and in Haryana, Bihar and in a number of other States the teachers are being dismissed by the private colleges run by the blackmarketeers, landlords, businessmen and the traders and the University Acts in the various States are proving inadequate to cope with the problem.

Sir, I have, on several occasions, raised this issue in this House and it is not as if this is a new matter. On several occasions we have raised this matter in this House and the attention of the honourable Minister has been drawn to the fact that the Delhi University teachers are very much agitated for a long time over the lack of security of service. Sir, in today's "Indian Express", there is a news item and I would like to quote it :

"Teaching work remained paralysed in almost all the Delhi University colleges today in response to a "cease work" call given by the Delhi University Teachers' Association. The "cease-work" call was given to press the teachers' demands which include amendment to the Delhi University Act to provide statutory security of service to the teachers and the take-over of the mismanaged college^ "

Sir, on the 4th September, the Delhi University teachers assembled before the Parliament and they held a demonstration. Sir, I have before me a picture which shows the teachers being arrested. About 33 teachers were arrested on the 4th of September. Thirty-two teachers were

arrested yesterday, that is, 5th of September, and you find a confrontation between the police on the one side and the teaching community on the other. My question is, why is it that the Minister has allowed the country and the University education to come to such a pass that teachers are forced to go on war path and struggle for minimum demands and security of service? There are at least 44 judgments—by the Supreme Court and High Courts saying that the relationship between teachers and University and College teachers on the one hand and the Unions and management on the other is 'a master and servant' relationship. You will agree that this is a shame for the Government which has so far been unable to bring statutory security to the teachers after 27 years of Independence. The Minister said in his statement that he received a letter from the President of the DUTA some days ago as if it is a new matter. This is a matter which was raised by the DUTA for several years. Sir, the All-India Federation of University and College Teachers had raised this issue in memorandum after memorandum. Why is it that the Government was sitting tight on this? Why is it that the Government and the Education Ministry were sleeping over it for the last several months and years, instead of bringing to this House an amendment of the Delhi University Act and similar amendments to various other Central Universities in order to give security of service? I would like to have a categorical answer. Why this delay? Why is it that the Minister has so far not been able to bring forward a concrete Bill in this House rather than his expression of wish and view of the Government?

Sir, I wish to ask one or two questions more.

Sir, the President of the DUTA in a letter to the Prime Minister yesterday has said that even if an effective assurance is given that the Government is going to take positive steps to bring an amending Bill in the Parliament, the teachers can withdraw their agitation. There must be

41 RSS/74—2.

some basis for the teachers to withdraw their agitation on their most legitimate demands. Let the Government give an assurance in this House that as soon as possible, very soon, statutory legislation will be brought to amend the Delhi University Act to give the following:

(1) Statutory security of service for teachers.

(2) Take-over of all colleges by the University, including the Shyam Lal College which has flouted all the ordinances and statutes of the University.

Will the Minister give an assurance?

Sir, before I conclude, I reiterate this, and I would like to get concrete answers to the following questions:

(1) Is it not a fact that in practically every University the relationship between teachers and the management is that of a master and servant?

(2) Is it not a fact that at least 44 rulings by the Supreme Court and High Courts are there, where they say that they cannot do anything?

(3) Is it not true that private colleges like the Shyam Lal College have been continuously flouting ordinances and statutes, and it was brought to the attention of the Minister but no action was taken, except saying that it is under active consideration? Active consideration goes on for months and years.

(4) Is it not a fact that the DUTA President had sent a letter to the Prime Minister which was not even answered? Is he aware of it?

(5) Will the Government, and particularly the Minister of Education, since he is a respected teacher,—I urge upon him—call and invite a delegation of the DUTA and sit with them, today itself, if possible, so that this agitation can be peacefully withdrawn? Will the Government give an assurance that they are determined to solve the problems of the teachers soon, and that a statutory security of service and an amending Act

[Dr. K. Mathew Kurian]

to take over the colleges will be brought at least in the next session ? Such an assurance should come forth from the Minister.

12 NOON

PROF. S. NURUL HASAN : Sir, I have already made this statement but I have no hesitation in repeating that Government is prepared to give this assurance to the honourable House, to all the hon. Members as well as to the teachers of the Delhi University that Government would certainly like to bring in the necessary legislation as soon as possible to provide statutory security of service to teachers and to provide for the takeover of the management of mismanaged colleges. I am not using the word 'all colleges' ; I am using the words 'takeover the management of mismanaged colleges'. I hope, Sir, that this would satisfy the honourable House as well as the members of my own fraternity, the teachers of the Delhi University and in the light of this, they will not think that it is any longer necessary for them to take any further measures or steps like courting arrest and so on.

The hon. Member has made two or three other statements but the most important of what he said is that why has the Government not taken this action so far. Sir, it is true that this matter has been under consideration of the Government for quite some time. I have myself had fairly long and extensive discussions with the Delhi University Teachers Association as well as with the individual leaders of the teaching community of the Delhi University. The delay has been mainly because of the reasons which I have indicated. There are some administrative and other financial reasons also which are pertinent but the most important has been, Sir, the question of the minority colleges and for this purpose I have on 2 or 3 occasions requested the Association which includes many legal luminaries kindly to apply their mind and to let me have their suggestions. Anyway, now I hope I will be able to formulate. I am in constant touch with

the Law Officer of the Government and we have evolved a solution. I hope it will be finally approved by the Law Ministry.

The issue, Sir, in Delhi is that so far as the University-appointed teachers are concerned, there is no question of master-servant relationship. Their security is fully guaranteed. The main issue arises because of a judgment which was given by the High Court—there may have been other judgments but I am conscious of one important judgment—wherein the services of one of the teachers of a Delhi affiliated college were dispensed with and the High Court felt that this particular matter was governed by the contractual obligations and master-servant relationship.

Therefore, Sir, it is necessary for us to bring in statutory security of service to teachers. But, Sir, the difficulty arises because Delhi University colleges include some who have already claimed in their representations to me a status of minority institutions. Now, it is possible for me to divide the whole thing into two. I can say that these are the statutory safeguards which we can provide to colleges other than those run by minorities. But then, it would not be fair, Sir, if we made no attempt to provide whatever security we can under the law to the teachers serving in the colleges whose management claimed that they are minority colleges. I am told that some others are also thinking on these lines. I have no definite information but at least in respect of four colleges, I have received such representations. Therefore, Sir, I considered it my duty that whatever safeguards were possible within the framework of the Constitution as interpreted by the hon. Supreme Court, those safeguards should be provided even to teachers working in colleges whose administrations claimed that they are minority colleges. In regard to others also. Sir, as I said earlier, our policy is very clear, our objectives are very clear and we have been thinking over it. The case of the Gujarat University (Amendment) Act was filed in the Supreme Court. For the last three months, we have just been waiting for the details of the Supreme Court judg-

ment, which is a very long judgment. There are separate judgments, delivered by different hon. judges. Their implications have to be very carefully examined by the Law Officers of the Government. Therefore, there is no inordinate delay, or avoidable delay by the Ministry of Education. We are fully in sympathy with the teachers. And whatever has been possible within the existing framework, those powers have already been given to the University of Delhi, including that of adding to the number of members of the management committee and which I submitted earlier.

**श्री सीता राम सिंह (बिहार) :** अध्यक्ष महोदय, मुझे बहुत खेद के साथ कहना पड़ता है कि आज हमारे देश की क्या स्थिति है और उसका कितना पतन हो गया है ? एक जमाना था जब अध्यापक और अचार्यों का स्थान और सम्मान राजा से भी ऊँचा होता था, लेकिन आज आजादी के 26-27 साल के बाद भी हमारे देश के अध्यापकों की क्या स्थिति है ? कहीं वे लाठी खाते हैं, कहीं मौसा में गिरफ्तार होते हैं, कहीं 101 के तहत गिरफ्तार होते हैं और कहीं 107 के तहत गिरफ्तार होते हैं। इस तरह की स्थिति क्या है ?

अपने देश में अध्यापकगणों की समाज को बनाने की महत्वपूर्ण जिम्मेदारी है और अध्यापकों की ही यह देन है कि हमारे देश में गांधी जी, जवाहरलाल नेहरू और सुभाष चन्द्र बोस जैसे व्यक्तियों को उन्होंने तालीम देकर पैदा किया। लेकिन आज उनका सम्मान समाज की नजरों में शासन द्वारा ही गिराया जाता है। आज उनके मन में हमेशा असुरक्षा की भावना, आतंक का वातावरण बना रहता है। कोई भी अध्यापक आतंक और असुरक्षा के वातावरण में रहकर बच्चों को सही तालीम नहीं दे सकता है क्योंकि उसकी मनोबल स्थिति दुर्बल रहती है। तो मैं मंत्री जी से आश्वासन चाहूँगा कि इन तमाम गड़बड़ियों को दूर करने के लिए कोई ऐसा विधेयक प्रस्तुत करेंगे जिसके द्वारा बच्चों को सही तालीम मिल सके, अध्यापकों को सम्मान मिल सके और वे सम्मानपूर्वक अपनी जिन्दगी बसर कर सकें तथा उनका मनोबल ऊँचा हो सके ?

आज जब अध्यापकों को समाज और प्रशासन की ओर से सम्मान नहीं मिलता है, तो नतीजा यह होता है कि बच्चों के अन्दर, जिनको वे तालीम देते हैं, उनके मन में भी अध्यापकों के प्रति अच्छी भावना नहीं रहती है और उनके मन में भी उनके प्रति कुदृष्टि रहती है। तो जहाँ पर तालीम की संस्थाएँ हैं, उन संस्थाओं के अन्दर विद्यार्थियों के संबंध पिता और पुत्र जैसे होने चाहिये, लेकिन आज यह स्थिति बिगड़ती ही जा रही है। हम चाहेंगे कि मंत्री जी जल्द से जल्द कोई विधेयक पेश करें जिसके द्वारा यह सारी गड़बड़ी दूर हो जाय। इतना ही हमें कहना है।

**प्रो० एस० नूरुल हसन :** दिल्ली विश्वविद्यालय के अध्यापकों के सिलसिले में मैं यह आश्वासन दे चुका हूँ।

**HRI UMASHANKAR JOSHI (Nominated) :** Mr. Chairman, Sir, I should also think that many of my questions have already been covered. I would only make the plea that these steps should be expedited. It does not augur well for the cultural life of our great country that there should be a confrontation between the Government and the teachers. Especially after the judgment of the hon'ble Supreme Court striking down certain provisions in the new Gujarat University Act in order to safeguard colleges run by minorities, there has been a sense of frustration in the academic community. The hon. Minister says that the teachers of the university departments are well-protected, but it happens that the teachers of the affiliated colleges still get step-motherly treatment in the academic world. Though as a matter of fact, they form the bulk of the teaching fraternity. The university which I headed for six years saw the sad spectacle of teachers being fired at the end of the second term and new appointments being made at the beginning of the first term.

Without appearing to malign the city from which I hail, I can say that in financial malpractices even in academic institutions, Ahmedabad could be the last word.

[Shri Umashankar Joshi]

The ex-Chief Minister had his financial base by starling academic institutions of late the multi-millionaires also ganged up with such politicians, ambitious politicians, who use education as a ladder to power. The result is that the teaching fraternity in that part of our country lives under the shadow of perpetual insecurity.

Sir, in this land of *gurus*, teaching institutions are still, in the year 1974, used for profiteering and for wielding some power of building up some academic kingdoms. Some serious thought has to be given to this matter so that the academic community all over the country may feel at ease and address itself to the great tasks of building up the new generation.

Time was, Mr. Chairman, Sir, in your very young days when in our part of the country, in Poona for example the Ferguson College held out a great model of an educational institution where teachers worked for Rs. 75 per month. But they were no less in stature than politicians and other great patriots of the country. Today, the teacher simply cannot stand on his legs—legs financial, social and psychological. I would, therefore, urge upon the hon. Minister not only to fulfil the promises which he has given as one of the outstanding professors of our country but also to look into the matter and do something with regard to the latest judgment of the hon'ble Supreme Court. Would he think of coming before this House and the Lok Sabha and suggest an amendment with regard to the rights of the minorities?

SHRI M. P. SHUKLA (Uttar Pradesh): Not in this session, in the next session.

SHRI UMASHANKAR JOSHI: It should not matter but I have every hope that the Minister would put across this matter of the minorities and make it acceptable. Otherwise the teaching fraternity will always suffer from this handicap. As the hon. Minister suggested there are other colleges also apart from the four minority colleges, which think of approaching as minority institutions. The fear

is that colleges, which do not have a specific minority character, would be taking cover behind this judgment. As caste Hindus get their boys adopted by Scheduled Castes in order to get certain advantages there may be college managements which would like to take cover behind this judgment.

The Pro-Vice-Chancellor of the Delhi University who is now the acting Vice-Chancellor has put across to the Government matters requesting security etc. on behalf of the teaching community and all that remains to be done is to instil a sense of faith in the teaching community so that they may retrace from the activities which they have been forced into following.

With these words I plead once again that all that possibly can remains to be done for the security of the teaching community both at the colleges and the universities and also in the secondary schools should be done without any loss of time.

PROF. S. NURUL HASAN: Sir, I do not have to repeat the assurance that I have already given but one point I must seek your indulgence to clarify and that is that the Government do not have any proposal under their consideration to amend Article 30 of the Constitution.

श्री योगेन्द्र शर्मा (बिहार) : सम्भाषित महोदय, यह बहुत ही अफसोस की बात है कि डा० नूरुल हसन जी हमारे शिक्षा मंत्री हैं और डा० बी० पी० दत्त जो दिल्ली विश्वविद्यालय के कार्यकारी उपकुलपति हैं वह दोनों हमारे देश के जाने माने विद्वान् हैं और दोनों प्रगतिशील विचारक हैं और सोनाम्य से दोनों ही इस सदन में मौजूद हैं। अफसोस की बात है कि इन दोनों के फैसला-कुन जगहों में रहते हुए भी दिल्ली विश्वविद्यालय के शिक्षकों को संसद् के सामने आना पड़ता है अपनी मांगों के लिये और यहाँ उनको गिरफ्तार किया गया। यह स्थिति बतलाती है कि उन की समस्याएँ गंभीर हैं और उनकी सेवा की सुरक्षा

की समस्या तो इस हद तक गंभीर हो गयी है कि उन्हें संसद् के सामने न्याय के लिये आना पड़ता है।

दिल्ली विश्वविद्यालय के मातहत कुछ प्राइवेट कालेज हैं। हम समझते हैं और हम सहमत हैं शिक्षा मंत्री के इस कथन से कि शिक्षकों की सेवा सुरक्षा का प्रश्न प्राइवेट कालेजों से संबंधित है और प्राइवेट कालेजों के प्रबन्धक इतने मजबूत हैं और इतने प्रभावशाली हैं कि उनके सामने दिल्ली विश्वविद्यालय ही नहीं, मैं समझता हूँ कि हमारी नगरपालिका भी एक मायने में और सारी गवर्नमेंट भी असमर्थ है और इसका जीता जागता उदाहरण श्यामलाल कालेज है। श्रीमन्, इस कालेज का प्रबन्ध नाम के लिए कालेज का प्रबन्ध है, असलियत में वास्तविक प्रबन्ध जो है वह काला धन पैदा करने और काले धन का इस्तेमाल करने के लिए एक हथकंडा है और मैं उन शिक्षकों को बधाई देता जिन्होंने कालेज की संस्था के इस उपयोग के खिलाफ आवाज उठायी। मगर उनकी हालत क्या हुई? उनमें से 3 शिक्षकों को निकाल दिया गया और अभी तक उनको नहीं रखा गया है। उनका क्या अपराध था? उनका यही अपराध था कि शिक्षा संस्थाओं का इस्तेमाल काले धनपति न कर पायें। ये कितने मजबूत हैं, इसीसे आप समझ सकते हैं कि ये कालेज के मुख्य प्रबन्धक रहे हैं। वे बिहार विधान सभा से चुनकर आते हैं। इतना उनका जाल बिछा हुआ है कि विधान सभा से चुनकर आ जाते हैं जहाँ उनके चुने जाने का कोई आधार नहीं है। कैसे चुने जाते हैं, साफ है। इतनी प्रभावशाली उनकी पार्टी नहीं है, उनकी पार्टी की हैसियत नहीं है कि यहाँ पर आ सकें। हम काले धन की बात कह चुके हैं। श्रीमन्, ऐसे मजबूत प्रबन्धन के खिलाफ बेचारे गरीब शिक्षक असहाय हैं और वे न्याय के लिए संसद् के सामने आते हैं।

श्रीमन्, हम बतलावें कि यहाँ रोजगार चल रहा है प्राइवेट कालेज के प्रबन्धन के द्वारा। कालेज के नाम से, उसके जो प्रिंसिपल हैं जो

कि प्रबन्धन में इन काले कारनामों में साक्षीदार हैं। लेकिन उनकी सेवा की मियाद, सेवा की अवधि पूरी हो चुकी है। मंत्री महोदय हमको बतलावेंगे कि यह हकीकत है या नहीं कि कालेज के प्रिंसिपल की सेवा की अवधि पूरी हो गई और दिल्ली विश्वविद्यालय ने कहा कि चूंकि उनकी सेवा की अवधि पूरी हो गई, इसलिए उनको सेवा-निवृत्त कर दिया जाए। यह बात है या नहीं? यहाँ पर न्यायपालिका ने भी इसी तरह की बात कही कि उनको कालेज का प्रिंसिपल नहीं रहना चाहिए। लेकिन इसके बावजूद वह कालेज के प्रिंसिपल बने हुए हैं। यहाँ तक कालेज के प्रबन्धन की ताकत है कि न्यायपालिका कुछ नहीं कर सकती है क्योंकि प्रिंसिपल की मिलीभगत है कालेज के प्रबन्धन के साथ। किस बात के लिए मिलीभगत है? काला धन पैदा करने के लिए। और जो बेचारे शिक्षक इनका प्रतिवाद करते हैं वह मारे जाते हैं। तो हम कुछ प्रश्न इस बारे में पूछना चाहते हैं सफाई के लिए।

पहला प्रश्न यह है कि क्या श्यामलाल कालेज ने यह दावा किया है कि वह माइनारिटी कालेज है क्योंकि शिक्षा मंत्रालय ने कहा कि कुछ कालेजों ने दावा किया है कि वह माइनारिटी कालेज हैं, इसलिए हम दे रहे हैं।

DR. VIDYA PRAKASH DUTT (Nominated): He is in a minority of one.

SHRI YOGENDRA SHARMA: Thank you for the information, but I would like to have the information from the Minister.

क्या उन कालेज ने भी माइनारिटी कालेज का दावा किया है।

दूसरा प्रश्न यह है कि क्या वह सही नहीं है कि जो 3 जिलेक वहाँ पर नियंत्रित कर दिये गये हैं वह नाजायज ढंग से नियंत्रित कर दिये गये हैं? यहाँ तक कि मौजूदा जो युनिवर्सिटी कानून है उनकी धाराओं के खिलाफ उनको अलग किया गया है और यदि ऐसा हुआ है तो शिक्षा

[श्री योगेन्द्र शर्मा]

मंत्री क्या इस बात का आश्वासन देंगे कि वे आवश्यक कदम उठावेंगे ताकि उनको फिर से सेवा में जगह मिल जाए ?

आखिरी सवाल श्रीमन् यह है कि शिक्षा मंत्री ने कहा कि हम ऐज सून ऐज, बहुत जल्द से जल्द, इन्होंने "as soon as" शब्द का इस्तेमाल किया है। लेकिन सरकार के बयानों में और कथनों में कई वर्ष हो जाते हैं, हमको भी ऐज सून ऐज का अनुभव है। हम कम से कम दत्ता साहब से और शिक्षा मंत्री से अनुरोध करेंगे चूंकि वह खुद भुक्तभोगी रह चुके हैं कि यह पिटा-पिटाया जो सरकारी बयान है उससे जरा ऊपर उठें। सदन के अगले सत्र में एक संशोधन पेश करें जिस संशोधन के जरिए शिक्षकों को सेवा की गारन्टी मिलेगी और विश्वविद्यालय को यह अधिकार मिलेगा कि श्याम लाल जैसे कालेज का प्रबन्ध वे अपने हाथ में ले लेंगे।

PROF. S. NURUL HASAN: I will take the last point first. I have again- no hesitation in giving this assurance to the hon. House that we will not go beyond the next Session «f Parliament in so far as giving legislative powers to the University is concerned.

श्री योगेन्द्र शर्मा : सुनाई नहीं पड़ा।

प्रो० एस० नूरुल हसन : अगले सेशन से आगे नहीं बढ़ेंगे।

Sir, a question was asked by the hon. Member about the extension of the Principal's term. Under the Ordinances the Governing Body should have taken the approval of the University before extending the term of the Principal. It did not do so. The term was extended but the Court held that the University's orders were binding and therefore the Principal has retired. However, Sir, I am informed that the acting arrangement that has been made is also without the approval of the University and the University has given notice and the management has asked for a few days more of time. I think it is up to 7th September that the University has

given them time to take action. I have already explained other points.

SHRI YOGENDRA SHARMA : I asked whether the Shyamlal College has claimed minority rights.

PROF. S. NURUL HASAN: The Shyamlal College has not claimed minority rights but the point I want to clarify is because there was, if I may venture to say so, a little bit of misunderstanding, that if we have to provide powers to the University to take action against the managements of colleges then we have to look into this question as together any rights of the teachers working in minority colleges have also to be protected or not. That is why I explained at some length earlier that this is a matter which is causing a great deal of delay. We cannot keep on taking the time of the hon. House too frequently ; we have to come with one consolidated legislative proposal. Therefore it is that matter which is causing a little bit of delay but as I have already given this assurance, we do not wish to go beyond the next Session of Parliament in any case.

SHRI YOGENDRA SHARMA : In the meanwhile will he take necessary steps to see that these three dismissed teachers are taken back ?

PROF. S. NURUL HASAN : Whatever is possible will be done.

SHRI KHURSHED ALAM KHAN (Delhi): Sir, the Delhi University of late has been very much in the news; unfortunately this great seat of learning has been in the news for a long time now. Everything does not appear to be all right with the teaching staff and students or the affiliated colleges of this University and this famous seat of learning is being run down by these colleges. Therefore, immediately something has to be done to rectify this position. There is unrest and immense discontent among the teaching community of the colleges. Naturally they are worried about the service conditions and the service condition rules. I do not



understand why there is delay in taking immediate action to rectify this situation. In these prevailing conditions how can we expect that those who are engaged in the nation-building work will give of their best to the colleges or to the institutions where they are working'. Only yesterday the hon. Minister must have seen in the papers that 32 university teachers and professors including one woman teacher were arrested and they were imprisoned though they were released later on. This is a very sad state of affairs and it should not be allowed particularly in the University which is under the very nose of the Ministry of Education and is one of the best Universities in this country. I do not know what is the delay because this Shyam-lal College and its affairs have been in the news for such a long time and three good teachers of this College were suspended and no action was taken to reinstate them although their suspension was not approved by the Vice-Chancellor of the University and it was a clear violation of the Rules and Regulations of the University.

It is further understood that the Vice-Chancellor asked the principal of the college and the governing body of the college to revoke the suspension. Yet it was not done. This is another violation of the instructions of the university and the Vice-Chancellor. Similarly, it is understood that the university and the Vice-Chancellor tried to make the governing body of this college broad-based. These instructions have not been cared for. I would like to know what action has been taken and what action is proposed to be taken against the defaulters. It is a fact that a show-cause notice has been issued by the Vice-Chancellor and the university. May I know whether any reply has been received and, if no reply has been received, what are the intentions of the university and the Ministry of Education? It appears that the present provisions in the University Act are not adequate and the Vice-Chancellor is not fully equipped to meet such a situation. Therefore, it is obviously very necessary that immediate steps be taken to amend the statute or

amend the Act and make necessary provision so as to equip the Vice-Chancellor to take necessary action in such a situation

Now, I would like to know particularly about two or three points. The whole issue of the Shyamlal College is politically motivated and this is purely a victimisation case. May I know what effective steps are going to be taken, so that the teachers who have been suspended are reinstated and put back to duty as soon as possible? Then, I would like to know how the students' union has got involved in this and they have been issuing statements about this matter. Naturally the students' union has got nothing to do with the staff and teaching staff of the university. It is also understood that some time back some enquiry was conducted about this college and in this enquiry something was said about a very minor thing about these three teachers who have recently been suspended, but a lot was said about the college itself, the management, the governing body and the principal. Yet no action seems to have been taken against those people and the governing body. Why? I would once again appeal to the hon. Minister, because he is a very eminent educationist who has spent his life-time in another very famous university, and if in his time things cannot improve, particularly in the universities which are known as Central universities, we do not see any hope for the future. I hope the hon. Minister will immediately take necessary action and do something about it. I would also suggest, please do not allow these colleges to be tools of the governing bodies for achieving their aims and objectives, which have nothing to do with the teaching community or men of letters or the seat of learning. I am surprised why such colleges are not taken over. The haste with which one of the university amendment Acts was passed is a glaring example before us that we can also take over such colleges within a week's time. I do not see how the judgment of the High Court comes in the way, because none of these colleges is a minority college. If you have to take

[Shri Khurshed Alam Khan] some action in respect of the staff of a minority college, that can be done later on. The immediate problem is, take over such colleges which have been a cause of trouble to the university for such a long time. When sick mills can be taken over, why, cannot such colleges be taken over in a short time ?

Now, one of the very eminent Members from the other side just now mentioned about the pay scales in a certain college in Poona. I would like to remind the hon. Minister and this House that there are institutions here where eminent educationists have worked on Rs. 75 per month for twenty or thirty-five years. I hope more generosity will be shown by the Ministry of Education and the hon. Minister of Education to such institutions.

PROF. S. NURUL HASAN : I think I have explained all the points at some length.

SHRI T. V. ANANDAN (Tamil Nadu): Sir, This is the first occasion in this House-when a calling attention motion was being discussed, the Minister rises to accept and to implement the demands. That shows that the hon. Minister is an educationist. How bright it would be for the democratic country of ours if all other Ministers who come here know their job; It would then be easy, and our country will also run very peacefully. I am glad ; I do not want to further discuss anything more.

But why, when the matter was brought to his notice in July, 1974, the hon. Minister took more than 1-1/2 months to solve this ? When some teachers were suspended. Sir, suspension in our country, even of an ordinary worker, is not allowed. And explanation is . asked before suspension. But here the concerned persons are those who practise the supremely noble profession in the world, the teachers. *Matha, pitha, guru* and although God is said to create the universe first, *guru's'* place is before him, after *matha* and *pitha*. After having taken the shape of a human being, it is necessary for the humanity to be brought up by the *guru*. Therefore, *guru* is given .a place even before God. So,

such professionals, why should they to be suspended ? Is there no law ? If such a law is there, we will change it. Here is a teacher who has been suspended without obtaining an explanation from him and without seeing whether there is any reason for suspending him or not. Therefore, it is high time that the Delhi University Act needs an immediate amendment. I wonder why even security of service is not granted to these noble professionals after 26 years of independence and freedom. None of us have thought of our *gurus*. I have been talking, pressing my views, in English; it is because I underwent training under a *guru*. You Sir, the Vice-President of Indfa, you have also undergone training under a *guru*. *Gurus* fundamentally enjoy the highest place. But, although we call ourselves parliamentarians, we have not thought of them. It is good, however, that the hon. Minister has come forward to accept all their demands. Sir, through you, I ask the hon. Minister to direct the Sham Lai College authorities to take back those teachers who have been removed and start negotiations with the representatives of the Association and solve the problem. I am glad the hon. Minister comes forward and implements the demands.

PROF. S. NURUL HASAN: The University has already taken action.

SHRI SUBRAMANIAN  
SWAMY

(Uttar Pradesh): I think, all that clarification that the Minister has given up to this point has dealt with basically with the question of the take-over of the colleges and its implied security of service. Actually, the DUTA teachers have made many more demands which are equally important. Even what the Minister said here, I think, is not what one would like.

Teachers had to go on a token strike. Then they demonstrated in large numbers. Now batches are courting arrests and they have served notice of a possible general strike in the University. There has been a successful escalation before the Government has woken up to the needs of the teachers. Sir, this is indeed

very shameful when in this House the Minister of State for Education is a former teacher and the Pro-Vice-Chancellor, now Acting Vice-Chancellor, is also a Member of this House, in spite of that the teachers had to go through all this before the Minister could be brought to a position where he could give some concession.

The teachers have made no financial demands. I have heard the Treasury Benchers repeatedly saying that we cannot concede the demands because the times are difficult and because money is involved and that they are always willing to give reasonable demands. Here is an example where the teachers have no financial demands. They only say that what has been awarded should be implemented. Not a new single financial demand has been made by the teachers. Why should it take so long to come to a decision on this issue?

What are the demands? I would like to inform the Minister and seek his reaction or the various demands. Certainly, the demand that has been fairly discussed during the last one hour is the amendment to the Delhi University Act so that security of service can be provided. I would like to read out the section briefly because it is a very important section which is offensive to the teachers themselves:—

"Any dispute arising out of contract between the University and any officers or teachers shall, at the instance of the officer or teacher concerned, or at the instance of the University, be referred to a Tribunal or arbitration consisting of one member appointed by the Executive Council, one member nominated by the officers or the teacher concerned and a member appointed by the Visitor, and the decision of the Tribunal shall be final."

This is a very, very old procedure and out of the three members, two are, what we may call, belonging to the Establishment appointed by the University, appointed by

the Visitor on the recommendations of the University. Clearly when the teacher goes before such a tribunal he is already at a disadvantage. Two out of the three belong to the Establishment and if the Government feels very strongly they can certainly select such people who have already upheld the illegal decisions.

The question is about going to court and seeking reinstatement. Actually what the teachers have asked for is the amendment of the Delhi University Act so that they can get reinstated, so that they file a suit for breach of contract. But a suit for breach of contract means stamp duty. Which teacher is in a position to pay Rs. 10,000 towards stamp duty which is not to be returned? They are asking for reinstatement and there are Supreme Court decisions which can be used to allow University teachers to get reinstated. There were people in your State Municipality who fought the case for 17 years and the Supreme Court in February, 1973 ruled that a case for reinstatement could be filed. I do not see why the Government cannot use this excellent judgment of the Supreme Court and see that the teachers get the right to have reinstatement. Why should they be forced to go in for a breach of contract suit? It was all right in the old days when rich people used to come to the University and you could file for breach of contract. But today the situation is quite different . . . *(Interruption by an honorable Member)* I understand intellectuals are at a low premium among the Treasury Benchers. Sir, you know I was a teacher. I am also a dismissed teacher. My appointment was terminated. When I was a Professor in the Indian Institute of Technology I got terminated. And as soon as I got terminated I became a Member of the Rajya Sabha. And the first thing I was asked was whether I would like to be nominated to the I.I.T. Council which dismissed me only a year ago. What kind of situation is this? What a ridiculous situation a teacher is put in? Here is a case where the teacher's position is being rapidly devalued and the same teacher

[Shri Subramanian Swamy]

who is undesirable, not fit to occupy the position of a teacher, the same teacher is being offered the authority to sit on the very management which found him undesirable.

Of course, perhaps the Government would like to introduce an amendment saying that all dismissed teachers cannot become Members of Parliament. I hope such insanity does not come. I also went to court for reinstatement. And what do I find? The Government has put the Solicitor-General, Mr. F. S. Nariman, to fight the case of the management. What kind of an opportunity can a teacher have to fight? Therefore, the Supreme Court judgment is there which can be used to bring about changes in the law by which teachers can seek reinstatement.

Now, the question of empowering the University to take over mismanaged colleges has come up and some kind of an assurance has been given by the Minister. But the question is who will be empowered. Will you empower the Vice-Chancellor or you will empower the Executive Council and the Academic Council? The DUTA's demands are not only to empower the university to take over sick and mismanaged colleges but to vest this power in the hands of the Executive Council and the Academic Council so that the Vice-Chancellor alone is not in a position to make the decision. We know how fair it will be. We know how appointments of Vice-Chancellor are made in the Delhi University; we are very, very familiar with it.

Sir, the Minister has said that the problem is one of minority colleges. And then he says that he is concerned about the problem of not wasting the time of the House and so he wants to bring a consolidated Act which applies to all colleges. I want to tell him that we are so exercised about the condition of the teachers that if he brings separate Acts, we do not mind. We will like to spend an extra day for it. The Minister for Parliamentary Affairs is here. We are willing to sit for one

extra day to see that the law at least applies to most of the colleges, 99 per cent of the colleges, which are not minority colleges. So, the Minister need not be worried by the fact that Parliament's time is so valuable that we cannot consider two different Acts in two different stages. Can the Minister give an assurance that in view of the fact that Parliament is ready to consider the Act piecemeal—I am sure no parliamentarian here will object to it—he will bring a Bill immediately in this session so that at least one of the most important demands of the Delhi University teachers is met?

There is another question which he has not referred to. The teachers have demanded removal of anomalies in the pay scales of the Pay Commission. There are tremendous anomalies. For example, the University has a grade called the Reader's grade. The colleges used to have a similar grade called the Selection Grade. Now the Pay Commission award has come and the University administration has thought it fit to remove the Selection Grade from the colleges. It means that the gulf between University teachers and college teachers is going to be widened. This is a clear case where we are going in the opposite direction. We should be trying to narrow income disparities. But what we find is that the Government and the University administration are going in the opposite direction. Can he give us an assurance that he will see that this disparity is not increased, that in fact the Selection Grade is ratified and a formal Reader's Grade is also accepted for colleges and that, having removed these anomalies, he is willing to assure this House that the Pay Commission's recommendations will be immediately and quickly implemented? Sir, this is very important because the teachers' salaries are in a disgraceful state. The Education Commission looked into this question. I have looked at the recent data. During the last 25 years, the per capita income in India has gone up by 22 per cent at constant prices, considered very low and very poor. But what about the

teachers' salaries? The teachers' salaries on the average, at constant prices, have gone up by only 5 per cent. The per capita income in the last 25 years has gone up by 22 per cent while the salary of the teachers has gone up by only 5 per cent. And this is with reference to university teachers. If you take into account the colleges, you find that the teachers' salaries, in real terms, have actually come down. In view of this fact, he should bring about a revolutionary change in the teachers' salaries. Every Member of the House here, belonging to different sections of the political spectrum, has said that the Minister is a teacher, a distinguished teacher and he should be concerned about teachers. But he has done nothing about it during his tenure as Education Minister.

Sir, similarly the teachers have demanded that the Director of Physical Education and the Librarian should be treated at par with teachers. That was the recommendation of the UGC. That was the recommendation of the Ranganathan Committee. This is the recommendation almost everywhere. All over the world, Librarians are being treated on par with the teachers. In fact, in the United States, Librarians have a better position than Professors. But in India we are going in the opposite direction. We are treating the Librarian as some kind of a clerk, as somebody who carries books, and we have constantly gone on degrading him. What about this demand of the DUTA? I have just one more point and I will conclude

What about this demand of the DUTA, namely, to treat the Director of Physical Education and Librarians on a par with the teachers of colleges as recommended by the Ranganathan Committee and as is the policy of the UGC? Similarly DUTA has demanded Visitor's approval of statutes for recomposition of the Executive Council of the University and college governing bodies which have already been cleared and sent to the Visitor and which are lying on his table. Can the Minister assure this House that he will use

influence, his good offices, with the President of India to see that in his capacity as Visitor the President puts his signature on these statutes immediately so that they can be got moving in the University and the strike situation can be ended? In the end I would like to make one point. In the previous debates whenever I raised or said something, the Minister used to say, well, he has raised no question. That is why I am specifically pointing out the questions. Will the Minister explain his attitude towards the teachers' association? Is he against them? For instance, the president of the DUTA wrote a letter to him on 30th July 1974, but there has been no reply from him. Again he wrote on 10th August no reply. Again on 2nd September; no reply. Why does he not reply to these letters? Does he think that the president of DUTA is so low in his opinion that he does not send a reply? Ultimately he wrote a letter to the Pro-Vice-Chancellor acting as Vice-Chancellor saying that I have got these letters from them and this is my view. Why could he not write a letter directly to the DUTA? Why could he not tell them, this is the schedule of time, and I will implement them in this manner? DUTA sent a letter to the Visitor; no reply. They wrote a letter to the Prime Minister; no reply; why cannot the Government, especially the Education Minister, take the teachers' association seriously as a very effective instrument of improving education in our country? Why is he so hostile which is reflected in sending no replies to their letters when the situation is getting from bad to worse? This is what I really wanted to say . . .

MR. CHAIRMAN : You have taken more time . . .

SHRI SUBRAMANIAN SWAMY : I am finishing. One word only, I know you are in a hurry. The questions I have raised are very specific. What is the Minister's view on the amendment of the Act, in particular on the reinstatement part of it, and is he aware of the Supreme Court judgment in the case of the muni-

[Shri Subramanian Swamy] cipality, and is he willing to bring an Act separately to see that all the desirable features are implemented as soon as possible so that we need not wait for a consolidated Act? Is he willing to remove the anomalies in the pay-scales announced by the Pay Commission and remove the disparities that have been introduced? Fourthly, is he willing to treat Librarians and the Director of Physical Education on a par with teachers? Finally, could he use his good offices to get the signature of the Visitor on the statute that has been placed before him?

PROF. S. NURNL HASAN : I would like to start with the point that my honourable friend—if he does not mind my 'calling him my honourable friend—has made with regard to the attitude that I have toward the Delhi University Teachers' Association. I have been for over 30 years closely connected with teachers' associations. Until I occupied this office. I was one of the most active members of the teachers' association of the institution where I had the honour to serve.

Therefore, for anyone to suspect that I am not conscious of the importance of the Teachers' Association is doing me an injustice. I have held several meetings with deputations of Delhi University Teachers' Association. I have had very long and frank discussions with them over various problems and I have sought their suggestions and advice. They have been kind enough and gracious enough on a few occasions to say so and appreciate the frank discussions I have had with them. When it is a question of the University raising certain points officially and the Government is working on the same points and when on the same points the Teachers' Association wanted to hold discussions, then the position is slightly different. I have again invited their views on the problems and my impression is that at the present moment there is no difference between the demand of the Teacher Association and the demand as voiced by the University itself. My distinguished friend, the acting Vice-Chancellor of the

University is present here and he will bear me out that I have had frequent discussions with him on all the various aspect of the problem because I am feeling just as much concerned about what is happening in the Delhi University as the Teachers' Association is feeling or as the acting Vice-Chancellor is feeling or the authority of the University is feeling. Even then I held discussions. But during the sessions of the Houses of Parliament, the Minister has to do many things and he does not get adequate time to do all that he would like to do. As soon as the session is over, I will again invite representatives and hold further detailed discussions with them.

The main point which, I think, the hon. Member has raised is: Can a teacher get reinstated? I think that is the crucial question. That was the point which was raised by hon. Member Dr. Kurian also. The whole difference between master-servant relationship and statutory guarantee is that in one case the person can file a suit in the case of any breach and get reinstated. Government's policy is that in the case of wrongful dismissal, there should be compulsory reinstatement in service of teachers. It is for that reason that we are going into all the various legal aspects of the problems so that this can be fully ensured. In the case of University, it is already ensured. I know that when the word 'binding' is used, it is binding in the case of the University. If a university does not choose to act, then the courts can always issue a writ. Till now my impression is that it is binding. Now again I will go into the question to make it doubly sure that there is no loophole that involves the right of reinstatement and it is for this purpose that we have been discussing.

The real problem, as I submitted, was in the case of affiliated colleges. In the case of affiliated colleges, the hon. Member asked: Why don't you bring in two separate Acts? This is not till now the view of the teaching community. I have been holding detailed discussions with them and till now nobody has suggested that we should have two separate Acts in this regard. In

fact in a letter that was sent by us to the Delhi University Teachers' Association in March, we had specifically invited their suggestions in this respect. In the private discussions I have had with the office bearers of DUTA they have again shared my unhappiness and felt that we must do something for both. However, I have given a categorical enough assurance that all these studies are now reaching a position when I can give this assurance that there will be no delay beyond the next session of Parliament.

Sir, the honourable Member has made a reference to the various proposals of reorganisation of the various bodies. In regard to the Academic Councils the reorganisation of which was proposed, the approval of the Visitor had already been communicated to the University. In regard to the Executive Council, the proposal has only recently been received and is under examination.

Sir, in regard to statute 30 which deals with the Managing Committees of the colleges and the constitution of the Managing Committees of the colleges, I have already stated in my previous statement, which I laid before the House, that there is the question of various legal complications and the Ministry of Law has been examining it and it has raised some points which I propose to discuss again as soon as I get an opportunity with my distinguished friend, the acting Vice-Chancellor and seek further clarifications because, Sir, there are many, many legal problems and complications.

Thin, Sir, he raised the question of the various demands made by the Delhi University Teachers' Association with regard to the Selection Grade, Librarians, Director of Physical Education, etc. Sir, I myself discussed it with them and suggested certain lines on which they could help me and I requested them to help me by understanding the issues and giving a memorandum and they were good enough to send that memorandum. These matters, as I

said, are under examination and the Government has not yet taken a final decision in the matter.

Sir, I think I have answered all the points that have been raised.

DR. VIDYA PRAKASH DUTT (Nominated): Sir, the entire University community is exercised over the goings-on in the Shyam Lal College and the vital issues that this problem has raised.

Sir, the issues to my mind are these: Can a college wilfully and freely violate the Statutes, Ordinances and the Rules and Regulations of the University and defy the authority and the directions of the University? Can the teachers be left to the will and the whim and the fancy of a few individuals who happen to contribute 5% of the expenditure while the University Grants Commission, at the request of the University, contributes 95% of the expenditure? Sir, such situations have arisen even in the past when the college governing bodies chose to disregard the directives given by the University and the advice given by the University and even to defy the Statutes and Ordinances which have been laid down by the University by the due process of law. I think a situation has now been reached when it is no longer tenable that while all the responsibilities should fall on the University for solving the various problems that arise in the colleges, yet it is benefit of any power to do so, to ensure compliances with its directions, with its Ordinances and with its Statutes by the college governing bodies. I believe, Sir, that it is no longer possible for the Universities, for the Delhi University and also other Universities, to continue to countenance a situation in which they have to bear the brunt of the problems whereas the power and the authority lie elsewhere.

I alvi briefe Sir as someone who has been in the education field for a lone time that this whole concept of private education, of education being run by private persons, private institutions, private

[Dr. Vidya Prakash Diitt]

businessmen, is repugnant to the kind of society which we hope to build. I believe that education is a social responsibility, giving of education is a social responsibility of society. And if it is a social responsibility of society, then it must be in the hands of society. Unfortunately, education and educational institutions have been prostituted by unscrupulous private individuals and private businessmen, and I think that state of affairs must be brought to an end. . .

*(Interruptions)*

I would not like to take too much of your time and too much time of this House. I should like to make one or two points.

Unfortunately, the hon. Member, Mr. Subramanian Swamy, cannot bring himself to accept the fact that the University also can take some initiatives and can also do some good. But I should like to set the record straight. Sir, it was the University which took the initiative and proposed an amendment to the Delhi University Act for the takeover of mismanaged colleges for a period of time to provide security of service to the teachers and to set up—this question has not been mentioned here, but I mention it—to set up courts of appeal for *karamcharis*, non-academic staff and students against arbitrary punishment by the University authorities. Sir, it was on the 24th July that I first wrote to the hon. Minister of Education, long before anybody else jumped into the fray. Therefore, I make bold to say that the initiative came from the University, and, I am sure, the hon. Minister would bear me out that I was the first one to propose that this Act should be amended. I have had extensive discussions with the Education Minister, and I must say that the hon. Education Minister entirely agreed with the point of view that we were conveying to him, and that he was entirely sympathetic. I also met the Prime Minister, first time on the 5th of August, and again a few days recently, and pleaded the same thing with her which I am now saying. And I must also say

that she was also entirely sympathetic to our point of view and of what we were saying. I think, on that there is no difference of opinion at all.

I should also like to mention the steps that the University has taken. I am sorry to say that it was said some time ago in this House that University was a sile^\* spectator of what was going on. The University is not a silent spectator. On the other hand, the University is vociferous exponents and advocates of what is being asked for now.

First of all, the University gave a direction to the Shyamlal College that it was violating the ordinances of the University and that they must desist. When no suitable response came, the University enlarged the Governing Body and sent 10 additional representatives. But, unfortunately, the Chairman of the Governing Body has not yet called a meeting of the Governing Body. It is now more than five weeks now. He has not yet called a meeting of the Governing Body. When all these efforts were frustrated, then the Executive Council decided to give show-cause notice to those members of the Trust who were responsible for the violation of the University's ordinances and responsible for the suspension of these teachers against the rules and regulations of the University. Tomorrow is the time for the answer to these show-cause notices to be received. The Executive Council of the University has been meeting almost every week to consider the issues and sometimes twice a week to consider these issues, and to take whatever steps are necessary.

Now, I mention all this, not because I want to get any credit for the University, but only to show that as fellow teachers, we in the University who happen to occupy some chairs of responsibility are equally concerned about the dignity of the teaching profession and also about the security of service for the teaching profession.

Sir, I should like to make one last point, I am full of anguish at the fact that



teachers of the so-called minority colleges may not get the protection which is going to be offered to others. This makes me sad beyond measure. I am totally opposed to two Acts, one for one section and another for another section. I think the teachers of these colleges, no matter, whether they are good colleges or bad colleges, they also have a right to protection, protection of service, protection of their rights, and I do not think that they should be left, if I may say so, to the wolves. Therefore, I would like to ask for two assurances from the Minister : one assurance he has been giving to every one and I must say, I feel heartened by the fact that he has given this assurance but a repetition of this assurance may be even more heartening, that steps would be forthcoming shortly, expeditiously, to ensure that a machinery is set up by which the University is able to take over the mismanaged colleges for a period of time and that the teachers are guaranteed security of service as we have proposed and secondly that whatever is possible . . . (*Interruptions by Shri Subramanian Swamy*)—I would like to have this assurance that whatever is possible—for the teachers of minority colleges will be done by the Government because we must show an equal act of faith for the teachers in the minority colleges as for teachers in other colleges. I would like to have these two assurances.

PROF. S. NURUL HASAN : I am willing to give that assurance.

SHRI N. H. KUMBHARE (Maharashtra) : Sir, there has been so much unrest over the issue of security of service for teachers in colleges. I do not know what problem could be there in providing that security to teachers. In the industrial law we have got a pattern whereby if a worker is removed from service illegally and if it is found that his services have been illegally terminated, in that event he is given relief of not only reinstatement but also given the entire back wages for which he was forcibly rendered unemployed. Therefore, my suggestion is that since a legislative measure is likely to be

adopted in the near future, such a provision should also be made giving protection of service to teachers and in regard to other service matters. In case a teacher is removed from service, he wants a forum through which he can get expeditious remedy. Therefore, instead of having a three-man committee, it will be desirable to have a sort of semi-judicial tribunal and that semi-judicial tribunal can inquire into all cases of illegal removal from service and that tribunal would be able to deal with all cases without delay, expeditiously and prompt relief could be given to the concerned teachers. This is another suggestion which deserves consideration. Now, as regards power of removal of teachers from service, I think in view of the present experience it would be desirable to make a provision by which the teacher should not be removed from service unless prior permission is obtained from the University. Of course, it will be open for the concerned management to hold an inquiry and do everything.

But before actually effecting the removal from service, proper permission should be obtained from the University. Only in that way, the University will be able to have some control. These are some suggestions which I wanted to make. Since the teachers have already taken recourse to direct action and agitating, I would request the hon. Minister to call the representatives and have a discussion across the table and try to persuade them so that the dispute could be settled amicably.

PROF. S. NURUL HASAN : Sir, the suggestions which the hon. Member has made do not call for any further explanation. And with regard to the discussion with teachers, I have already, made our position clear.

[The Vice-Chairman (Shri Yogendra Sharma) in the chair]

DR. MATHEW KURIAN : The point which hon. Mr. Kumbhare was making was, in the light of the assurances given by the Minister, if he invites the represen-

I Dr. K. Mathew Kurian]  
 tatives of the D.U.T.A. for a discussion across the tabic, the problem could be conveyed to them and he will be able to convince them. That is the whole idea.

SHRI UMASHANKAR JOSHI : With this amount of goodwill, there need be no agitation.

DR. K. MATHEW KURTAN : You have given certain assurances. Please convey them to the D.U.T.A.

PROF. S. NURUL HASAN : What I have said on the floor of the House, is public property. I think it will be known to every body. This position and all these things which I have said here have all been discussed and brought to the attention of the representatives of the D.U.T.A. Sir, I would have liked certainly to hold discussions. But, Sir, the hon. House would recall that only two days back I was here making a submission. Since last evening I am having some personal engagement—one of the rare occasions— and—would have liked to be present there in view of the well-established Indian social obligation. But I am here now at the service of the House. As soon as the Session ends, I will certainly invite the delegation. I have already said that I will certainly invite the delegation. I will do it as early as I can.

THE VICE-CHAIRMAN(SHRI YOGENDRA SHARMA) : Special Mention ....

DR. R. K. CHAKRABARTI : Sir, I have given my name to speak on this Call Attention motion. I was the first person to give my name. Why was not my name called ? I would like to seek your protection.

THE VICE-CHAIRMAN (SHRI YOGENDRA SHARMA) : We have dealt with the subject exhaustively. Let us go to the next business.

DR. R. K. CHAKRABARTI : Sir, you can ask Dr. Kurian. I gave my name at

10.30 in the morning. Of course, you have finished the discussion. I do not want to speak now. You should take this into account for future. My name was given at 10.30 and all the while, for three hours, I was waiting and the chance has not come to me to speak on this.

THE VICE-CHAIRMAN (SHRI YOGENDRA SHARMA) : Your name is here. Now, Special Mention—Shri Mono-ranjan Roy.

#### REFERENCE TO STRIKE BY PLANTATION LABOUR IN KERALA

SHRI MONORANJAN ROY (West Bengal) : Sir, through you, I would like to draw the attention of the .Ministers of both Commerce and Labour, to whom I gave Short Notice Questions but expressed their inability to reply to these Questions, to the fact that 300 thousand plantation labour of the rubber, tea and cardamom plantations of Kerala State are on strike since 1st of August, 1974. Sir, this strike is in connection with a notification revising the Wages under the Minimum Wages Act. And the notification was issued by the State Government revising only the D.A. and not the basic emoluments. The Labour Department of Kerala State did not think it fit to revise the basic wages as recommended by the majority members of the Minimum Wages Advisory Board. They issued notification revising the D.A. only. That is not a big amount. It is only a small amount. The planters have not implemented the notification which was to come into effect from 1st of April.

Sir, the workers have waited for four long manths to get it implemented by the planters, the private owners. But, the planters not only did not implement the notification under the Minimum Wages Act hut instead they went to the High Court. In the High Court their petition was rejected. Then they went to the Division Rench. From there, again, it has pone to the Appellate Bench, the Full Bench, of