

Conduct of Business in Lok Sabha, I am directed to enclose herewith the Rulers of Indian States (Abolition of Privileges) Bill, 1972, as passed by Lok Sabha at its sitting held on the 26th August, 1972."

(HI)

"I am directed to inform Rajya Sabha that Lok Sabha, at its sitting held on Saturday, the 26th August, 1972 has adopted the enclosed motion concurring in the recommendation of Rajya Sabha that Lok Sabha do join in the Joint Committee of the Houses on the Adoption of Children Bill, 1972. The names of the members nominated by Lok Sabha to serve on the said Joint Committee are set out in the motion."

#### Motion

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint committee of the Houses on the Bill to provide for the adoption of children and for matters connected therewith, made in the motion adopted by Rajya Sabha at its sitting held on the 1st August, 1972 and communicated to this House on the 2nd August, 1972 and do resolve that the following 30 Members of Lok Sabha be nominated to serve on the said Joint Committee, namely :

- (1) Shri S. R. A. S. Appalanaidu
- (2) Shri Shiv Kumar Shastri
- (3) Shri Lambodar Baliyar
- (4) Shri Dharnidhar Bafumatari
- (5) Shri Shjama Prasanna Bhattacharyya
- (6) Shri Amnr Nath Chawla
- (7) Shri Anant Parsad Dhusia
- (8) Shri Varkey George
- (9) Smt. Marjorie Godfrey
- (10) Shri a. R. Gokhale
- (11) Shri Giridhar Gomango
- (12) Shri Md. Jamilurrahman
- (13) Shri M. R. Lakshminarayanan
- (14) Shri Partap Singh
- (15) Shri Mohan Raj
- (16) Shrimati Shakuntala Nayar
- (17) Shri Manikrao Palodkar
- (18) Shri Krishna Chandra Pandey
- (19) Shri Ram Bhagat Paswan
- (20) Shri S. B. Patil
- (21) Shri K. Kodanda Rami Redy
- (22) Shri N. K. Sanghi

- (23) Shri Sakti Kumar Sarkar
- (24) Shri Shafquat Jung
- (25) Shri Biswanarayan Shastri
- (26) Shri Dharamgaj Singh
- (27) Shri Somchand Solanki
- (28) Shri S. B. Thakre
- (29) Shrimati Bhargavi Thankapoo
- (30) Shri Niti Raj Singh Chaudhury "

Sir, I lay a copy of the Seeds (Amendment) Bill, 1972 and the Rulers of Indian States (Abolition of Privileges) Bill, 1972, on the Table.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 2.00 P.M.

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

The House reassembled after lunch at two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

#### STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE DELHI UNIVERSITY (AMENDMENT) ORDINANCE. 1972 & THE DELHI UNIVERSITY (AMENDMENT) BILL, 1972

SHRI LAL K ADVANI (Delhi) : Mr. Deputy Chairman. Sir, as my Resolution and the Bill to be moved by the hon. Minister are to be taken together I would like to raise a point of order at the outset and that is in respect of the Bill. According to Rule 64 of our Rule; of procedure, a Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law. I submit, Sir, that this Bill...

MR. DEPUTY CHAIRMAN: But at the moment you are moving the Resolution disapproving the Delhi University (Amendment) Ordinance.

SHRI LAL K. ADVANI : The whole thing is; to be taken together and that is why...

MR. DEPUTY CHAIRMAN : Then there w'll be no point of order. Now you are moving the Resolution; when the Bill is taken up you can raise the point of order.

SHRI LAL K. ADVANI : Right, Sir.

Sir, I rise to oppose the Delhi University (Amendment) Ordinance as also the Bill that is to replace this Ordinance and I would commend the following Resolution to the House -

"That this House disapproves the Delhi University (Amendment) Ordinance, 1972 (No. 5 of 1972) promulgated by the President on the 22nd June, 1972."

Sir, I have a basic allergy really to all Ordinances and this allergy arises from the fact that I regard an Ordinance as a very extraordinary power of Government which is to be used very sparingly on very emergent occasions. So, even at the cost of repetition I would like to remind the House and the Government on this occasion of what the hon. the Speaker of the First Lok Sabha had said in this regard. I think it has to be borne in mind always when the Government issues any Ordinance. Here it is said, I quote from Mr. Mavalankar's letter to the Prime Minister.

"The procedure of the promulgation of Ordinances is inherently undemocratic."...

A very strong word to be used by the Speaker of the House, but he did use it.

".....Whether an Ordinance is justifiable or not, the issue of a large number of Ordinances has psychologically a bad effect. The people carry an impression that Government is carried on by Ordinances. The House carries a sense of being ignored, and the Central Secretariat perhaps get into the habit of slackness which necessitates Ordinances, and an impression is created that it is desired to commit the House to a particular legislation as the House has no alternative but to put its seal on matters that have been legislated upon by Ordinances. Such a state of things is not conducive to the development of

the best parliamentary traditions." Later on also in another letter Speaker Mavalankar has stated and I quote--

•The issue of an Ordinance is undemocratic and cannot be justified except in cases of extreme urgency or emergency. We as the first Lok Sabha carry a responsibility of laying down traditions. It is not a question of personnel in the Government but a question of precedents; and if this Ordinance issuing is not limited by convention only to extreme and very urgent cases, the result may be that in future the Government may go on issuing Ordinances giving Lok Sabha no option but to rubberstamp the Ordinances."

Sir, I have referred at some length to these quotations, to Mr. Mavalankar's views because I feel that the situation that has arisen today and which, I am sure, the hon. Minister himself would admit, is very unfortunate. Today as we are discussing this Bill, the University is virtually not on strike but under a *bandh*. Not only the teachers, but the teachers, the students and even the small employees, they are all off work. May be, the Minister would say that what they have done is wrong, and many Members in this House also may be inclined to concur with him. But, Sir, this unfortunate situation has arisen basically because of the Government not coming to this House with an ordinary law, which the House could consider with an open mind. Here we are confronted with a *fait accompli*; having issued an Ordinance and having come forth now with a Bill to replace that Ordinance even when the authorities in the University and in Government privately agree that there is substance in what the Opposition says; or what the antagonists of the Bill say they seem to think that it would not be proper to allow this Ordinance to lapse, so that the whole thing boils down to this that unless the House rubberstamps this Ordinance the Government feels that it loses prestige. If I am not wrong. I am told by some representatives of the Delhi University Teachers Association that "if I were to go to Government and say that, all right, because the teachers are opposed to it you may cool down on the matter, I would be exposed as an incompetent person who did not have the foresight and who did not have

the forevision to apprehend or to anticipate what things would happen. So, Sir, my first objection to this Ordinaries and to the Bill that proposes to replace this Ordinance is fundamental, namely, that there was no emergency warranting the issue of this Ordinance and that, if this had been brought in the form of an ordinary legislation, of an ordinary Bill, perhaps the House could have considered it coolly, may be in its wisdom the House could have referred it to a Select Committee, and the outcome of it could certainly be to the advantage of both the University as well as the Government.

Now I come to the substance of the Bill and I have three objections to it. First of all, here is a Bill which seeks to improve the academic standards of university education, and if I were to quote from the Statement made by the Minister when he brought this Bill., he said that this matter has been under consideration for some time. "At the request of this Ministry, the University Grants Commission constituted a Committee under the Chairmanship of the Vice-Chancellor to go into the administrative and organisational difficulties of the University." This Bill is supposed to be based on the recommendation of that committee. I was not here when the hon. Minister made the statement. I was out of Delhi. When I came back I was surprised to note that the basis on which this Bill was commended to the House was itself denied by the Vice-Chancellor. The Vice-Chancellor issued a public statement saying that this statement was wrong and he virtually accused the Minister of misleading the house and telling this House; that this was based on the recommendations of a committee of which he was the head. The words are rather very strong for a Vice-Chancellor to use, quote:

"The Minister's statement refers to the report of a UGC Committee presided over by the Vice-Chancellor of the Delhi University. This report in its final version contained some features which the Vice-Chancellor (namely himself) found unacceptable. The report was therefore, withdrawn from circulation at the instance of the Vice-Chancellor himself."

The Minister's statement has come at a time when the issue has become deeply and

explosively controversial. It makes the situation still more difficult because, in effect, it attributes to the Vice-Chancellor positions which are virtually opposite to those actually held by him. Now, here is a statement of the Vice-Chancellor contradicting and controverting what the Minister has said is the basis of the Bill. Now, one thing is plain that this cannot be the basis, because the report that is alluded to as the basis of the Bill is a non-existent one. It is a report that never was. It is a report, because the Chairman of the committee himself found it unacceptable, had to be withdrawn. Here are contradictions. Yet another contradiction I find is in the Statement of Objects and Reasons. The whole controversy is really in respect of the College Councils and the Statement of Objects and Reasons says:

"A College Council should have the same powers as the Executive Council and should be headed by a full-time Chairman, appointed by the Visitor on the recommendation of the Vice-Chancellor or the Executive Council."

The two College Councils, which are now proposed to be set up, have not been set up. Only the Chairman has been appointed. They have not been set up by the Visitor or appointed by the Visitor. They have been appointed by the Executive Council. I have seen another statement by the Minister, a subsequent statement clarifying it, saying that it will not be by the Visitor, but by the Executive Council, etc. Somehow I feel that the whole process and the stages through which the Bill has gone have been riddled with contradictions. The statement made by the Minister himself was that any bifurcation of university education from college education would be a retrograde step. A similar statement was made by the Vice-Chancellor himself in an open letter to the DUTA and the members of the committee. It says that it was further agreed that the university's administrative organisation should be decentralised and democratised within the framework provided by the federal character of the university and without in any manner diminishing the superior authority of the key organs of the university administration such as the Executive Council and the Academic Council. It is important that the Executive Council and

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the Academic Council, which are statutory authorities under the University Act, have to be the supreme authorities and any other body created has to be subservient and of a subordinate nature to these bodies. Nevertheless, the Statement of Objects and Reasons very categorically states that the College Council should have the same powers as the Executive Council. These are the words used: "should have the same powers". Here is a contradiction in terms and a contradiction that is not going to be resolved merely by saying that we must have the Ordinance approved today and tomorrow when we come forward with a comprehensive Bill we can review the whole situation and, if necessary, amend the Act itself. This I think is putting the cart before the horse. It is a wrong way of doing things. Today it would not be proper particularly when the teachers are so considerably agitated over the matter. They have gone to this extent. We may or may not agree with it. Fortunately I would say that in this entire matter no politics is involved. All parties here are perhaps represented on that DUTA. Perhaps the party to which I belong—although I have the privilege of moving this resolution, perhaps there is only one member on their Action Committee. But all parties all shades of opinion in the university particularly among teachers have almost unanimously opposed this Bill and the Ordinance. The other day the hon. Minister said that after all this Bill and this Ordinance had the endorsement and approval of the Academic Council which comprised of teachers. I am sure he must have noticed that two days back all the six teacher representatives on the Academic Council have resigned from the Academic Council in protest against this Bill. They all resigned. There are I think eight members on the Academic Council, eight teacher representatives, of which two seats are vacant and all the remaining six have quit the Academic Council on this particular score. Therefore, my first objection to this is that, whether it is right or wrong, the Government's intentions may be very honest the Government may be intending to improve the standards of education in the university; the Government may be honestly intending to defederalise and democratise the administration of the university and

colleges by taking recourse to this institution of College Councils, but the net impact on the people affected is adverse. They are unanimously opposed to it. I would say that on this one consideration alone the Government should withdraw this Bill. The Government should withdraw this Bill if on no other consideration. This is therefore my first objection to this Bill that this Bill and the Ordinance are opposed by the general body of teachers.

My second objection of course is germane to the problem, namely, that I am inclined to concur with the DUTA's view that this Ordinance and this Bill would gradually lead to the defederalisation of the university structure. Several assurances have been issued by the Vice-Chancellor saying that it is not so. The hon Minister himself has said that there is no intention of defederalising the structure, but the moment you create tiers of this kind, that very moment the authority of the university over the colleges is undermined. That very moment, Sir, in fact the whole structure contemplated now is beyond my understanding. I have gone through the various statutes now issued after the promulgation of the Ordinance, and it would be pertinent to note that after this Bill comes into being what will happen is that colleges will have first of all at the lowest rung their Governing Bodies; over them they will have their College Councils. There is one statute I noticed which provides for an Advisory Committee to the College Council. It is an intervening tier. Then over and above all these there would be Co-ordinating Councils of various College Councils. Above these there will be the University. If this kind of five different tiers, five different lines, are not going to lead to defederalisation, I do not think anything else can. In spite of the good wishes and in spite of the sentiments expressed by the hon. Minister and Vice-Chancellor defederalisation is inevitable in the structure. After all if various College Councils take decisions different from those of the University, then naturally it is defederalising. The University's outlook and approach will not be reflected. If they take the same decisions as the University, I think they are redundant. At best they are redundant. At worst they surely justify the apprehensions expressed by the DUTA that this Bill and

the Ordinance are certainly going to defederalise the structure of the University, i | i I would like to point this out because the Gajendragadkar Committee's Report on the governance of universities and colleges is also supposed to be one of the bases for this Bill. It is supposed to be one of the objectives recommended that the university administration should be decentralised and democratised. But this Committee has very categorically stated in respect of the Delhi University on page 42 that—

"In our view and taking into account the pattern of development of the Delhi University, it would on the whole be an advantage if the present character of the University is maintained."

This is my second objection to the Bill and the Ordinance.

My third objection is this. I have seen the amendment of the hon. Minister just now and that amendment seeks to exclude from the purview of the College Councils academic matters. But anyway I would like to point out that if the honest intention of the Government is merely to provide administrative units at a lower level to which the University can delegate its authority for the better and democratic and decentralised working of the University affairs, the present Delhi University Act, even as it is now, fully provides for this situation entirely.

Then I would like to read from the Act. In enunciating the powers of the University, it says—

"4. The University shall have the following powers, namely :—

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(12C) to create administrative and ministerial and other necessary posts and to make appointments thereto,"

"(13) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body, and to cultivate and promote Arts, Science and other branches of learning."

On the one hand these two enabling provisions give the necessary powers to the University. But what does Statute No. 11 say ?—

"Subject to the provisions of the Act and the Statutes, any Authority of the University may, from time to time, appoint such and so many standing committees or sub-committees or boards as it may deem fit and may, if it deems fit, appoint to them persons who are not members of such Authority. Such committees and boards may deal with any subject delegated to them, subject to subsequent confirmation by the Authority appointing them."

So, as the law stands today, without the Ordinance and this Bill, the University and the University authorities have full competence to create such bodies for the purpose of decentralisation also. Therefore, my third objection is that this is uncalled for, unwarranted and needless. Therefore considering all these objections, I would commend to the House my own Resolution of Disapproval.

*The question was proposed.*

MR. DEPUTY-CHAIRMAN : Prof. Nurul Hasan.

SHRI LAL K. ADVANI : On a point of order, Sir. I wanted to raise this before at the outset, but I would raise it now. In accordance with Rule (4) of our Rules of Procedure and Conduct of Business—

"(1) A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and nonrecurring expenditure involved in case the Bill is passed into law."

It is 'shall be accompanied'—it is mandatory.

MR. DEPUTY CHAIRMAN : What are the clauses which involve expenditure ?

SHRI LAL K. ADVANI : The creation of a College Council. I have tabled an

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amendment to the Ordinance issued by the University which says—

"The Chairman of each College Council shall receive a salary of Rs. 2250/- p.m. The University shall provide him with unfurnished residential accommodation for which he will pay rent at the usual rate."

Obviously, here is a clause which entails financial expenditure and I think that without the Financial Memorandum, the Bill cannot proceed.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN) : Sir, the Bill, as I will soon make an attempt to explain is an enabling Bill. It does not involve the Union Government in any expenditure. The University has certain funds at its disposal placed by the University Grants Commission or other sources. Out of that it is already, under the existing law—leave aside this Ordinance or this Bill—entitled to create posts. The hon'ble Member just a few minutes ago read the relevant statutes. It is under those statutes that the University has created certain posts. So it is not that an expenditure becomes incumbent as a result of this. The University can incur all that expenditure by itself within the power and authority that is already vested in the University.

MR. DEPUTY CHAIRMAN : I think that explains the position. You can move the Bill.

PROF. S. NURUL HASAN : Sir, I beg to move :

"That the Bill further to amend the Delhi University Act, 1972, be taken into consideration."

Sir, I am moving this Bill with a heavy heart. I do not want either this Bill or the University to be involved in unnecessary controversies which are fundamentally unacademic controversies. However, Sir, since the hon'ble Member, Shri Advani, has already tabled a resolution and has I raised certain arguments, I would venture I

first to deal with those points and then in a few minutes make a few other submissions for the consideration of the House.

Sir, the hon'ble Member is absolutely correct and I do not think we on this side of the House disagree that ordinances should not ordinarily be issued. This is an emergency measure and a measure of urgency. With not an urgency it should not be issued. Personally, Sir, I do not feel that in ordinary circumstances I would be prepared to advise the Visitor to promulgate an ordinance in respect of Universities.

But, Sir, having agreed with this particular point here, I would crave the indulgence of the House to take into consideration one basic point. And that was that here is a situation in which if decentralisation is conceived of by the University and administrative decentralisation, as conceived of by the University, does take place, then it would have been possible to make much better arrangements for the rush of new entrants to the University; better provision could have been made for their instruction. Unfortunately, Sir, as a result of certain apprehension and misunderstandings it did not work and till now the arrangements which had been conceived of have not been fully put into effect. Only one initial step has been taken for this purpose. Therefore, it would not be correct to say that this ordinance was promulgated in a light-hearted manner. It was done with the intention of doing something before the new academic session began.

Sir, I would not like to get involved into a controversy which my hon'ble friend has raised about the discrepancy between my statement and the statements of the Vice-Chancellor. I would like to state that even assuming...

SHRI L. K. ADVANI : It is misleading the House.

PROF. S. NURUL HASAN : The hon'ble Member is always free to haul me up for any attempt to mislead the House. I am under the control of this honourable august House. I am not claiming that I can make a statement without due authority. Whatever I am doing I am doing in the best interest of the University.....

SHRI L. K. ADVANI : With your permission .....

PROF. S. NURUL HASAN : May I make my submission ? Even assuming that this report has been withdrawn, even then the hon'ble Member correctly pointed out that the Gajendragadkar Committee has recommended decentralisation of administration. The University Grants Commission resolution is there recommending decentralisation of administration and setting up autonomous colleges

For us, that advice itself should carry a great deal of weight. That advice has been quoted by me in the Statement of Objects and Reasons of the Bill.

Now, Sir, the hon. Member made the point that in the Statement of Objects and Reasons, it has been stated that the Chairman would be appointed by the Visitor. Now if the hon. Member would carefully see, he can see quite clearly that the first paragraph seeks to give the background in which the matter came up, the second paragraph deals with the recommendation of the University Grants Commission and the third paragraph gives the main points which this Bill seeks to enact. So, the main object of the Bill is slated in paragraph 3 and not in the background in which the Government has brought this Bill before the House.

I would also like to make a submission. ) would by no means wish to present it to the House with a *fait accompli*. The hon. Member was kind enough to make a reference to the amendments when, with your permission. Sir, I am going to place before the House. It would, therefore, be seen that if the intention of the Government was to present the House with a *fait accompli*, the suggestions which I have had the benefit of receiving from teachers, from the authorities of the University and from hon. Members with whom I have made every effort to keep in close contact and with whom I have had the honour of holding certain discussions, would not have been introduced and tabled as official amendments. These suggestions would not have been introduced as official amendments if the intention was so disrespectful as to present the House with a *fait accompli*. It is not, Sir, the intention

of Government to do any such thing.

Then, Sir, a question has been raised that the College Councils should have the same powers as the Executive Council. Sir, that is given in the background, the background in which this was brought. But in view of the fact that a great deal of misunderstanding has been caused, and in my humble opinion, a totally unnecessary misunderstanding, an apprehension which does not have any basis in argument has been raised, because I have heard with great respect the points that have been made by the hon. Member. The point is that the Executive Council at the moment does not have a single college teacher as its member. The Executive Council has to deal with innumerable executive problems with which the University is continuously faced. Now, there should be some authority of the University which would go in detail into the problems which are confronting the colleges. We cannot hope to raise standards until this matter is gone into with great care. It was felt that an authority which may be called upon to deal with questions such as the question whether a teacher has been wrongfully removed—the matter has to be dealt with so far as the management is concerned and the University has to deal with the management—or whether something has been done by the managing Committee or the Governing Board which is not in the best interest of the University, a body like that which is going to deal with such problems must have college teachers represented on it. Therefore this was a move which, in my humble opinion, was a correct move, a move in the proper direction, and it would have created a situation, if it had already started functioning, when the teachers of the colleges themselves would be participating in planning out what arrangements have to be made.

Having said that, I would like to make one further observation on a point which has been made by the honourable Member. Apparently the way some of the representatives of the Delhi University Teachers Association have been talking has misled the honourable Member, if I may most respectfully point it out. Government's position as I have stated very clearly is that the definition of a teacher of the University as given in the Act is accepted by this

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Government and Government have no intention of modifying it. The definition says, Teacher of a university means a person appointed or recognised by the university for the purpose of imparting instruction in the university or in any college." Now, all members of the Academic Council are teachers. It is an artificial way to create a dichotomy and I do not want to do it. It seems all the people who came to see the honourable Member wanted to have their cake and eat it too. You cannot say that only college teachers are teachers and others are not teachers. And some of them put forward the argument that "No, no, we feel that you wish to delink the college;." The Act is very clear on that point that 'teachers of the university' include teachers whether appointed by the university or recognised by the university or teaching in the colleges. Therefore, the Academic Council is body of teachers. It is a body exclusively of teachers. It has been stated by the honourable Member that he agrees with the apprehension that it might start a process of changing the fundamental character. As the honourable Member, Shri Nawal Kishore, pointed out in the House in the last session, I had something to do with the drafting of the Gajendra-gadker Committee's report and I was in any case a signatory to its report. I still stand by that view which has been accepted by the University Grants Commission and which has been accepted by the Government as we have stated before; that is to say, we wish to preserve or maintain the present character of the University. In fact, I have been repeating time and again and every-time any suspicion or apprehension has arisen I have ventured to come before this House or the other House making it very clear that we have no intention of bringing about change in the present character of the University. Now, the example which the honourable Member gave is a little surprising for me, about the different layers. Now, the University functions on different layers, that is, a functional division between the various layers of the University. For example, the Committee on Courses frames the courses. The Committee on Examinations goes into the whole of the examination system. A Faculty seeks to coordinate the activities of the various departments, and

so on and so forth. Therefore, the existence of layers is not the correct way of explaining what is sought to be done. But identifying certain types of functions and creating an authority which would discharge those functions most effectively, that I think is the main purpose. Now, I venture to draw the attention of the House to Clause 7 of the Delhi University Act which with your permission I shall read.

"All recognised teaching in connection with the University courses shall be conducted under the control of the Academic Council by teachers of the University and shall include lecturing, laboratory work and other teaching conducted in accordance with a syllabus prescribed by the regulations."

After all, the most important function of any university, if I may be permitted to say so, is the academic function. Academic decentralisation is not taking place. The overall authority of the Academic Council as given in this particular clause is not sought to be amended at all. Therefore, this in itself is the surest guarantee that the university in its most important function, namely, the academic function, will be under the overall policy making authority. Because this particular suspicion was aroused, the executive council recommended to the government that in order to bring out the character of the university, you change its name from College Council to College Administrative Council. With your permission I shall move this particular amendment which is totally acceptable to me because it is in conformity with the overall thinking which we have had. We have not touched and we have no intention of touching the overall academic authorities of the Academic Council which is the surest guarantee that all teaching in the university, whether at the under-graduate level or post-graduate level or at research level or whether conducted in a university department or college, will be under the control of the Academic Council, it was pointed out that if the same duties are performed it will lead to defederalism. I would venture to suggest that when the question of administration of a college comes, problems arise individually. Then there are certain common problems.



So far as common problems are concerned, there is an in-built mechanism which would ensure that the policy does not deviate. But so far as individual problems are concerned some one should be able to attend to those individual problems and that has been the main problem. If the size of a university expands, what is it that is under strain? It is not the academic life. It need not be under strain. There is, of course, constraint of resources. That is a very important constraint. I do not wish to deal with it now. If the size of the university expands, it means automatically the faculty would expand and there would be more teachers. If more teachers are appointed, there would be greater scope for specialisation and greater participation of teachers in interdisciplinary studies and a situation would be created whereby the academic level of the entire university can be raised. On the other hand, if each college is working in isolation in the name of federalism and if no in-built mechanism is provided for co-ordination and better utilisation of the teaching talents available in the university, then I would submit most respectfully that the standards would go down. Therefore, the expansion is really a pressure on the administrative organisation of the university. If there is decentralisation of administration, then it becomes possible to deal with the expansion in numbers either of colleges or of the student population of the university.

There is one more important point which has been made by the hon. Member and he has referred to the provision in the present Act . . .

SHRI N. G. GORAY (Maharashtra) : Sorry to interrupt the Minister. The whole dispute so far as the Bill is concerned centres round the idea of College Council as the Minister has just now pointed out and to avoid that he has, by an amendment suggested that instead of College Council there may be College Administrative Council. I would like him to explain how the College Council idea and the new idea of College Administrative Council differ basically from each other.

PROP. S. NURUL HASAN : Sir, I would like to deal with the point raised by the honourable Member a little later. I

shall now deal with the point which Shri Advani had raised. He had referred to the fact that under the existing law of the University, the University can create posts and he had said that it had all the powers to do things which are incidental to the basic objectives of the University and he had also said that it could appoint subcommittees.

Now, Sir, the very important point that has to be taken into consideration is in regard to dealing with the Managing Committees of the Colleges. Suppose the Managing Committee takes action against a teacher. Now, we do not want a situation in which any action in respect of a Managing Committee can be challenged in a court of law and it is said that this power did not exist. Therefore, it was necessary, if the rights of the teachers and the students of the various colleges had to be safeguarded, to ensure that and explicitly we put and made a provision that it would be possible for the University—we added to the powers of the University—to establish these College Administrative Councils.

I will now come to the point which has been raised by my honourable friend, Shri Goray. He wants to know what the difference between the two is. Now, in respect of a College Council, in terms of the statutes which had been framed, delegation of power by the Academic Council would have been possible. Now, since this was arousing apprehensions, the Executive Council has recommended to me to change the nomenclature from "College Council" to "College Administrative Councils" which means that the delegation of authority by the Academic Council would not be possible. This, Sir, as far as I have been able to understand, is the basic difference between the two. The delegation authority would now be possible so far as the Executive Council is concerned, the delegation of authority by the Academic Council to this would not be possible. Academic Council will certainly be entitled to call for a report. But that is a different matter. It cannot delegate its authority because once you call a body an Administrative Council, then it means, in context of any University, that you are distinguishing its administrative functions from academic functions and, therefore,

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is, in my opinion, a fundamental change which, I hope, will allay the fears and apprehensions of my colleagues, Sir.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Why not bring in the same idea in regard to the functions of the Council instead of in name only ?

PROF. S. NURUL HASAN : Sir, if the honourable Member would only bear with me for a few minutes more, I will try to finish as quickly as possible and deal with his point.

श्री सीताराम सिंह (बिहार) : श्रीमन्, मैं आपके माध्यम से सदन का ध्यान बिहार में भुखमरी की ओर दिलाना चाहता हूँ। हमारे पास उन लोगों की एक लिस्ट है जो भूख से मरे हैं। हमारे पास...

श्री उपसभापति : अभी तो बिल चल रहा है और आपको वगैर इजाजत लिये नहीं लेना चाहिये।

श्री सीताराम सिंह : हमारे पास उन लोगों की फोटो हैं।...यह बुद्धि-विलासता का सदन है यह सदन जनता का है।

श्री उपसभापति : आप बैठ जाइये। अगर आप बोलते रहेंगे तो कोई भी चीज नहीं लिखी जायेगी।

श्री सीताराम सिंह : हमारे पास...

श्री उपसभापति : कोई भी चीज न लिखी जायेगी।

श्री सीताराम सिंह : (बोलते ही रहे)

श्री भूपेन्द्र नारायण मण्डल (बिहार) : पहले नोटिस देकर...

श्री उपसभापति : यह गलत बात है। आप नेता हैं और आपको चेम्बर में आकर बोलना चाहिये था। इस तरह से बीच-बीच में बहस होकर बिहार के बारे में कहना उचित

नहीं है।

श्री भूपेन्द्र नारायण मण्डल : कम से कम आपको उनकी बात को तो सुन लेना चाहिये था।

MR. DEPUTY CHAIRMAN : All right. Yes, Mr. Minister, please continue with your speech.

PROF. S. NURUL HASAN : I would like again to repeat what I have always stated—and I have taken the opportunity of making a statement in this House and the other House also—that the Government have no intention of changing the existing character of the University, that the Vice-Chancellor has no intention of doing it and that there is no difference of opinion between the fundamental thinking of the Vice-Chancellor, the Executive Council and the Academic Council on the one hand and of the thinking of the Government on this subject on the other.

I hope, Sir, that my honourable friend, who also happens to be the Pro Vice-Chancellor of the University, would bear me out that the Government have not done anything which would go against the wishes of the duly constituted bodies and authorities of the University.

Sir, on this question that we do not wish to change the fundamental character of the University let there be no apprehension, and if anyone has an apprehension, I hope this categorical assurance which I am giving on the floor of the House should carry conviction that there is no question of the Government going back on it.

Secondly, Sir, this Bill will not create a situation in which the college teachers would be disassociated from post-graduate teaching. Sir, I just now read out to you section 7 of the Delhi University Act. Under this, it is the power of the Academic Council, and it would therefore not be proper for this House to give any directive in the matter because this House has deliberately approved of this Bill and has given an academic autonomy to the University, and I do not think that there is any intention in any section of the House to take away the academic auto-

nomology of the University. But, Sir, at the same time I have had the occasion to discuss this matter with my colleagues in the University of Delhi. I know their mind. I know the mind of the Vice-Chancellor, and the mind of the Pro-Vice-Chancellor, and I entirely agree with their thinking that they are anxious not only that the participation of college teachers in post-graduate teaching should continue, but that it should increase. Therefore, Sir, there is, if I may venture to make this statement on behalf of the academic head of the University—because the Vice-Chancellor is not merely the Executive but he is also the academic head of the University and I am sure he is reflecting the sentiments of the Academic Council—every intention of involving more college teachers with post-graduate teaching and research work of the University.

Sir, there are two other aspects of this problem to which I may make a brief reference; that is to say, that in the professional faculties, viz. Medicine, Technology, Music and Fine Arts, it enables the University to set up autonomous colleges, how there is a little bit of apprehension even on this score. Therefore, Sir, I am, with your permission, moving an amendment that no college will be declared to be an autonomous college without having obtained its approval in a manner prescribed by the Academic Council, so that there can be no fear that this is going to create a difficult situation.

Sir, the last point which I wish to place for your consideration is the change in the procedure for making statutes. Sir, till now statutes were made by the Executive Council with the concurrence of the Court. In the case of other Central Universities—Jawahar-lal Nehru University, Aligarh Muslim University, Viswa Bharati, Banaras Hindu University—this House had changed the procedure and had stated that the Court should not have any power in regard to statute making. This is also the recommendation of the Gajendragadkar Committee. But in view of the fact that certain apprehensions had been expressed, I have ventured to place an amendment before the House which will make it absolutely clear, and would not leave it merely to conventions, that whatever academic matters are, in those academic matters no statute will be added or amended or deleted without the concurrence

of the Academic Council, and of course the concurrence of the Visitor. That is the constant factor. So there is no question of making anything new about it. What in fact has happened as a result of these discussions and deliberations is that instead of the Executive Council taking concurrence of the court in all academic matters, the Executive Council will be taking the concurrence of the Academic Council before making, adding to or amending any of the Statutes.

I have just seen an amendment which the hon. Member, Shri Bhupesh Gupta, has given notice of. That is to say, he has, I think, added: the emoluments and the terms and conditions of service of the teachers of the University, and the conditions of recognition of teachers of the college institutions as teachers of the University. [I think these are the two new points which the hon. Member, Shri Bhupesh Gupta, has added. I have no hesitation in accepting them. I will make one submission as to why I did not myself move that. That is because in the existing Act, Statutes and Ordinances the emoluments and terms and conditions are prescribed by Ordinances. In Aligarh, this hon. House has agreed that the basic terms and conditions should come and form a part of the Statute. Therefore, I am only making an explanation why I did not do it myself, but I will be very happy indeed to accept these two additional points.

SHRI BHUPESH GUPTA (West Bengal)

: These two amendments of mine plus the other amendments.

PROF. S. NURUL HASAN : That is what I say.

SHRI N. G. GORAY : It is coincidence that all the amendments appear like that.

PROP. S. NURUL HASAN : Sir, the basic intention is clear. The basic intention is that in all academic matters the Academic Council should concur with any proposal for amending Statutes. That I think is the basic principle which the Academic Council had recommended to the Government for acceptance. I had attempted to interpret it with the help of the law officers of the Government and to translate it into a legal language. Now, I am grateful to the hon.

[Prof. S. Nurul Hasan]

Member, Shri Bhupesh Gupta, I am prepared to accept it because it conforms to the basic principles that the Statutes which have a direct bearing on the academic functioning of the University should not be amended, added to or deleted by the Executive Council without obtaining the concurrence of the Academic Council.

Finally, Sir, I would like to make only one more submission and that is that while I commend this Bill and the amendments about which I have spoken to this House for its acceptance and for passing, I would like to say that the Vice-Chancellor has said that he is not going to close the doors of for negotiations that whatever steps he has taken are taken but he would be prepared to wait for further discussions with the representatives of the teachers and he would continue with his efforts to evolve a consensus and he would not like to take any hasty steps, so that if as a result of these discussions it becomes necessary to make amendments to the Statutes already framed then the Academic Council and the Executive Council would make such amendments and I would only submit that I shall try my best to advise the Visitor that if these amendments...

**श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश) :** उपाध्यक्ष महोदय, व्यवस्था का प्रश्न है। इस समय जब कि मंत्री जी अपने बिल को पेश कर रहे हैं तो कह रहे हैं कि बाइस चांसलर साहब ने यह कहा है कि हमारा दरवाजा बन्द नहीं है और अध्यापकों ने हम सलाह मशविरा या बात चीत करने के लिए तैयार हैं। अगर कोई संशोधन ले आना है, अगर अध्यापकों की सलाह पर कोई संशोधन करना है तो आप को इस समय करना चाहिए बजाय इस के कि आप कहें कि बाइस चांसलर यह कह रहे हैं।

**श्री उप सभापति :** ठीक है, अब आप बैठिये। यह कोई प्वाइंट आफ आर्डर नहीं है।

**प्रो० एस० नूरुल हसन :** शाही जी, अगर मैं आपको समझाने में कामयाब हो जाऊँ तो

मैं अपने आप को खुशकिस्मत समझूँगा। मैं क्या बताऊँ, मेरी जवान में दम नहीं रह गया कि मैं यह बात समझा सकूँ। इस आनरेबिल हाउस ने अपने हाथ में अख्तियार रखा है ऐक्ट बनाने का। इस आनरेबिल हाउस ने एक प्रोक्षीजर मुकर्रर किया है कि जहाँ तक स्टैट्यूट्स को बनाने का ताल्लुक है उसमें इनीशियेटिव यूनीवर्सिटी की रिलीवेंट अथॉरिटीज लेंगी।

**श्री नागेश्वर प्रसाद शाही :** आप ने परिषद् का जो गठन किया है उसे मैं सारे नामिनीज गवर्नमेंट के रखे हूँ।

**प्रो० एस० नूरुल हसन :** उसमें गवर्नमेंट के नामिनीज रखे हैं ? लेकिन कहाँ है ?

**श्री नागेश्वर प्रसाद शाही :** कम्पोजीशन में है।

**प्रो० एस० नूरुल हसन :** मैं आपसे दस्तबस्ता कहूँगा कि आप एक बार बिल को पढ़ लें। आप एक बार उसे पढ़ लें तो मैं बात करने के लिए तैयार हूँ। आप की सारी बात सर आंखों पर, लेकिन उसे पढ़ तो लीजिये।

**श्री नागेश्वर प्रसाद शाही :** आप विश्व-विद्यालय को सरकारी डिपार्टमेंट बनाना चाहते हैं ?

**श्री उप सभापति :** आप बोलने वाले हैं इस बिल पर, उसमें यह सारी बात कह लीजिएगा।

**प्रो० एस० नूरुल हसन :** आइन्दा से नहीं कहूँगा। अब आइन्दा से हर किसी की जान में यह नहीं कहूँगा कि पढ़ लीजिए।

**श्री नागेश्वर प्रसाद शाही :** मंत्री होने के बाद पढ़ने की क्या जरूरत रह जाती है। उस के पहले ही रहती है।

**प्रो० एस० नूरुल हसन :** मैं तो समझता हूँ कि अब भी पढ़ने की जरूरत है।

Anyway, I request that the House may be pleased to take into consideration the

Bill further to amend the Delhi University Act, 1922.

"The question of reorganisation of the Delhi University has been under consideration for quite some time."

*The question was proposed.*

**श्री नवल किशोर (उत्तर प्रदेश) :** उपाध्यक्ष महोदय, यह जो विधेयक माननीय शिक्षा मंत्री जी ने पेश किया है, श्रीमन्, देखने में तो बहुत छोटा है, दो पन्ने का है और मुश्किल से इसमें चार या पाँच क्लोज हैं, मगर शायद जितना कंट्रोवर्शियल यह विधेयक बन गया, मेरी जहाँ तक याददाश्त है, शायद ही कोई विधेयक किसी स्टेट असेम्बली में या पार्लियामेंट में इतना कंट्रोवर्शियल बन पाया हो। श्रीमन्, जैसे ही यह आर्डिनेन्स पास हुआ दिल्ली यूनिवर्सिटी टीचर्स एसोसिएशन ने इसके खिलाफ एक बगावत की आवाज उठाई और उन्होंने हड़ताल की। इसमें शक नहीं कि वाइस-चांसलर ने उनको एक्थोरेन्स दिया, शिक्षा मंत्री जी ने भी उनको एक्थोरेन्स दिया, मगर यह बात भी सही है कि एक एसोसिएशन जिसमें 3,300 के करीब मेम्बर्स हों, उन्होंने हड़ताल की दो तारीख को, उसके बाद भी हड़ताल की, 8 तारीख को जलूस निकाला और मेरी इत्तिला है कि आज भी उनका या तो कोई जलूस निकलने वाला है या यूनिवर्सिटी बन्द है या कोई हड़ताल है। श्रीमन्, जैसा कि मेरे दोस्त आडवाणी साहब ने कहा और माननीय मंत्री जी ने भी कहा कि वह आर्डिनेन्स के पक्ष में नहीं है, मुझ को भी इस बात की तकलीफ है कि एजुकेशन के मामले में भी आर्डिनेन्स को ईश्यू करने की आवश्यकता पड़ी गवर्नमेंट को। मुझ को आडवाणी साहब की तरह कोई एलर्जी तो नहीं है, क्योंकि मैं यह बात जानता हूँ कि आर्डिनेन्स मैकिंग पावर गवर्नमेंट को है कांस्टीट्यूशन में, लेकिन जैसा कि माननीय मंत्री जी ने कहा, उसका एमरजेंसी में ही इस्तेमाल होना चाहिए। मुझे दुःख है कि अपने पूरे भाषण में माननीय मंत्री जी यह साबित नहीं कर पाये कि वह एमरजेंसी क्या थी। आप देखें इसके ऐम्प एन्ड आब्जेक्ट्स को उसमें लिखा है :

और मेरी इन्फार्मेशन यह है कि सात, आठ महीने से यह बात चल रही थी कि कोई एक माडल बिल रिआर्गनाइजेशन के सम्बन्ध में बनाया जायगा। तो यह बात तो एक जमाने से चल रही थी। यह बात भी बहुत असें से मालूम थी कि दिल्ली यूनिवर्सिटी में 95 हजार स्टूडेंट्स हैं, यह भी मालूम था कि उसमें 48 कालेजेज हैं और यह भी सब जानते हैं कि हर साल एडमिशन के समय भीड़ होती है, रण होता है और सवाल यह होता है कि हम उसको किस तरह से कंट्रोल करें।

दूसरी बात यह कि फरवरी के महीने में दिल्ली यूनिवर्सिटी टीचर्स एसोसिएशन ने इस बात की अपनी आशंका व्यक्त की थी कि इस तरह का कोई माडल बिल आयेगा तो उसने यूनिवर्सिटी का फेडरल कैरेक्टर गड़बड़ होगा और कालेजों का डिर्लिंग हो जाएगा, हालाँकि 27 फरवरी को सरकार ने उन शंकाओं को दूर करने की कोशिश की और अखबारों में यह वक्तव्य छपा कि ऐसा कोई प्लान सरकार का नहीं है।

मैं एक बात और कहना चाहता हूँ कि टीचर्स की आशंकाओं के अलावा आप खुद भी इस बात को देखें कि जो वाइस-चांसलर की कमेटी बनी थी इस मामले में शायद मंत्री जी जानते हैं, उसमें दो ओपीनियन थी। एक सेट चाहता था कि सेंट्रल एडमिनिस्ट्रेटिव कौंसिल बनाई जाय और कुछ लोग इस फेवर में थे कि कालेज कौंसिल बनाई जाय, तो वहाँ भी इस बात में मतभेद था, लेकिन उसके बावजूद भी जब कि यूनिवर्सिटी बन्द थी 22 जून को यह आर्डिनेन्स जारी कर दिया गया। अगर माननीय मंत्री जी मुझे माफ करें तो मैं कहूँगा कि उन्होंने खुद इतने अमेंडमेंट्स दिये हैं और श्री भूपेश गुन के अपेंडमेंट तो भी आर मानने को तैयार है, यहाँ तक कि कालेज कौंसिल का नाम भी

[श्री नवल किशोर]

बदल कर कालेज एडमिनिस्ट्रेटिव कौंसिल रखने को तैयार है, यह भी इस बात का सबूत है कि इस आर्डिनंस को काफी जल्दी के अन्दर ईशू किया गया, जारी किया गया, सोच-समझ कर नहीं किया गया। जो डेफिनिशन या मंशा कालेज कौंसिल की थी और आज जो आप करने जा रहे हैं, उसमें तो यह पता चलता है कि पहले तो इसमें था कि उसकी पावर एग्जीक्युटिव कौंसिल की भी होगी और एकेडेमिक कौंसिल की भी होगी, लेकिन नाम बदलने के बाद पावर एग्जीक्युटिव कौंसिल ही की होगी। एकेडेमिक कौंसिल की नहीं होगी। इसके अन्तर्गत यह है कि आर्डिनंस में जो कंसपेक्शन कालेज कौंसिल का था वह अब इस अमेंडमेंट के बाद बदल जाता है। तो मुझे माफ करेंगे कि इतने अमेंडमेंट, आफिशियल अमेंडमेंट, जो आप एक्सेप्ट करने जा रहे हैं, मैं श्री भूपेश गुप्त के अमेंडमेंट को भी आफिशियल ही मानता हूँ, क्योंकि मैं मानता हूँ कि उनका और सरकार का एक मिक्सड कृपणी होती है।

प्रो० एस० नरूल हसन : जनाब बाला, अगर माननीय सदस्य देते तो मैं इनके हुक्म से भी अलग नहीं हूँ।

श्री नवल किशोर : मेरा और आपका मामला थोड़ा सा हो सकता है मिक्सड। लेकिन, श्रीमन्, मैं एक बात और कहना चाहना था। आपने अपने बयान में स्वयं कहा कि हाउस ने इस प्रिंसिपिल को माना है कि पे एण्ड एमालुमेंट्स की बात आर्डिनंस में रखी जाय और वही अलीगढ़ युनिवर्सिटी में रखा है, तो अब मैं नहीं जानता कि मंत्री जी उस प्रिंसिपिल से डेविण्ट होने को तैयार क्यों हो गये। कोई प्रश्न है या क्या बात है? अगर एक प्रिंसिपिल हाउस ने एक्सेप्ट किया है, गवर्नमेंट ने एक्सेप्ट किया है तो दिल्ली युनिवर्सिटी हो या अलीगढ़ युनिवर्सिटी हो, सब में एक होना चाहिए। तो मेरा प्वाइंट यह था कि इतने अमेंडमेंट को खुद लाना और इनको एक्सेप्ट करना इस बात

का सबूत है कि आपने आर्डिनंस बहुत ही जल्दी और शीघ्रता में ईशू किया।

मेरे पास यं प्रोसीडिन्स हैं 5 जुलाई की, दिल्ली युनिवर्सिटी टीचर्स एसोसिएशन की। श्रीमन्, उन्होंने भी सबसे पहले इस बात को कन्डिन्स किया है। उनकी सिर्फ तीन-चार लाइनें पढ़ें :

"To introduce major-long-term changes in the structure of the University through Ordinances—Ordinances only is the latest style adopted by the Government of India, the State Governments and various University authorities. This style is best suited to those who are determined to disregard public opinion or opposed to open discussions. The DUTA endorses this style specially for its undemocratic nature."

The manner in which the decision regarding the promulgation of the ordinance seems to have been taken is equally regrettable.

श्रीमन्, एक बात मैं और कहता हूँ। माननीय मंत्री जी ने खुद कहा, गजेन्द्रगडकर कमेटी की रिपोर्ट को इस गवर्नमेंट ने स्वीकार किया है, वह भी स्वयं उसके सिग्नेटरी हैं और उसके आधार पर एक काम्प्रिहेंसिव बिल इस हाउस में लाने वाले हैं, तो जब एक काम्प्रिहेंसिव बिल आने वाला था तो मैं नहीं समझता कि कौन एमरजेंसी थी इस पीसमील बिधेयक को लाने की। मुझको माफ करेंगे मंत्री जी, मैं इसको ग्रास मिस्यूज आफ आर्डिनंस मेकिंग पावर जो कांस्टीट्यूशन में है, मानता हूँ।

श्रीमन्, इसके अन्दर अगर आप देखें तो जो टीचर्स की आशंकाएँ हैं उनमें से इसमें शक नहीं कि उन्होंने बहुत दूर कुछ कर दी, आपने कह दिया कि डिर्लिंग नहीं होगा, फेडरल कैरेक्टर रहेगा और अंडरग्रेजुएट स्टडीज एंड पोस्ट-ग्रेजुएट स्टडीज का भी सेपरेशन नहीं होगा, एंगेशन नहीं होगा। उनकी पे-स्केल पर भी असर नहीं पड़ेगा।

एक निवृत्त और है। उनकी शिकायत यह है कि यूनिवर्सिटी खपने टीचर्स, अपने रीडर्स, अपने प्रोफेसर्स इतनी ज्यादा तादाद में एपॉइन्ट करती जा रही है, उनकी नियुक्ति करती जा रही है कि उसके बाद कालेज टीचर्स को मौका ही नहीं होगा कि वहां जा सके और एम० ए०-एम० एम० सी० क्लासेज को ले सकें। उन्होंने एक्जाम्पल दिया है कि इंगलिश डिपार्टमेंट में तीन नए एपॉइन्टमेंट्स हुए हैं। अब वे कहते हैं, जबकि ने ज्यादा एपॉइन्टमेंट्स यूनिवर्सिटी के होंगे तो उनको आगे मौका नहीं मिलेगा। यह उन की सबसे बड़ी शिकायत है। मैं यह बात मानता हूं कि वाइस-चान्सलर ने भी, आपने भी एश्योरेन्स दिया और चूंकि आपने एश्योरेन्स हाउस के सामने दिया है तो जब एश्योरेन्स हाउस के सामने हो गया तो मैं समझता हूं, इसमें विश्वास न करने की बात उतनी ज्यादा नहीं है।

मैं एक बात यह भी कहना चाहता हूं कि इसमें कन्फ्यूजन भी हुआ है, श्रीमन्, और वह इसलिए भी है कि आपसे पहले भी एजुकेशन मिनिस्ट्री की जो एजुकेशन पालिसी है वह बहुत साफ नहीं है, उसमें काफी कन्फ्यूजन है। मिसाल के तौर पर श्रीमन्, मेरी इत्तिला यह है कि जिस समय जवाहरलाल नेहरू यूनिवर्सिटी बनाई गई थी तो यह खयाल था कि—इट बुड बर्क एज ए सेक्रेन्ड कैम्पस—यह एक सेक्रेन्ड कैम्पस की तरह से काम करेगा। हो सकता है गलत हो और अगर ऐसा है तो आप बता दें। अगर यह बात सही है तो आज अगर गवर्नमेंट उससे बँक आऊट करती है तो बँक आऊट क्यों करती है? मैं उस बात में जाना नहीं चाहता जो डिस्क्रेपेंसी की बात कही गई है। माननीय मंत्री जी ने कहा कि मेरे और वाइस-चान्सलर के बयान में जो डिस्क्रेपेंसी है उसका मैं क्या जवाब दूँ। मैं उस बात में जाना नहीं चाहता हूँ, लेकिन जब वाइस-चान्सलर इस तरह का स्टेटमेंट देते हैं तो उससे कन्फ्यूजन पैदा होता है। आप उसका जवाब न दें लेकिन—

देट कि एट्म कन्फ्यूजन। वाइस-चान्सलर ने और भी एक बयान दिया है। 4 ता० को आपने स्टेटमेंट दिया लोक सभा में और 4 तारीख को वाइस-चान्सलर कहते हैं अपने स्टेटमेंट में :

"As one who has taught in Delhi University for over thirty years, I would wish to solve the problems of the University through direct consultation with my colleagues. In view of the complications that have arisen, I feel that the interest of the University would be best served if the entire question of governance was studied afresh by the academic community of the Delhi University with a view to formulating and recommending changes in the law governing the working of the University."

यह उन्होंने 4 तारीख को कहा। अब एक तरफ आपका बिल पेन्डिंग है हाउस के अन्दर, जिसको आपको 2 मंजूर पोस्टपोन करना पड़ा है। एक तरफ तो आप लाते हैं बिज और वाइस-चान्सलर उसी दिन यह कहते हैं कि चूंकि कांफ्लिकशन्स पैदा हो गई है इसलिए मेरे खयाल में हमको अजसरेनौ इस चीज पर विचार करना चाहिए। श्रीमन्, यही नहीं, इसके बाद उनका एक बयान आया है 26 तारीख को जिसमें उन्होंने कहा है :

"The Vice-Chancellor added that n further steps would be taken to impk ment the Statutes in connection wit the College Councils."

तो अगर ये स्टेट्यूट्स इम्पलीमेंट नहीं होंगे तो इस चीज से क्या फायदा होगा कि स्टेट्यूट्स की तहत जो हम कालेज कौंसिल बनाई उसके बारे में हम यहां पास करें। एक तरफ आप कहते हैं इस बड़ी अजेंसी थी कि आर्डिनेन्स आए दूस तरफ वाइस-चान्सलर कहते हैं हम इस स्टेट्यूट्स को इम्पलीमेंट नहीं करेंगे। ये एग्जम्पल्स मैंने इसलिए दीं कि इससे कन्फ्यूजन पैदा होता है। (Time bill ring) थोड़ा टा दीजिए, बहुत इम्पॉर्टन्ट इश्यू है। ज्यादा टा

[श्री नवल किशोर]

नहीं लूंगा जिससे घन्टी बजानी पड़े। तो श्रीमन्, वाइस-चान्सलर जो हैं वह एक मूविंग स्पिरिट है, वह दौड़ रहा है आगे-आगे और उसके पीछे मिनिस्टर साहब दौड़ रहे हैं, एजुकेशन मिनिस्ट्री दौड़ रही है। आपने अब हमें बताया इस हाउस में कि हम नाम बदल कर कालेज एड्मिनिस्ट्रेशन कौंसिल बनाने जा रहे हैं। वाइस-चान्सलर ने इस स्टेटमेंट को दो दिन पेशतर दे दिया था। हमने दो दिन पहले अखबारों में पढ़ लिया था।

अगर आप और वाइस-चान्सलर, दोनों मिल कर काम कर रहे हैं तो मुझे कोई आपत्ति नहीं है। लेकिन प्रश्न यह उठता है और ऐसा लगता है कि वाइस-चान्सलर जो कहता है उसको ही यहाँ पर डिटो कर दिया जाता है। हम इतना ही चाहते हैं कि आप अपनी आइडेंटिटी को बिल्कुल मत खोइये। Keep some identity of your own also. That is what I want.

श्रीमन्, इसके बाद जो बात कहनी है वह यह है कि इसमें शक नहीं कि जो आपने अमेंडमेंट पेश किए हैं जिनको आप पास करेंगे, उससे स्थिति काफी साफ हो जाती है, परन्तु जो बेसिक चीज है वह वहीं की वहीं रह जाती है। तो मैं यह कहना चाहता हूँ कि जो आप कौंसिल्स बनाने जा रहे हैं, उनको बनाने का परपज यह था कि इन कौंसिल्स के द्वारा कालेजों का प्रबन्ध अच्छी तरह से हो सके और वाइस-चान्सलर और एकेडेमिक कौंसिल के ऊपर जो इस समय बर्डन है वह थोड़ा कम हो जाय और जो इसमें इंटरग्रेशन का लिंक है, उसमें कमी न आये। यही आपका इस बारे में आइडिया था।

यह भी आपको पता है कि इस सम्बद्ध कमेटी की दो राय थी कि कालेज कौंसिल बनाई जाए, सेन्ट्रल या एड्मिनिस्ट्रेटिव कौंसिल बनाई जाए। तो मैं यह चाहता हूँ कि मिनिस्टर साहब इस बात का एक्पोरेंस दें कि वे इस मामले में डीगमेटिक नहीं हैं और ओबसिनेट नहीं हैं।

इन कौंसिलों का जो वर्किंग है, उनका एक किस्म से हर छः महीने और एक साल के बाद रिव्यू किया जाय और यह देखा जाय कि जिस परपज के लिए ये कौंसिल्स बनाई गई थीं वह कार्य इनके द्वारा पूरा हो रहा है या नहीं और अगर नहीं तो मैं समझता हूँ कि इस चीज के बारे में हमको फिर से सोचना चाहिए और देखना चाहिए।

यह बात भी सही है कि आर्डिनेन्स के जरिये आपने बजाय एक वाइस-चान्सलर के तीन-चार वाइस-चान्सलर बना दिए हैं। वही तनखाह और वही अमेनिटीज।

प्रो० एस० नूरुल हसन : वाइस-चान्सलर की तनखाह ज्यादा है।

श्री नवल किशोर : कुछ ज्यादा होगी।

प्रो० एस० नूरुल हसन : उनकी वही तनखाह है जो प्रो वाइस-चान्सलर की है।

श्री नवल किशोर : बहरहाल चेयरमैन की तनखाह वही है जो कि एजुकेशन मंत्री की।

प्रो० एस० नूरुल हसन : एजुकेशन मंत्री की सेंटपरसेंट कट है।

श्री नवल किशोर : तो मैं यह कह रहा था कि आप इस तरह का एक्पोरेंस दें। दूसरी बात मैं यह कहना चाहता हूँ कि यूनीवर्सिटी ग्रांट्स कमिशन ने यह बात कही थी कि आप कालेज कौंसिल्स की तादाद को फिक्स कर दीजिये और वाइस-चान्सलर ने भी एग्जीक्यूटिव कमेटी की मीटिंग में इसको कहा था, तो मैं यह बात नहीं समझ पाया कि इसमें दिक्कत क्या है? अगर एक दो कालेज की एक कौंसिल हो सकती है तो फिर इस तरह से बीस या तीस कालेज कौंसिल भी हो सकती हैं और इसके माने यह होंगे कि बीस या तीस मिनी वाइस-चान्सलर्स हो जायेंगे, छोटे-मोटे वाइस-चान्सलर हो जायेंगे। तो मैं चाहता हूँ कि आप



इस बारे में कोई स्पैसिफिक तादाद फिक्स कर दीजिये। इस बारे में आप दो या तीन कालेज कौन्सिल्स की तादाद रख सकते हैं या फिर चार से ज्यादा संख्या कौन्सिल की नहीं होनी चाहिए।

मैं एक बात यहां पर साफ कर देना चाहता हूँ कि मुझे टीचरों के साथ पूरी हमदर्दी है, सेन्टपरसेंट हमदर्दी है, लेकिन उनका जो एजीटेशनल एटीट्यूड है वह मुझे पसन्द नहीं है। मैं इस बात को जानता हूँ कि आज दो महोने से कालेजों के अन्दर पढ़ाई नहीं हो रही है। आज कालेजों में सिवाय हड़ताल और बंध के एटमासफियर के और कोई पढ़ाई नाम की चीज नहीं हो रही है। उन्होंने इस बात की भी धमकी दी है कि कैम्पस की एक्टिविटीज को बिलकुल पैरेलाइज कर दिया जायेगा। इस एजीटेशन में आल इंडिया फ़ैडरेशन भी कूद रहा है और किसी को पढ़ाई के बारे में चिन्ता नहीं है। मैं यह निवेदन करना चाहता हूँ कि जहां तक कामनमैन का सवाल है, जो बच्चे के माना पिता है, वे इस बात में इन्टरेस्टेड हैं कि उनके बच्चों को बैटर एजुकेशन मिले, वहां पर हायर स्टडी हो, बैटर डिस्प्लिन हो, हायर स्टेण्डर्ड्स हो और यह जो हिप्पीज्म यूनीवर्सिटी में इधर ज्यादा बढ़ रहा है वह खत्म हो।

श्रीमन्, मैं इस सम्बन्ध दो बातें पढ़ना चाहता हूँ आपकी इजाजत से। एक तो श्रीमन्, जो हमारे इम्पाशियल आबजर्वर हैं उनके बहुत से स्टेटमेंट आये हैं और उनमें से एक ने कहा है :—

"In the fight over the college councils, no body is concerned with the damage being done to higher education. At least 15 colleges of Delhi University function in inadequate buildings, lackin? libraries and even common rooms. Nobody has thought how the students in these colleges will ever be able to gain adequate facilities. Nobody has launched

any agitation to demand improvement in posi-graduate teaching.

आखिर मैं यह क्या कहना चाहता हूँ कि जो यहां एकेडेमीसियन्स ने अपील की है, मैं उससे पूर्णतया सहमत हूँ।

"This was only a temporary phase and the university community has the strength to solve all the problems in such a manner that the moral ethical and academic standards are upheld, maintained and improved."

मैं उसकी तारीफ करता हूँ। एक बात मैं और कहना चाहता हूँ कि मैंने इसमें पढ़ा कि आल इंडिया फ़ैडरेशन आफ यूनीवर्सिटी टीचर्स वगैरह भी इसमें हिस्सा लगे, वह क्या करेंगे, वह देखें मगर अपने टीचर भाइयों से जरूर यह कहेंगा कि दिल्ली यूनीवर्सिटी के अन्दर हाईएस्ट पे स्केल हैं, आप 18 घंटे यहाँ यू० पी० में 24 घंटे काम होता है, तो आल इंडिया टीचर्स फ़ैडरेशन जस्टीफाइड होगी अगर वह इस बात के लिए प्रयत्न करे कि थ्रू आउट इंडिया ईक्वल पे स्केल हों सब यूनीवर्सिटियों में, ईक्वल फेसिलिटीज आफ एजुकेशन हों और ईक्वल एमेनिटीज हों। इन कौन्सिल्स पर अपना समय या एनर्जी बर्बाद क्यों करें। यदि माननीय मंत्री महोदय इस बात का आश्वासन दें कि यह जो कौन्सिल्स हैं। It is not the last word, but only a new experiment. जैसा कि वाइस-चान्सलर ने कहा है तो मैं समझता हूँ कि इस एक्सपेरिमेंट को फेयर ट्रायल देने की बात जरूर होनी चाहिए। इन सुझावों के साथ मैं इसका समर्थन करता हूँ।

DR. VIDYA PRAKASH DUTT  
(Nominated) : Mr. Deputy Chairman, Sir, I have been a teacher for most of my life and today also I speak as a teacher. I am sure that all the hon. Members of this House will agree that educational institutions all over the country and certainly in our country face a crisis and that

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it will be our ability to provide the answers to the new problems and the new challenges that we are facing that will determine the fate of our universities. I should like to call the attention of the hon. Members to the situation that the Delhi University is facing. I do not know how many hon. Members have stopped to think as to what is happening to the Delhi University, what has been happening at the Delhi University for the last five or six years. Sir, most of us will agree that the Delhi University had achieved, considerable distinction in this country, that the academic standards of the Delhi University have been reasonably high, that the examinations of the Delhi University are held on time and the results are declared on time, which is probably not the case with a large number of universities in this country. In other words, the Delhi University has managed to preserve certain standards both of education and contact—internal contact in its day-to-day operations. But what is happening at the Delhi University today and what is the situation with regard to the Delhi University during the last some years? If I may be allowed to give some figures to the honourable House, then you will realise what has happened to the Delhi University.

Mr. Deputy Chairman, the Delhi University was established with a view to an intake capacity of only about 17,000 students and last year there were 7,000 students who took the examinations of the Delhi University. If I may give some comparative figures in 1961-62 there were only 17,000 under-graduate students, last year there were 84,000 under-graduates. In 1961-62 there were 4,000 post-graduate students and in 1971-72 there were 10,000 post-graduates. You can see the difference, the expansion that is taking place in the Delhi University. Last year there were 65,000 students in the so-called regular colleges of the Delhi University. And there were 14,000 Corresponding course students. There were 3,000 students in the non-collegiate women's education Board. There were 15,000 students in the private external side. All told there were 97,000 students on rolls of the Delhi University last year. And this year there

will be at least 1,10,000 students on the rolls of the Delhi University. The only fact that I am happy to report about is that in 1961-62 the proportion between male students and female students was 186 male students to 100 female students. In 1971-72 it was only 116 male students to 100 female students. And if this trend continues, then happily I can report that the Delhi University will soon become a girls' University and probably will be a healthier place. But all the same, Sir, these figures speak for themselves, the phenomenal expansion that is taking place in our education, in the Delhi University. What is more, this phenomenal expansion is taking place at the under-graduate level. The share of postgraduate students in the total number of students in 1961-62 was about 22 per cent. Today the share is only 11 per cent, nearly half. That means all the expansion that is taking place is really taking place at the under-graduate level and, therefore, at the college level.

Now, Sir, in my very humble opinion as a teacher, there are three communities in any University—the students, the teachers and the *karmacharis*. And all these three have to join together in a common endeavour to take the University forward. But if I may submit to this honourable House and I may submit to my own fellow teachers and colleagues, the University, above all, and fundamentally is for the students. The student is the centre for all the activities or should be the centre for all the activities of any University. And there should be a certain relationship between the teacher and the taught. There must be a certain communication between the teacher and the taught. There must be some kind of a personal equation between those who go to get knowledge and those whose business it is to impart knowledge. In fact, Mr. Deputy Chairman, Sir, when that relationship between teachers and the students is destroyed, then that University ceases to exist in any meaningful manner. I should ask this question from those people who have been asking various questions: What kind of personal relationship, what kind of personal equations, what kind of relationship between the teachers and students can exist in a University which has about a lakh students, 4,000 teachers and probably, an equal number of *karmacharis*.

Obviously, what you are left with is the present system of the Delhi University in the last few years. By system I mean the actual situation of centralisation of responsibility to federalisation of power. That is to say, the responsibility is all concentrated in one office. The Vice-Chancellor's power is shared by various levels, the colleges and various other levels.

SHRI BHUPESH GUPTA : What is the function of a Pro-Vice-Chancellor ?

DR. VIDYA PRAKASH DUTT : He enjoys only that power which is delegated.

AN HON. MEMBER : Just like an M. P.

DR. VIDYA PRAKASH DUTT : He enjoys independent power here. But that is outside the purview of an office.

So, Sir, my submission to the hon. Members is that unless we restore that personal relationship between teachers and the taught, between the students and the teachers, it will not be possible for us to solve the problems of present-day education. Obviously, therefore, if you want to restore that kind of relationship, if you want to solve the problems of to-day, then there must be decentralisation—decentralisation of power and decentralisation of responsibility. Sir, I am reminded of a recent incident in a college which is at least about 15 miles from the University campus. One Laboratory Assistant was dismissed by that college. The University is neither the hiring authority nor the firing authority. It is the Governing Body of that college which is the hiring and firing authority. But immediately the impact was felt on the University and the University was closed for a day and might have been closed for a longer time but for the intervention of various people. Therefore, I think the whole rationale of what is being tried to be done is to bring about administrative decentralisation and beyond that also to restore a certain kind of personal relationship between the teacher and the taught which can only be done as local units. After all, what are we trying to do ? What has the Delhi University attempted to do ? We wanted involvement of teachers, students and *karmacharis*. We wanted participation.

We wanted deinocratisation. In fact, Sir, if I may be a little immodest, I will say that there has been more participation in the last year and a half than in all the years put together in the Delhi University. But the question arises : How do you have participation at a level where there are 4,000 teachers and 65,000 students ? What kind of participation can take place ? Obviously, any meaningful participation which has to take place can only take place if we take power and responsibility to the local unit. And this was the rationale of what we were trying to do. The college Councils were obviously as a step for administrative reorganisation, administrative decentralisation, which would bring the University administration closer to the colleges, to the students, to the teachers, to the *karmacharis*, so that there could be a better involvement, a more meaningful involvement. As you read the statutes about College Councils, you will find that the College Councils, have representatives of teachers, representatives of Principals, and some outstanding educationists, but absolutely no representative of the Governing Body in the College Councils. There is not a single representative of the Governing Body in the College Councils. Therefore, obviously the idea was to increase the level of participation of the teachers and of other sections in a college. In fact, we had thought, and if I may quote from the Vice-Chancellor's letter to the Minister of Education. . . .

SHRI BHUPESH GUPTA : Do you know something about Mr. V. V. John ?

DR. VIDYA PRAKASH DUTT : No, I am not talking of Mr. V. V. John. I am talking of what we had envisaged and what the Vice-Chancellor had written to the Minister of Education. The Vice-Chancellor said:

"I suggest that we immediately create, well before the commencement of the new academic session, two or three College Councils which might look after groups of colleges. The plan is that in each cluster of colleges, we pool our resources to arrange for co-operative teaching at the Honours level, provide adequate library, laboratory, sports and other facilities by involving the teachers

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and students in a direct, meaningful way."

That was the rationale. In fact, it is not only not to scuttle post-graduate co-operative teaching at that level, but it was to extend that principle, the principle of cooperative postgraduate teaching, to undergraduate co-operative teaching. It was with that view that the College Councils were envisaged to be established, with a view to bringing the teacher and the students together at one local unit so that they could resolve their problems, with a view to pooling the resources, with a view to providing better facilities and with a view to resolving the problems at the local level. Now it has been suggested by my senior colleague, Shri Nawal Kishore, that because of the amendments that we have brought, it is therefore, and it means that we probably have made many mistakes. There were many things that needed to be corrected. First of all, I think all the amendment that have been brought forward are with a view to clarifying the position, with a view to allaying the apprehensions that have arisen which in our view were not correct, not reasonable. We thought that we should completely clear the position. Secondly, I am even willing to accept the argument that may be, there is a lacuna here, or, may be, there is a lacuna there, may be, we have made mistakes here or we have made mistakes there, because after all, it is a new thing, it is being experimented upon and it is possible some mistakes may be made. . .

SHRI NAWAL KISHORE : The whole thing has been done in haste. That is what I said.

DR. VIDYA PRAKASH DUTT : Well, haste is a relative concept. In the situation which I have described earlier where there are a hundred thousand students at your hand, where there is a phenomenal expansion which has taken place, there haste becomes a relative term. So what I was saying was I am willing even to accept that mistakes can be made. But that does not alter the basic rationale of what we are trying to do. I am very happy with your

suggestion that we should review the position after six months. Certainly we should review the position after six months or even earlier. We should try to find out better and better ways of doing these things. I do not have to repeat what the honourable Minister said. He has in fact dealt very comprehensively with the whole issue and you will see that assurance after assurance has been given on the floor of the House and in the Academic Council by the Vice-Chancellor, by myself and by all the others who have been involved in this process that there is absolutely no question of delinking that we want to strengthen the present structure of the Delhi University, that there is no question of changing the status and the shape of the Delhi University or changing their condition of service, but that what we are trying to do is something which we hope will improve the academic life of the Delhi University and tone up the academic administration. In fact, as probably some Members here know, I first made the suggestion at a meeting we had with the teachers' representatives that I am prepared to recommend to the Vice-Chancellor and the Vice-Chancellor was willing to agree to the suggestion that even if there are some more apprehensions left, let us continue to discuss the issue and in the meantime we shall not take any further step; we have taken one step and we will keep at that. Let us discuss and let us see if we can find an answer to the problems. Now it has been said by some friends, "Well, if that is so, then why don't you withdraw the Bill?" Now, we do not withdraw the Bill precisely because of what the Vice-Chancellor and I said at that meeting that we cannot pre-empt the issue. If you withdraw the Bill today, then you are pre-empting the issue, because the College Councils are created; the appointments of Chairmen that you have made will have to be terminated, then the whole issue in fact is back from where it started in June. Therefore, we said instead of pre-empting the issue we would like to be convinced that what we are doing is wrong; and so, let us discuss these things more. We also suggested, all right, even before the Bill is finally formally put before the House, if you have alternative suggestions to give us, please put them before us and let us consider these issues. It has been reported that there was another report of a committee that was established

by the Delhi University. Well, that report called for a central administration council. Now, a central administration council under the Vice-Chancellor in fact increases all the problems that we are trying to resolve; thit in fact centralises, not decentralises. Our objective has been to get decentralisation, not centralisation. But this proposal would have centralised, it would have changed the character of the Delhi University from that of a federal University to a unitary University. We *want* to retain the present character of the Delhi University. A question has also been raised about the cooperative post-graduate education. Sir, as I said, I am a teacher and I am essentially with teachers on all issues. After all, I am sure the hon. Members will agree that from our side there had been the minimum number of statements and minimum number of press interviews and briefings to the press. In fact we have been consistently refusing to meet the press because we did not want any misunderstanding to take place and we did not want that there should be confrontation between teachers and teachers in the university. I, for one, am fully in favour of the co-operative postgraduate educational system of Delhi university. This co-operative post-graduate educational system cannot, however, be achieved by stopping the recruitment of high-level teachers at the Delhi university. It cannot also be achieved by raising a new kind of apprehension among the university appointed teachers that the department may be dominated by college teachers. We have to find a fine balance. I suggest that

under the present system of education as it is developing now where more and more optional papers are offered at the post-graduate level there is little danger of college teachers being totally excluded from post-graduate education. I think there is lot of scope for them. I said to the teachers and I repeat it here that the main thing on which they should struggle is something else. I told them that the College Council is not a horse which needs

to be flogged or beaten mercilessly. The real problem that faces them is two-fold. One is the question of manner of representation of teachers in the various bodies of the university. They should concentrate on how to get teacher representation and in

what manner in the various bodies. We are all with them on this issue. The second thing on which they should concentrate is on how to strengthen the post-graduate co-operative educational system. These, I told them, are the two issues on which they should struggle. But I should like to know what has the post graduate co-operative education to do with the College Council. After all the College Councils neither promote nor demote post-graduate co-operative educational system. Post-graduate cooperative education exists independently whether colleges are there or whether they are not there. Therefore, finally I should like to make an appeal to the Members of the House and to my fellow teachers that nobody should do anything so as to create in this university confrontation between a teacher and a teacher. Nobody wants that. Nobody also wants that teaching or life in the university should be paralysed. Therefore, the entire university community should sit together and study the various problems facing them. But the moral authority and position of Vice-Chancellor should not be disturbed. Finally, this question must be divorced from politics. I am sorry to say that. But as an educationist I have to say that. . .

SHRI BHUPESH GUPTA : That is the usual thing. But the trouble is that Vice-Chancellor after Vice Chancellor comes to Lok Sabha and Rajya Sabha—the centre of politics.

DR. VIDYA PRAKASH DUTT : I am sure all the hon. Members understand what I mean. What I mean is that this question should be taken out of the purview of the cold war of political parties. It should be isolated from what I would call the chilly blast of narrow sectional interests—whether they are political parties or other similar groups. Delhi University should not become the cockpit of group rivalry. Let us not damage and destroy an institution which is fairly fine as it exists. And, Sir, let us not be crushed and let not the University of Delhi be crushed under the pressure of its own weight which would happen unless you bring about some kind of decentralisation and some kind of democratic decentralisation. Therefore, I suggest that the problems of the Delhi University should be viewed totally in the academic

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milieu and in the academic context and if we do so, I am sure, we will find the answer. Thank you, Sir.

MR. DEPUTY-CHAIRMAN : Yes, Mr. Thillai Villalan.

SHRI BHUPESH GUPTA : Sir, just a minute. What politics is it that the Delhi University should stop the study of the Russian History having promised the students that it would be continued at the post-graduate level ?

MR. DEPUTY-CHAIRMAN : Mr. Bhupesh Gupta, please sit down. This is not Question Hour.

SHRI BHUPESH GUPTA : I am asking the Pro-Vice-Chancellor because he gave the assurance to the students.

SHRI THILLAI VILLALAN (Tamil Nadu) : Mr. Deputy Chairman, Sir, today we are discussing the Delhi University (Amendment) Bill and also the motion moved by Shri Lai K. Advani disapproving the Ordinance. I will confine myself to the exact provisions of the Bill and also the Statement of Objects and Reasons. Sir, my approach is entirely different from the approach of the Members who spoke just now. I would like to request the honourable Members to excuse me for repeating certain lines from the Statement of Objects and Reasons.

First of all, Sir, the Bill is intended for reorganising the Delhi University. My humble submission would be that reorganisation of a University is not a small thing and it cannot be done by an amendment Bill. It is a very big work and it can be done only by a comprehensive Bill after a very long discussion by committees, by experts and by educationists. Further, Sir, at the request of the Education Ministry, a committee has been appointed to go into the question of reorganising the University as a whole taking all the problems concerning the administration of the University into account.

[THE VICE-CHAIRMAN (SHRI V. B. RAJU) in the Chair]

Here, Sir, our honourable Minister has taken only one aspect. He has stated that the committee has gone into the various problems including the problem of the relationship between the University and the Colleges. Sir, if I may say—it will be correct and also it will be relevant — that it is like the problem of relationship between the Centre and the States in our Constitution, because there is a warring attempt at gaining more powers by the States. There is this tendency prevailing in the States and at the same time, there is a tendency of concentrating powers in the Centre. So, Sir, this is a very big problem. But our Minister has attempted to rectify that through a small amendment Bill.

SHRI N. G. GORAY : He is only giving more powers.

SHRI THILLAI VILLALAN : I will come to that.

Now, Sir, they wait to give autonomy to the Colleges and decentralise all powers. So, this will lead to the other path also. Further, Sir, the Committee has recommended strongly two aspects. One is the concept of autonomous colleges and the other is decentralisation of administration. Here, for this purpose, the Bill attempts, through five provisions, to empower the University to set up one or more College Councils.

Another is to empower the Executive Council of the University, instead of the Court, to make new or additional statutes or amend the existing statutes with the approval of the Visitor of the University. Sir, my humble submission is that this is definitely a hasty attempt. As correctly pointed out by Shri Lai K. Advani, everything cannot be done by ordinances. Ordinances should be used sparingly only when there is an emergency or when the matter becomes imminent. Reorganizing a University is not an emergency work. It cannot be done within a month or two. The ordinance is a tool which can be used at the time of emergency. It is not at all necessary to use it here. We all know, Sir : No Haste, No Waste. That is the proverb which was prevalent in our country.

I am for quick implementation, but not hasty implementation of any recommendation. Sir, here from the very moment of introducing the Bill and up to this time, if we take it up step by step, we find how the Government is hasty in bringing this Bill and push through this Bill.

As they introduced the Bill here, consideration of the Bill was postponed. Then the Minister introduced the Bill and comes forward with amendments—amendments which are very material. This Bill itself is an amendment to the Parent Act. To that amending Bill he has come forward with so many amendments which are very vital, which are of far-reaching character I am not going into the question of reconstructing the administrative set-up of the University. This is entirely a different problem. I am not going into that. The original Bill is for reconstructing the basic, fundamental administration of the University. The amendments now brought by the Minister are basically for changing the character of the Bill itself. If one goes through the amendments, one finds that the Government is hasty; like the pendulum it goes here and there. If you read the original Bill, section 2(9A) says :

"to declare colleges conducting courses of study in the Faculties of Medicine, Technology, Music or Fine Arts, as autonomous colleges."

This is the original amending Bill. Now the Minister wants to introduce "to declare, with the consent of the colleges...". Now, Sir, first they want to arm themselves with so many powers. Then they want to appease the opposition. Now they come to the original stand. What happened to the Academic Council earlier? Why did you forget the Academic Council earlier? By this amendment you want to implement the recommendations of the Committee . . .

SHRI M. P. SHUKLA (Madhya Pradesh) : Sir, the hon Member should face the Chair, and not the House . . .

*(Interruptions)*

SHRI THILLAI VILLALAN : I am making by submissions through the Chair, Sir. Of course, I want to see the Minister

because he is responsible . . .

*(Interruptions)*

Sir, the Government has made a categorical statement that the Government's intension is not for changing the fundamental and original character of the administration of the University. But by this amendment you have taken the powers from the Academic Council. Now you come forward and say, "with the consent of the colleges . . .".

PROF. S. NURAL HASAN : Sir, on a point of clarification. Perhaps it has slipped from the memory of the hon. Member that the original Act said that statutes could be framed by the Executive Council with the concurrence of the Court. Now the intention was to take the power away from the Court. There was no intention at any stage to take any power away from the Academic Council. In fact this is what we seek to introduce.

SHRI THILLAI VILLALAN : No, Sir, I am not talking about the Court and the Academic Council. Now I am speaking about the declaration of a particular college as an autonomous body. You want the power to declare yourself without consulting the colleges first. That is in the original Bill. Now with your amendment you want to add "with the consent of the colleges". You leave the States and you want the powers for the Centre. That is a typical way of taking powers from the colleges.

PROF. S. NURUL HASAN : I am sorry, Sir, the hon. Member is as worried as he is about Centre-State relationship.

SHRI THILLAI VILLALAN : No, no, no.

PROF. S. NURUL HASAN : May I draw the hon. Member's attention to section 3? Section 3 does not give the power to Government; it gives to the university.

SHRI THILLAI VILLALAN : I am not worried about that. Simply for comparison I have mentioned. On; pagt 2....

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Your last point.

SHRI THILLAI VILLALAN : If the Chair wants to make it the last point, I will make it the last point. But if you want me to make it number two or three I will do so.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : It is a huge list.

SHRI THILLAI VILLALAN : If you want me to make it the last point then ! will make it the last.

On page 2 it is mentioned "to set up one or more College Councils". Now by the amendment they want to change the name into "College Administrative Councils". Now it further says "...for two or more colleges with such composition, powers and functions as may be laid down in the Statutes." I think this is merely for changing the name but not the powers, because the powers are not specified in the Bill but some other rules framed under this Act. I think the powers should be mentioned.

Then, Sir, though the Chair wants to make my point the last, I do not want my point lost in the House. It must be 1-a-s-t, not 1-o-s-t. Here I want to add one proviso; the Minister also wants the same proviso; the CPI leader, Mr. Bhupesh Gupta, also wants the same proviso to be added. If that proviso is added the whole character of the amendment Bill will be changed because all the problems which can be dealt with by the Bar Council are now included in the Bar Council itself.

SHRI LAL K. ADVANI : You mean College Council.

SHRI THILLAI VILLALAN : College Council, yes.

So, my humble submission would be, the amendment Bill is not enough for the reorganisation of the University. If the Government's intention is really to reorganise the structure of the administration of the University, it must bring a comprehensive Bill, saying that this is only a hasty implementation of the recommendation but not a quick implementation of the recommendation. Therefore, the Government should reconsider and bring a comprehensive Bill because this will attract one more amend-

ment Bill definitely with one or two amendments, after the re-opening of the University. Thank you, Sir,

4 P. M.

DR. V. B. SINGH (Uttar Pradesh) : Sir, as a practising University Teacher I thought twice, thrice and a ore than that before deciding to support this Bill.

SHRI MAHAVIR TYAGI : hope it is not Delhi University.

DR. V. B. SINGH: It does not matter. Universities constitute a fraternity and I belong to that fraternity.

SHRI MATI PLRABI MUKHOPADHYAY (West Bengal) : And you be long to the student's fraternity, Mr. Tyagi.

DR. V. B. SINGH : I have studied the various documents that have been circulated by the Delhi University Teachers, Association and also the memorandum submitted by the State unit of the Communist Party of India to the Education Minister of the Government of India and having considered all these documents. I have come to the conclusion that the Bill, although partial, halting, not comprehensive, serves the best academic interests and enhances the interests of the academic community of the Delhi University. It gives them greater opportunity for the improvement of the colleges, for the improvement of their professional attainments and for greater participation in postgraduate teaching. For these reasons I stand up to support this Bill and I will make a few observations.

My friend Comrade Bhupesh Gupta, will I hope appreciate the point when I say that quantitative change leads to qualitative change and the pro-Vice Chancellor of the Delhi University made quantitative expansion of the University in which the undergraduate expansion has been higher than postgraduate expansion and the enrolment of female students has been more than the male students creating thereby a problem of discipline and greater attention of the teacher to the students. Therefore this conflict which Dr. Dutt mentioned, centralisation of responsibility vs. federalisation of power has created a new situation in which



certain organisational changes have to be introduced. That I suppose is the basic intention of the Government and of the authorities of the Delhi University. As has been pointed out by a number of Members from the other side deliberations have not been adequate. An Ordinance has been issued and some people seek injunction against all types of Ordinances. It is my personal opinion that when grave problems are involved where social justice is involved where urgent action is involved, there is no other course open to Government when Parliament is not in session except to introduce Ordinances. It seems that the position was such that before the reopening of the University some administrative changes had to be brought in and that is why the Ordinance was issued. Personally I would have preferred that if preparations were made earlier and the thing finalised in March or April so that in the May session of Parliament a Bill could have been brought. But that is not the main point. Merely because changes have been brought about through an Ordinance is no criterion to declare that the Bill is inherently wrong. Now, the hon. Member from the DVIK party said that the very fact that the Education Minister had brought a number of amendments, suggested that the Bill had been brought in haste. My conclusion is just the contrary. The very fact that the Education Minister has brought a number of amendments shows that the intention of the Government is clear from the very beginning that the College Councils are going to be only administrative organs and not academic organs. When it was found by explanation and by argument outside Parliament the colleagues of the Delhi University were not convinced he thought that it was only proper that what was implicit should be made explicit through amendments to the Bill. Therefore those amendments have been brought in, just to allay the fears. The College Councils are in no way academic organs but they are purely administrative organs, and all academic decisions will be Subject to the overall control of the Academic Council.

Now, as I said earlier, since the University has expanded so much, there is such a thing as what we call in economics 'economy of scale'. The size of a unit may be too large to operate in a rational manner or it may be too small to operate in a

rational manner. In both the conditions some changes are brought about. In case it is large, then a certain degree of decentralisation is required. In case it is small, then a certain degree of integration is brought about. In this case it is a simple question of decentralisation which, in a limited sense, is synonymous with democratisation of the administration of the University, so that the colleges may be grouped on a zonal basis between the Executive Council, and the Executive Councils of the colleges. There is an intermediary body which coordinates and determines the administrative problems. I entirely agree with the teachers, demand that the colleges should be taken over by the University. But that is a separate issue. I do hope that when the Government of India brings forward a separate Bill which is a comprehensive Bill, this question will also be taken care of.

Now the amendments that the Education Minister has brought forward, they underline two basic issues. One is that the College Council is purely an administrative organ and two is that the interests of the college teachers will be fully protected. Now, after having protected the academic interests, after having protected the service conditions of the teachers and the opportunities for their professional promotions, I have no doubt that had my colleagues in the Delhi University seen these amendments on Saturday, they would have wholeheartedly supported this Bill. But there has been a time-lag between the circulation of the latest amendments and the information given to them, and therefore there was some misunderstanding on account of which there might have been a strike today.

Then there is a Statement circulated by one Shri Prem Sagar Gupta purporting to be Secretary, Delhi State Council of the Communist Party of India. In one paragraph he writes :

•It is all the more shocking to note that this Ordinance resurrects the long buried scheme of Gilpatrick and the Ford Foundation, (See Minutes of Planning Group, Delhi University 1964-67). As visualised by that scheme, this Ordinance seeks to demolish the Federal Structure of the University, to disintegrate the undergraduate and post-graduate

[Dr. V. B. Singh]

duate education so as to make undergraduate education substandard, and to disrupt the growing united democratic movement of teachers, students and employees of the University. Such a disruptive scheme from a former CIA Agent and an American Foundation is understandable. But it is outrageous that the same scheme is sponsored by the Government of India committed to different policies."

I beg to submit that surely there is a misunderstanding and the misunderstanding is on these scores, firstly that the College Councils should not be identified with the appointment of the Chairmen. Not today more than thirty years back, in Christ Church College Kanpur, there was a Principal—he has died since. He was my teacher. I do not want to mention his name. He did something which was disapproved by the nationalist students and the nationalist movement. Gandhiji came in favour of the student\* and spoke on the following lines—I do not remember his exact words because of the distant past—"If I were a student, I would not have studied in that college but, if I had a son, I would not have sent him to that college." If there are heads of institutions and they act in a manner which is against the declared goals of the State and the national movement, it is open for the democratic forces in the country to agitate against it. Why confuse the issue of names of the Chairmen with the introduction of this Bill because no Chairman is part and parcel of the Bill?

Lastly, Sir, and that is again related to a second misunderstanding in the statement of the Delhi Communist Party is the charge that the federal structure of the Delhi University is being destroyed. The Minister has said again and again that they have no intention to defederate the college from the university, although in Tokyo there are fifty universities, the number of students in each university being very large. Here the federal character of the Delhi University is being maintained. Only administrative reforms are being introduced and I am quite sure that Prof. Nurul Hasan will be the first person, as an academician, to say :

"No decision of the academic body is final." It is a question of trial and error. We may make some mistakes, but we are giving it a fair trial. In case the scheme does not work, new amendments and new Acts may be brought forward. With these words, I support the Bill.

SHRI BHUPESH GUPTA : Sir, some time back when the Bill was proposed to be taken up for consideration, I suggested that consideration be postponed with a view to facilitating discussion between the parties concerned, including the Government. My suggestion was fully endorsed by my colleagues in the Opposition and was also fortunately accepted by the Government, including the Minister of Education. Although I had not participated in any of the discussions that took place over this Bill, I was kept informed of the progress of the discussions that were going on between more than one Minister on the one hand and the representatives of the teachers and other opposition leaders and members on the other hand. Therefore, I am happy that the time has been fruitfully utilised and one result has been the series of amendments which our esteemed friend, Prof. Nurul Hasan, has been good enough to bring forward today. Straightway I say that insofar as the amendments go, I have no hesitation in supporting all the cyclostyled amendments that are there. I need not be a Pro-Vice-Chancellor for supporting such amendments. Now, Sir, these are amendments in a welcome direction and I think, by and large, they embody, though not fully at least the spirit of the discussions and the spirit in which the discussions had been held between the Government and the teachers and other interests. I know that full satisfaction has not been given in the proposed amendments, but it will be in correct and unrealistic to say that they have not made any difference to the original Ordinance or the Bill as proposed. That is why I would ask our friends of the Jan Sangh to consider dispassionately the Bill, as amended. Now, these are part of the Bill today. If you ask me about the original Bill, I would say straightway, reject that, i.e., the Ordinance as it is. The unvarnished Ordinance, without any of these cyclostyled amendments, would merit clear rejection from me. I would have no hesitation whatsoever in supporting the Resolution for

the rejection of the Ordinance. That is anyhow going to be rejected and it will be replaced by something else, but then it will not be replaced by a verbatim reproduction of the Ordinance in the form of a Bill. No.v, the Ordinance will go and in its place an Act would come which would incorporate some of the provisions of the Ordinance, of course, but also something more which is contained in the amendments of Prof. Nurul Haq who has just now brought his own amending Bill.

Also I am very glad to say that he has been good enough to accept, not so generously, in a niggardly manner, some of my amendments; he has been good enough. But there is one snag. I shall come to that later. This is how it should be taken as a whole. Sir, I am one of those who opposed the Ordinance. Our party as is well known was among the political parties to have come out first in forthright opposition of the Ordinance' not because it was an Ordinance, but because it was an Ordinance of this kind. We stand by that position. We are quite right in doing so and we do not regret it, whatever may be the advocacy of our Pro-Vice-Chancellor here. Mr. Dutt, for whom I have great abundant affection and even more goodwill, had asked me to keep politics out of the University. The trouble with our academicians is that whenever they get a chance, they enter politics, and here he is speaking in a political centre. What is Rajya Sabha if it is not a political centre?

DR. VIDYA PRAKASH DUTT : Is it a justification for bringing in politics?

SHRI BHUPESH GUPTA : Nothing is justified. All I am saying is, do not get upset by the sight of politics or the hearing of it. All I say is you should get used to politics, a little here. Since you have come to listen to politics there is no harm if you hear it for half an hour a day in the University also. There is no harm in it.

SHRI UMASHANKER JOSHI (Nominated) : You are a good advocate.

SHRI BHUPESH GUPTA : I do not know whether I am a good advocate, but some of our educationists are such good educators that if I am to throw myself open to their education, I should be a thoroughly

illiterate person from the point of view of the masses. Therefore, I am unlearning something and learning something. The school of life is the greatest university that one can study in. Here I should like to say that universities do deserve reorganisation and reforms, undoubtedly, and they certainly have to be reorganised keeping in view the academic interest.

But academic interest should not be divorced from our social objectives, should take into account the temper of the people, the society at a given stage, what are our objectives and how we set about in solving the problems of our life cultural, social, scientific, technological, and everything. Therefore, there must be a comprehensive, integrated outlook and approach in the field of education so that we mould our education in life with a view to meeting the challenges of our times. That should be done. A university must be enthused with a high sense of mission which must project into the future that is unfolding before our eyes, the future that we wish to make. Therefore, it is no use saying that politics must not be there. Who is today making the world divorced from politics ? You may not indulge in party politics; I can understand party politics in the narrow sense of the term, but how can you divorce yourself, your thinking, your faculties, your ideas, your conception, your moulding of mind, from what is going on in the world in the struggle of humanity on the one hand against nature and also in society against injustice and oppression on the other ? We should certainly take note of it. This is reflected in the academic life too in our universities and educational institutions. You cannot just escape, nobody can.

It is an objective of the law of life. You cannot escape from it. The Delhi University needs to be developed, the Delhi University needs reorganisation. I entirely agree. Now, why did we oppose that Ordinance at that time ? We did not like the institution of this College Council empowering it in such a manner as to cut at the root of the rights of the teachers or the teaching community. That is why we did not like it and we could not bring ourselves to appreciate the stand that was taken. The institution of the College

[Shri Bhupesh Gupta.]

Council and the method of its functioning, we thought, would have an adverse effect on the terms and conditions and emoluments of the teachers. That is why we were opposed to it. Today it has been clarified. Not only has it been clarified. Whom do you think you are deluding? Is it a clarification? At least our great teacher may not think that we are very learned men, but we know sufficient English to discriminate and differentiate between what it clarifies and what substantially it adds to something. Now, what you have brought in here is something which removes the fear in this connection. If you had that intention that you did not intend to do all these bad things, then the Bill need not be as proposed originally. Prof. Nurul Hasan was not new to that. The Bill was there. But what was written in Prof. Nurul Hasan's heart and mind was not written in the text of the Bill itself. People do not come with an X-ray and start reading his mind. It is not physically possible also. Anyhow, it is not open to the people. Therefore, we go by what was written in the Bill. I never question his intention. Did I question his intention? Never. You have been well-intentioned by these amendments which you have brought forward. Therefore, his *bona fides* could not have been questioned then and must not even now be questioned. In fact, when the teachers came to see me—I have been fighting for them in Parliament, I have spoken for the adjournment or the postponement of the Bill—I told them with reference to Prof. Nurul Hasan, "Do not question his *bona fides*, he is a well-intentioned man, an educationist and an honest man, and a man friendly to the world of education, to the teachers' community. Go and deal with him honestly and respectfully." That was my advice to them. And I have no hesitation in making that advice public before Parliament. I am not one of those who are afraid of praising a Minister when he deserves a little praise because I know—I will have a lot of occasions if Prof. Nurul Hasan survives in those Benches and if he is not given a political demise—to criticise him also. Therefore, I kept my criticism of him.

Then, another ground of criticism of the Ordinance was that it ran against some

of the principles. We thought that the Ordinance and the Bill originally proposed were trying to deal with university and college education by dividing the undergraduate and post-graduate studies. And my friend, the Vice-Chancellor, for him I have unlimited infection—it cannot be taken away however misconceived he may be on certain points. Well, he thinks that they have no connection. I differ. But he is a better, man in the educational sphere I know, he is better. But the other teachers do not share his views. How can you convince Bhupesh Gupta if you cannot convince the teachers in the University Campus that what you are doing is correct. Try to convince them before you seek our votes here. We shall vote with both hands. Why not talk to them? Call a meeting, convince them, seek their vote and ask them to raise their hands. I shall raise not only one hand but both my hands in support of you. (Interruptions) Do you mean to convince them? It is not for you to come here, praise the Government, spell out your ideas, and the Treasury Benches will applaud, thump the tables, and you will think that you have won the battle.

But the battle is lost in the campus. You have to win the battle among the educationists in the campus. Your stature must rise there also. As you rightly said, you have to develop a new type of equation between the teacher and the taught and among the academic community. Therefore, a man of your stature, a very dynamic, progressive-minded, youthful, forward-looking man, should always try to persuade his colleagues to come down to your viewpoint and argue with them, argue again and again before you try to convince those of us who are in the lag end of our life and certainly shall not enter a University. But that is another point.

Then, Sir, another ground of our criticism was to make all colleges autonomous. All the essential points of grave suspicion, misgivings from the text of the original Bill have been considerably refuted as a result of the amendments which are now proposed before us. I think Prof. Nurul Hasan has taken the views of others into account. He has done a good job. That is how a Minister should behave. There is no use just trying to cut the 'I' and dot the 'i'. It

is a good thing you have done a result of discussion for which credit must go to you and everybody who has participated in this discussion. It has been very helpful for Parliament, and I think we can all congratulate ourselves for it.

Sir, we object also to the promulgation of the Ordinance. That is not a good thing. Sir, the provision of the original Bill and the Ordinance were according to the scheme of the Ford Foundation. This Ford Foundation has stuck in our throat. *(Time bell rings)* Do not ring the bell.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : There is a long list of speakers.

SHRI BHUPESH GUPTA : Then you will take more time because the amendments are also there. One of the Chairmen of the College Council nominated so far is known to me for his close links with the C.I.A. American Foundation. That is Mr V. V. John. It is well known and no use denying it. The other is Mr. Shanti Narayan. With all respects to my friend, he belongs to the R. S. S. He is an R. S. S. man. Therefore, on the one hand is a C. I. A. man, a cloak and a dagger and on the other stands the R. S. S. man with the Indianisation threat. What shall I do ?

SHRI L. K. ADVANI : Prof. Nurul Hasan may enlighten you.

SHRI BHUPESH GUPTA : Prof. Nurul Hasan should take note of it. That is why our apprehensions came. Such are the people who are occupying key positions. Therefore, we felt there was no necessity for this Ordinance. Hence we object to it. Even now I think there is no need for the College Council and hence there is no need for clause 9 (b).

Here I should like to point out one thing. Prof Nurul Hasan has committed an original sin, and that sin is that he was a member of the celebrated Gajendragadkar Committee. He was a signatory to that Committee. Today his involvement has been so deep that this disengagement now becomes difficult. But then you can disengage. At page 9 the Gajendragadkar Committee reports says:—

"In our view, and taking into account the pattern of development of Delhi University, it would be on the whole an advantage if the present character of the University is maintained."

That was the Gajendragadkar Committee version. Sir, I make it clear that the Gajendragadkar Committee Report is by no means a holy Bible for me. I can tell you that much, and I would request Members of Parliament not to treat it like that. There may be one or two recommendations, or more, good in that. You can have your opinion. But teachers and others have very serious misgivings, doubt and even opposition in regard to many of the things said in that Report. That Report is highly controversial, to put it mildly. Therefore, let us not build our edifice of reform on the basis of the Gajendragadkar Committee Report. We can think afresh. We can take that Report into account and also other suggestions into account, and then come to our conclusion as to along what lines re-form laws should be formulated and brought forward before the country and along what lines the Suites should be directed to formulate their own laws on educational reform. We can do so. I would ask Prof. Nurul Hasan not to be dogmatic in this matter, not to be rigid. I am sure he is not rigid and dogmatic in this matter. But since he was a party to it, he should be all the more resilient, all the more flexible; his mind should be receptive to criticism; He has a receptive mind, I know; I know him not to-day but for some years. Therefore, I say, don't make it so. Let Mr. Gajendragadkar, if he wishes to, go on with this Report. But we shall use it, we shall refer to it, we shall go through it, we do not want to show disrespect to it.

*(Time-bell rings)*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Please conclude.

SHRI BHUPESH GUPTA : Don't do that : I will finish my version.

THE VICE CHAIRMAN (SHRI V. B. RAJU) : Please, you have to finish now.

SHRI BHUPESH GUPTA : No, Sir, I will finish my version.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : You have already taken 20 minutes.

SHRI BHUPESH GUPTA : I will have my say.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : You should co-operate with the Chair.

SHRI BHUPESH GUPTA : Yes kindly let me have my say. I do not come here to speak all the time, I have come here to speak on this, and kindly let me finish. Otherwise, you are not going to finish that Bill to-day.

SHRI NAWAL KISHORE : On a point of order, Sir. I have no objection if Mr. Bhupesh Gupta takes even two hours. But our difficulty is that when we speak, then there is always the ring from the Chair after 10 minutes. So, you should not make two standards in this House. Either you should have no time-limit or the same time should be given to me or to anybody else.

SHRI BHUPESH GUPTA : I did not object to your speech.

SHRI NAWAL KISHORE : I do not say that. It is not a question of you and me. There should be one common and uniform standard.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : I think the Member is right on this point.

SHRI BHUPESH GUPTA : He is very right.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : You must co-operate with the Chair, and your time . . .

SHRI BHUPESH GUPTA : No, Sir, time has not been allotted according to the party.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The Chair can regulate time.

SHRI BHUPESH GUPTA : Then we should go to the Business advisory Committee.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The Chair can regulate time. The Chair has to conduct the business of the House and regulate time.

SHRI BHUPESH GUPTA : That has not been fixed by the Business Advisory Committee. (*Interruptions*) I request the Chair to give me more time.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Please co-operate with the Chair.

SHRI BHUPESH GUPTA : I request the Chair to give me more time and to everyone of us.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : You have to co-operate with the Chair.

SHRI BHUPESH GUPTA : All right, the Chair will not have our co-operation.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Mr. Bhupesh Gupta, there is a long list of 10 more Members to speak. You are taking others' time.

SHRI BHUPESH GUPTA : All the time you have been doing it to us. When the Minister speak, never have I seen you do it. The day you do it to a Minister. I shall listen. Till you have done it to a Minister you should not do it to others.

SHRI LAL K. ADVANI : Sir, it is a pertinent point. He says he should be regarded as part of the treasury benches, as a Minister.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Mr. Bhupesh Gupta, the House also feels that you should conclude soon.

SHRI BHUPESH GUPTA : I will conclude when I will conclude. It is not a question of the House feeling. You are provoking the House. You are just provoking the House.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Let us not enter into an argument. Please go on and finish quickly.

SHRI BHUPESH GUPTA : You are just provoking the House.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : No. I am not provoking the House. The question is you should complete your speech immediately.

SHRI BHUPESH GUPTA : That is all right. Every single amendment shall be spoken *on ami on* every single amendment the House shall be divided and let us sit here. I shall see how long you can sit.

THE VICE-CHAIRMAN (SHRI V. B. RAJU). Let us not enter into a controversy.

SHRI BHUPESH GUPTA : But you are entering into a controversy with me when I said I was just finishing.

SHRI LAL K. ADVANI : He has given you, Sir, his rationale as to why he cannot be stopped.

SHRI BHUPESH GUPTA : You are entering into a needless controversy. Don't do this thing kindly. You can say that he has said this thing. I never object to it.

SHRI PITAMBER DAS (Uttar Pradesh); I do not understand why Mr. Bhupesh Gupta should every time repeat that he does not object to it. He has no right to object to what we say. When the Chair gives you more time or when you snatch more time than other Members, it is a clear case and everybody would object. . .

SHRI BHUPESH GUPTA : All right, then you object to it.

SHRI PITAMBER DAS : That is what we are doing now.

SHRI BHUPESH GUPTA : You also take more time. I will not object to it.

SHRIMATI PURABI MUKHOPADHYAY : At least by now Mr. Bhupesh Gupta should learn some manners in this House, not hoodwink the Chair.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : We shall not exceed the time allotted for this Bill.

SHRI BHUPESH GUPTA : How much time have you not wasted so far? By this time I could have finished my speech. You

have wasted my time. Who is wasting time ?

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : If every Member takes a stand as you do, what will happen ? Somebody has to regulate the time of the House.

SHRI BHUPESH GUPTA : You are regulating it all right.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : You have taken already 25 minutes.

SHRI BHUPESH GUPTA : Twentyfive minutes ! Twentyfive minutes is hell of a great time for this Bill.

SHRI JAGAN NATH BHARDWAJ (Himachal Pradesh) : Don't waste the time of the House.

SHRI BHUPESH GUPTA : Twentyfive minutes is not hell of a great time for this Bill.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Please go on and finish immediately.

SHRI BHUPESH GUPTA : You are unnecessarily wasting my time. You started the controversy with me and it led to the waste of time.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : You are not appreciating the difficulty of the Chair.

SHRI PITAMBER DAS : You will excuse me, Mr. Vice-chairman, realisation of helplessness is the best relief. So kindly feel relieved.

SHRI BHUPESH GUPTA : What is helplessness ? My honourable friend, Mr. Pitamber Das, is pleading helpless. You never controlled Dr. Mahavir. For a question on the Calling-Attention Dr. Mahavir has taken half an hour. Then I did not say anything. Dr. Mahavir has taken half an hour for a mere question. So twentyfive minutes is not a very long time. Since you are. . .

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Please go on and finish your speech.

SHRI BHUPESH GUPTA: . . . very much upset by it, kindly tell youi Secretary to tell us how much time each one of us can take. Before the end kindly tell us that. In future you ask your office to come and tell us how much time you give us and we shall keep to it . . .

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : We shall do it in future.

SHRI BHUPESH GUPTA: . . .but don't disturb us in the middle. And I hope the Jan Sangh friends will also remember when they start speaking for half an hour on the Calling-Attention, . . .

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Now please go on with your speech.

SHRI BHUPESH GUPTA : Now to conclude—in fact, I was-gcing to conclude when you started the controversy, sometimes something irritates one a little; and you have many qualities, I agree, and one of your great qualities is that you have successfully irritated me and I appreciate that point;— as far as the Bill is concerned, it gets very much amended in that form and I would only appeal to the Government to that would be an excellent lead given here in Parliament if the Government and teachers can come to an agreement. This is my first suggestion Government should not be rigid.

Equally I appeal to the teachers also. They should give up the present agitational approach in view of the attitude taken by the Government. It is not a negative attitude as the amendments themselves show. It is a constructive attitude and I must congratulate my friend Shri Om Mehta who personally met them and others also met them and talked to them. It is due to their effort. Prof. Nurul Hasan has taken special pains to discuss with many people in order to see that misgivings and fears are removed. I think we should appreciate such efforts. My appreciation is not enough. Teachers should also take not of it. When such is the response from the Government side, they should also develop a responsive chord. They should try to discuss this thing and give up this kind of agitational approach. Teachers should not play into the hands of disruptive elements. I know that some people are

interested in the disruption of the university. I hope the teaching community in Delhi for whom I have the greatest respect will not play in the hands of disruptive elements in Delhi, vvh.-ther in the university or elsewhere, but it would seek discussion and debate with the authorities have discussions with the teachers and not slop the dialogue they have strated, in order to bring about the comprehensive measures which are required for the reform of the Delhi University, and I have no doubt in my mind that they can arrive it a consensus for an agreed measure, with a view to finding common solutions for the common problems so that a really good and comprehensive reform measure is ultimated adopted for the university of Delhi. This is what we look forward to as far as this Bill is concerned. The Bill is not in its original form and amendments have come. I support these amendments; but still I feel that Council should not have been there. All the same, the development is good. The Minister's approach is good. I hope it will be carried forward and if it is done solution will not be difficult to find to the satisfaction of all concerned.

SHRI M. RUTHNASWAMY (Tamil Nadu) : Mr. Vice-Chairman, the only merit of this Bill is that it seeks to legitimise the Ordinance which was issued in connection with this matter. It is an attemptto make an honest woman of the Ordinance. Therefore I welcome it, as such. With regard to the substance of the Bill I have grave doubts about its utility. I was horrified to hear from a teacher of Delhi University that the number of students is about one lakh. That is why this reform measure has come before us. But how can it deal with the problem of numbers. Can this institution of College Council or as it is now called Administrative College Council in any way solve this problem of numbers ? If there has to be any solution to this problem of numbers, there should be half a dozen universities for the City of Delhi to deal with about 10,000 students each. Let us see how far this institution of College Council which is now called Administrative College Council tackle this problem. First of all this lead to confusion between individual College Council and this administrative College Council. It should be called the College Council, Administrative College Council, if it is to have any difference between the usual College



Council and this College Council. And, then, what are its powers ? We know nothing of its powers. What about the allocation of meaningful powers if this College Council is to serve any purpose ? If it is to serve any purpose, it must have an academic objective and it must aim at dealing with all those problems so eloquently pointed out by Prof. Dutt. For example, there is the problem of the ratio of teachers to students. Will this College Council solve this problem? Will it solve this problem by increasing the the ratio of teachers to students ? Will this College Council control the admission of students to the University and colleges in such large numbers ? While the UGC has not been able to limit the number of students to be admitted, while the Delhi University itself, with all its organisation, etc., has not been able to limit the number to be admitted to these Colleges, will the Administrative College Council do this ? What is this Administrative College Council ? The very word "administrative" means a Council which is going to be an office, an administrative office, a sort of minor bureaucracy. We do not know its powers and we do not know its duties. The Bill gives no information at all. The Minister says that all these things have to be settled by means of statutes and all these statutes are to be framed not by the Court, as the law of the University says, but by the Executive Council. This is allotting legislative powers to a executive body. No doubt, according to the amendment brought forward by the Minister, these statutes are to get the approval of the Academic Councils. But it is the Court according to the Act that is the authority to pass these statutes. So, we are asked to give a blank cheque to the University, to the Minister, to bring about what he calls a much-needed reform.

Then, Sir, there is the very title of Chairman. With due deference to you, Sir, and to those who occupy the stately chair, I must say that a Chairman has no executive power at all. He has to keep order in the Council and he has to keep order in the assembly. Some more executive title should have been given to the Chairman. He might have been called a Rector. If he is supposed to be equal in status to a Pro-Vice-Chancellor, why not call him another Pro-Vice-Chancellor and allot him these executive duties ? It is not executive work alone that is nece-

ssary to introduce reform in the Delhi Colleges, but it is necessary to introduce academic reform and academic changes. Now, this Administrative College Council where will it be stationed. Will it perform its functions inside the campus of the University or will it perform its functions outside situated in the area of a group of Colleges ? And, what are its functions going to be ? Will it deal with the problem of admissions ? Will it have any voice in the appointment of teachers ? Will it introduce an academic atmosphere in the colleges ? What are the functions that you are going to allot to these Administrative College Councils ? Has the Delhi University enough money to finance all these reform? that are necessary if this decentralisation idea is to have any meaning at all ?

Therefore, Sir, in view of these difficulties and objections. I do not expect much result from the institution of these Administrative College Councils and I do not think it will solve any other problem with which the University is confronted, the problem of numbers, the problem of teacher-student ratio, the problem of introducing an academic atmosphere, etc. According to the original idea, 'University' was a corporation of scholars and teachers.

Therefore, Sir, while I welcome this Bill, as I said, as regards the substance of the Bill I don't think it will solve any problem with which the Delhi University is faced.

SHRI P. N. BISI (Nominated) : Mr. Vice-Chairman, Sir, I am a nominated Member and I see there is no microphone attached to my desk. Perhaps, nominate! Members are expected to *pc>\k..(Interruptions)*.

AN HON. MEMBER : [t catches you voice... *(Interruption)* .

SHRI P. N. BISI : I am sorry I am joking. But as I do not like to enjoy the reputation of a mute Milton. I am standing here... *(Interruptions)*. This is again a joke here. That is a bad habit with me.

I congratulate the Education Minister for trying to tackle the most difficult problem of our days. He has been taking one by

[Shri P.N. BU]

one the Central Universities--first. Aligarh Muslim University, then the Delhi University. Perhaps some day he will come to Viswabharati University with which I have been connected for more than 60 years. Some people will think that it is again a joke. No, Sir, it is not a joke. As a very small boy I went there and my association with it still continues.

To be frank, I da n:>t kio.v m'Jc'i abojt Central Universities, except the Viswabhi-rati University. So today I shall speak in a general way about the academic climate of our Universities.

As I was listening to the speeches here--some learned, some good, some hot—I was feeling that there is something as hollowne;s about all these. Our University education is in a bad way. I am fortunately connected with a number of Universities, and I have gathered this experience that they need drastic, fundamental reforms. When we speak about education nowadays, the first thing that crops up in our mind is that there is student indiscipline, student corruption, mass copying in examinations, intimidation, violence and *gheravng*. All these are true. They are not to be defended, I do not defend them, but there is another side of the shield--sees in proper perspective and prooer place. It would be seen that the students have taken a page out of the university authorities. Universtiy authoritiesareequally corrupt, equally blamable and nobody speaks about it. That is why we feel hollowness about it. I do not mean that all the 80 universities are equally blamable, I mean many of the universities are blamable and the charges that I am going to read here are not true of all the universities, but some are true about some universities.

There is a nuclear weapon of autonomy in the hands of the university authorities. With this nuclear weapon, all nepotism and favouritism comes in. In former days they used to say that some inefficient fellow has crept in through the backdoor but nowadays they come through the front door of university autonomy, with flying colours and drums beating. Fortunately or unfortunately, I have been called to sit as an expert in Uni-

versities and my experience is this. I shall relate one exam^e. I am carrying this harden in my soul for long yeand I did not know where to unb irden it. Fortunately, lam hire before the highest tribunal of the nation and I unload it here. We made a unanimous recommendation. It was signed by myself, an expert, the Dean of the Faculty of Arts and the V ice-Chancellor, of the University. When th; case was presented to the Executive Committee, this Executive Committee said that both the candidates were equally good. So, there was no first recommendation and there was no second recommendation. Finally, they appointed the second one. When I came to kno>v, I told them there was a written recommendation of ours. The whole thing was quashed, another appointment was ordered and then came the nuclear weapon. They dropped this cantankerous expert and brought in a very obliging expert. Theyare obliging experts, who come in and who help in nefarious things, and then some extension lecture or some examination is given to them.

Then, there are teachers ..Suppose, \ am making a cap. There are many educationists here; please try to see whether the cap fits in the head. There are teacners who sell questions. There are teachers who traffic with examination results. There are teachers who traffic with examination results. There are teachers who accept illegal gratification from doctorate students that are under them. The authorities concerned know it, from top to bottom everybody knows it, but everybody is afraid. When I told them why they were afraid, they said something and kept quiet. Then I came to my senses. I felt that there must be som- collusion among them- This is the type of education. This is the type of climate.

I could have gone on for a long time but I am afraid of this bell of Mr. Vice-

Chairman. But I am not  
5 P.M. like Mr. Bhupesh Gupta, such  
a veteran member, that I can argue  
with the Chair. But please have one  
consideration for me. Think how many spee-  
ches I could have made which I have not made  
and how much time of the House I could have  
wasted which I have not wasted;

so have some consideration for me. Between these two evils, the corrupt student community—I do not mean all but many of them—and the corrupt authorities what chance has an unattached student got? When I say unattached I mean one who is unattached to any political party or union or some big brother, Unattached teachers who are merely scholars, who are very good teachers are looked down upon by everybody. They say oh, he is no good; he cannot argue with his superiors. Even the goddess of Learning herself has been placed in this position. When I listen here talk about personal contact between teachers and students, the ratio is 4,000 to one lakh; in Calcutta it is 2,000 and I do not know how many teachers. When I hear of reforming the examination system I am surprised but everybody knows that it is not possible in this setup. Everybody—I am using a Sanskrit word—is a *gyanpapi*.

SHRI MAHAVIR TYAGI : Please come to the Bill. It is the Bill that is to be discussed.

SHRI P. N. BISI : I do not mean to speak on the Bill. The whole thing seems so hollow that it is useless to speak on the Bill. Though I support the Bill, my only contention is that the Bill is not fundamental enough; it should be fundamental. Mere tinkering or changing a clause or two or accepting an amendment here or there would not do any good. Members may think that I am in a temper. I admit I am in a temper. All these things I had to carry all these years and I am fortunate that I am here today to unburden it. As regards the Bill I congratulate the Minister as I said before I began. With these words I support the Bill. Thank you.

श्री नागेश्वर प्रसाद शाही : उपाध्यक्ष महोदय, इसमें कोई दो रायें तो हैं ही नहीं कि प्रो० नूरुल हसन साहब बहुत ही भले आदमी हैं और उनके भले होने में कोई शक नहीं कर सकता है, लेकिन जिस सेट अप में वे हैं उस सेट अप में वह अपने मन की बात करते हैं या अपने अधिकारियों द्वारा की हुई चीज पर अपनी मुहर लगा देते हैं यह जरा समझने की बात है क्योंकि नूरुल हसन साहब के भले होने

में और उनकी ईमानदारी में, और जो सच है उनके उम पर अमल करने में कोई शक नहीं कर सकता है। मैं एक उदाहरण दे दूँ कि बड़ी डींग लोग यह मारते हैं कि सब कुछ सेकुलर होना चाहिए और कहते हैं कि हम तो बड़े सेकुलर हैं। अभी चार दिन पहले इन्होंने अलीगढ़ मुस्लिम विश्वविद्यालय के कोर्ट में जिनको भेजा है पार्लियामेंट से उनमें दस में से 8 मुसलमान हैं।

क्यों नहीं आप अलीगढ़ मुस्लिम विश्व-विद्यालय में हिन्दुओं को भेजते और क्यों नहीं काशी हिन्दू विश्वविद्यालय में मुसलमानों को भेजते हैं, अगर आप सेकुलर हैं और सचमुच में देश में सेकुलरिज्म लाना चाहते हैं और थोड़ी भी आपके पास ईमानदारी है और आप धर्म के आधार पर मुसलमानों के यहां मुसलमान भेज कर वोट-कैंबिंग डिवीजन नहीं एडाप्ट करना चाहते हैं तो यह क्यों करते हैं आप कि अलीगढ़ मुस्लिम विश्वविद्यालय में भेजना हो तो दस में से आठ मुसलमान भेज दें और काशी हिन्दू विश्वविद्यालय में भेजना हो तो सारे हिन्दू भेज दें।

श्री रणबीरसिंह : क्रिश्चियन भेजें।

श्री नागेश्वर प्रसाद शाही : क्रिश्चियन भेजें मगर मुस्लिम विश्वविद्यालय में मुस्लिम न भेजें और हिन्दू विश्वविद्यालय में हिन्दू न भेजें अगर सेकुलरिज्म की कुछ भावना है तो। यह जाहिर करता है इस चीज को कि यह कहां तक अपने इरादे में साफ है। यह से, इनसे से, मेरा मतलब सरकार से है, इनके इरादे में मैं शक नहीं करता, यह जो सेट-अप इनका है यह कहां तक अपने इरादे में साफ है यह मैंने आपको सामने रखा। जो यह अपना कर्म करते हैं उससे क्या साफ होता है।

मैं अपने कुछ साथियों के बारे में कह दूँ जो कि सरकारी बैचों में बैठे हुए हैं। आज इस विधेयक पर वोटें दूँ मैं उनके बारे में कह

[श्री नागेश्वर प्रसाद शाही]

रहा है जो कि विश्वविद्यालयों से सम्बन्धित है, जो कि विश्वविद्यालयों में प्राध्यापक है, उनके मुँह से निकल रहा है कि मेरी पूरी सहानुभूति दिल्ली विश्वविद्यालय के प्राध्यापकों के साथ है, टीचर्स के साथ है लेकिन उनके साथ सहानुभूति है और विधेयक का समर्थन कर रहे हैं। यह दुमुँही बात है, टूजरी बैचेज में जो बैठे हुए हैं वह ईमानदारी की बात जो कि दिल में है उसको भी कहने को तैयार नहीं। यही अवस्था हमारे प्रोफेसर साहब के साथ भी है, जहाँ वह बैठे हुए हैं वहाँ बैठ करके वह कभी भला कर ही नहीं सकते हैं, देशहित की बात वह कर ही नहीं सकते हैं, वहाँ तो दल-हित की बात है और दल-हित की बात मजबूरन वह करते हैं।

कहा यह गया कि जो संशोधन उन्होंने अभी प्रस्तुत किया है इस विधेयक में, उस संशोधन से इरादे की सफाई हो जाती है। मैं पूछना चाहता हूँ कि क्या यह इस बात को भी साबित नहीं करता कि आप जो विधेयक लाते हैं वह बिना सोचे समझे ले आते हैं और विधेयक लाने के बाद, आर्डिनेंस जारी करने के बाद, हफ्ते-महीने भर के अन्दर संशोधन ले आना पड़ता है। अगर आप सोच समझ कर लाते, मचमुच किसी इरादे से लाते तो तुरन्त आपको संशोधन नहीं लाना पड़ता। इससे तो दो ही निष्कर्ष निकलते हैं कि या तो आप बिना सोचे समझे ले आते हैं या आप मजबूर हुए वहाँ के प्राध्यापकों की हड़ताल से और आन्दोलन से संशोधन लाने के लिए। या तो आप यह स्वीकार करें कि अगर आन्दोलन नहीं होता, अगर दिल्ली विश्वविद्यालय के प्राध्यापक इस विधेयक के खिलाफ उठ खड़े न होते तो आप हाँगिज यह संशोधन नहीं लाते...

श्री रणबीर सिंह : सदन की सलाह से आया है।

श्री नागेश्वर प्रसाद शाही : तो मैं यह कहना चाहता हूँ कि यह संशोधन जो है वह दिल्ली विश्वविद्यालय के प्राध्यापकों के संगठन और उनकी शक्ति का प्रतीक है।

अब श्रीमन्, मैं कहना चाहता हूँ कि यह अधिकांश विधेयकों को आर्डिनेंस के बाद ले आते हैं और कहते यह हैं कि चूँकि जल्दी थी, हम चाहते थे कि इस शिक्षा सत्र के शुरू होने के साथ ही यह लागू हो इस लिए मैंने आर्डिनेंस जारी किया। किसने आपको रोक रखा था। मार्च अप्रैल के महीनों में आप विधेयक इसी रूप में ले आ कर पास करा लिये होते अगर आप इसी शिक्षा सत्र से शुरू करना चाहते थे। किसने रोक रखा था। तो आपका यह तरीका बन गया है, चाहे केन्द्र का हो चाहे राज्यों का हो, कि आप आर्डिनेंस के माध्यम से ही शासन चलाते हैं और आर्डिनेंस जारी करने के बाद फिर अपना विधेयक ले आते हैं कोई औचित्य उसका नहीं है।

अब श्रीमन्, देखें कि यह विधेयक करता क्या है? उधर सरकारी पक्ष की ओर से दलील दी गई कि इससे तो फेडरल कैरेक्टर बिल्कुल टूटता ही नहीं है, इससे डिसेंट्रलाइजेशन होता ही नहीं है, मगर मैं कहना चाहता हूँ कि यह कालेज कौन्सिल बनाने का मतलब क्या है? इन कालेज कौन्सिल को बना कर आप उन कालेजेज को विश्वविद्यालय से धीरे-धीरे अलग करना चाहते हैं। आप समझते थे कि सीधे से हम अलग कर दें, सारी व्यवस्था एक साथ अलग कर दें। शायद उसके विरुद्ध जो आन्दोलन खड़ा हो उसका हम मुकाबला न कर सकें इसलिए आपने धीरे धीरे वह कार्य करने की सोची और यह एक आपका कदम है, यह विधेयक कालेजेज को विश्वविद्यालय से अलग करने की ओर एक कदम है। यह आज जो कालेजेज का कांस्टीट्यूट कैरेक्टर है, विश्वविद्यालयों का जो फेडरल कैरेक्टर है, उसको बिल्कुल नष्ट करता है। उसको पूर्णतः

नष्ट करने की ओर यह एक जोरदार कदम है। मैं नहीं समझ पाता मेरे दोस्त कैसे दलील दे रहे हैं कि नहीं साहब, इससे तो फेडरल कैरेक्टर नष्ट नहीं होता। इससे, श्रीमन्, एकेडमिक स्टैंडर्ड भी गिरेगा। आज विश्व-विद्यालयों का शिक्षा स्तर जो गिरा है उसके ऊपर विचार करते समय यह राय जाहिर की गई कि चूंकि विश्वविद्यालय के पूर्व की शिक्षा का स्तर गिर गया है इसलिए विश्वविद्यालय की शिक्षा का स्तर भी गिरता जा रहा है और यह राय दी गई कि प्री युनिवर्सिटी एजुकेशन, विश्वविद्यालय की शिक्षा के पहले के दर्जे की शिक्षा का स्तर, भी ऊंचा उठाने की व्यवस्था हो तभी विश्वविद्यालयों की शिक्षा का स्तर ऊंचा हो सकता है। तो एक तरफ तो यह राय बनी कि प्री युनिवर्सिटी क्लासेज के स्टैंडर्ड को, उसकी शिक्षा के स्तर को, ऊंचा उठाया जाए तभी विश्वविद्यालय में शिक्षा का स्तर ऊंचा बनाया जा सकता है और दूसरी ओर यहां इस विधेयक के माध्यम से यह प्रयास हो रहा है कि अण्डर ग्रैजुएट एजुकेशन को पोस्ट ग्रैजुएट एजुकेशन से अलग कर दिया जाए। इसका एक ही नतीजा होगा कि शिक्षा का स्तर गिरेगा।

मैं श्रीमन्, मंत्री जी के इस ब्यान की ओर ध्यान आकर्षित करता हूं जहाँ पर मंत्री जी ने कहा है कि इस विधेयक को ले आने के बाद—there have been further consultations on the subject—यह भी इस बात का प्रतीक है कि प्रोफेसर साहब, आप पूरे, मुहम्मल, विचार विमर्श के बाद, इस विधेयक को नहीं ले आए थे। जब फर्दर कन्सल्टेशन कर के संशोधनों के साथ बिल आप ला रहे हैं, तो ये सारी बातें एक ही ओर इशारा करती हैं कि आप डिपार्टमेन्ट अफसरों के बने बनाये नुसखे पर चल देते हैं और हर्गिज यह कोशिश नहीं करते हैं कि पूर्ण विचार के बाद ही कोई विधेयक लाया जाय।

मैं इस पर भी मंत्री जी का ध्यान आकर्षित करना चाहूंगा कि आज जब एक तरफ

आप यह भी राय बनाते जा रहे हैं कि विश्व-विद्यालयों की व्यवस्था में विद्यार्थियों को भी अधिकार दिया जाए, उनकी भी सम्मति ली जाए, विश्वविद्यालयों की कार्य समितियों में उनके प्रतिनिधियों को भी रखा जाए, तब क्या कठिनाई थी अगर आप दिल्ली विश्वविद्यालय विधेयक को ले आने से पहले विश्वविद्यालय के प्राध्यापकों से भी राय लिए होते।

आज जो माहोल पैदा हो गया है, कैम्पस में जो कुछ हो रहा है, उसके होने की नीबत नहीं आती। तो आप जिस धारा की ओर चलते हैं, जहाँ आप एक तरफ विद्यार्थियों के प्रतिनिधियों के रखने की बात करते हैं वहाँ पर विश्वविद्यालय के बारे में कोई चीज फैसला करने से पहले वहाँ के प्राध्यापकों से राय नहीं लेते हैं, उनसे मशवरा नहीं करते और उन से सलाह करना उबिन नहीं समझते हैं।

श्रीमन्, जैसे मैंने पहले कहा था और विद्वान प्रोफेसर साहब ने एतराज किया था, आपने जो ड्राफ्ट सकुलेंट किया है नए स्टेच्युट के बारे में उनसे कुछ झलक मिलती है कि आपके विधेयक की मन्शा क्या है। अगर आप इसमें देखेंगे 10-वी (2) में जिसमें कालेज कौंसिल्स का कम्पोजिशन दिया हुआ है, उसमें आपने नम्बर तीन में दो विद्वान प्राध्यापकों को और नम्बर चार में चार एजुकेशनलिस्टों को रखने की व्यवस्था की है।

Four educationists not being employees of the University or of college of whom two shall be nominated by the Visitor and two by the Executive Council.

**प्रो० नूरुल हसन :** कितने नौमिनी में कितने ?

**श्री नागेश्वर प्रसाद शाही :** मुझे आप कहने दीजिये। यह आपका कम्पोजिशन है जो यह जाहिर करता है कि आपने अलीगढ़ में जो कुछ किया है जिसके बारे में मैंने इशारा

[श्री नागेश्वर प्रसाद शाही]

किया था कि आप सरकारीकरण की ओर बढ़ रहे हैं। आप सरकारी नौमिनी और सरकारी लोगों की संख्या इन संस्थाओं की इंतजामियाँ कमेटियों में बढ़ते चले जा रहे हैं। जिस तरह से दिल्ली में चन्द दिन पहले हैल्थ के सम्बन्ध में एक स्थानीय कांग्रेस के आदमी को एक्सपर्ट के नाम पर आपने एपाइन्ट कर दिया, उसी तरह से एजुकेशन में एक्सपर्ट के नाम से आप अपने लोगों को नामिनेट कर देंगे। जिस तरह से आपने किमी भी आदमी को हैल्थ एक्सपर्ट के नाम से नामिनेट कर दिया है, उसी तरह से आप इन कमेटियों में भी इसी तरह के एक्सपर्ट्स रखेंगे। यह जो आपके हाथ में नामिनेट करने की ताकत है उसके द्वारा आप किसी भी आदमी को एजुकेशनलिस्ट के नाम पर नामिनेट कर सकते हैं क्योंकि आपने एजुकेशनलिस्ट की कोई परिभाषा इसमें नहीं दी है और कोई भी इसके अन्दर लिया जा सकता है। मैं यह कहना चाहता हूँ कि यह जो कार्य सरकारीकरण का किया जा रहा है, शिक्षा संस्थाओं में, वह घातक बात होगी। एक ओर आप कह रहे हैं कि हम स्वायत्तता प्रदान कर रहे हैं, आटोनोमी दे रहे हैं, जैसा कि आपने अपने उद्देश्य में कहा है और दूसरी ओर आप इन्तजामियाँ कमेटियों में अपने लोगों की संख्या बढ़ाते चले जा रहे हैं। इस तरह से जो 6 व्यक्ति होंगे, वे शुद्धतः आपके इशारे पर कालेज बोर्ड्स में नामिनेट होंगे। इसी तरह से चेंबरमैन नामिनेट होगा और चेंबरमैन का भी ऐसा ही है कि आप अपने लोगों को रखेंगे।

इसके साथ आपने पांच 'बी' में यह कर दिया है।

"VB. The Chairman of each College Council shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor."

और फिर आपने कर दिया है—

"Provided where the recommendation of the Vice-Chancellor is not acceptable to the Executive Council, the matter shall be referred to the Visitor who may appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council."

आप क्यों नहीं तीन व्यक्तियों का नाम रिकमेंड करवाते हैं, आप क्यों वाइस चांसलर साहब से एक व्यक्ति का नाम रिकमेंड करवाते हैं? अगर आप यह कर देते कि वाइस चांसलर तीन व्यक्तियों को रिकमेंड करे और कार्य समिति तीन में से जिसको चाहे चुने, तब तो कार्य-समितियों को अधिकार होता। कार्यसमिति डिफर करती है, स्वीकार नहीं करती है तो आपने अधिकार दे दिया है विजिटर साहब को और वह अधिकार घुमाफिरा कर आपके पास ही आता है क्योंकि विजिटर का मतलब होता है आपसे। इस तरह आपने जो व्यवस्था की है उसके अन्दर धीरे-धीरे सारा शासन-सूत्र और इन शिक्षा संस्थाओं का इंतजाम आप अपने हाथ में सरकारीकरण के द्वारा लेते चले जा रहे हैं और अपने लोगों को, हारे हुए राजनीतिज्ञों को एजुकेशनलिस्ट करार देकर इन शिक्षा संस्थाओं की प्रबन्ध समितियों में बैठाने जा रहे हैं।

इन शब्दों के साथ, श्रीमन् मैं यह कहना चाहता हूँ कि यह विधेयक साफ-साफ तौर पर विश्वविद्यालयों के प्राध्यापकों के साथ घोर अन्याय करता है और इन शिक्षा-संस्थाओं का पूर्णतः सरकारीकरण करता है। इसलिए मैं इस विधेयक का विरोध करता हूँ और आडिनेंस को निरस्त करने वाले प्रस्ताव का समर्थन करता हूँ।

TROFESSOR RASHEEDUDDIN KHAN (Nominated) : Mr. Vice-Chairman, Sir, we meet here under a cloud of despair and mistrust, Teachers of one of the leading universities in the country—the University of Delhi—are on strike. As an old *alumnus* of that University, as a member of the Faculty of a sister University, the Jawaharlal

Nehru University, as an educationist and as a member of this House, I feel unhappy that under these circumstances we are called upon to discuss the merits and otherwise of this Amending Bill. The real problem that we ought to discuss is not the problem of *ad hoc* piecemeal reform but of comprehensive reforms. With the Education Minister that we have at the helm of affairs with his wide experience of university affairs, we have to address ourselves to the larger and more basic and interlinked problem of the restructuring of the process and methods of education in this country. I particularly implore my learned friend, Professor Nurul Hasan, the Honorable Minister of Education that there is a clear and present need for an overall radical change in the educational structure in consonance with the necessities and demand of bringing education in tune with the problem of national development. All of us have been saying this quite so often. But no concrete and tangible steps have been taken. Committees after committees have been appointed and tonnes of reports have been accumulated, but to no avail. A fresh look is called for to make education an instrument of socialist transformation of society, a problem which I had occasion to mention in this house earlier.

Sir, I share the concern of this House about the Ordinance. No Ordinance ought to be promulgated for such a basic change like an educational change. As it is, an Ordinance is an Ugly, hesitant and not quite a democratic instrument of change. I am happy that the Minister himself has mentioned that certain compulsions made him pass the Ordinance. I may be pardoned if I maintain that I remain unconvinced about those compulsions. I think instead of an Ordinance, this change could have been brought about through a regular bill before the house. However, I do understand and appreciate the compulsions under which the Minister works. I hope in future we shall not have any Ordinance for educational reform because it does not serve but on the contrary defeats the salutary purpose for which it is brought about.

Apart from these things, let us examine the issues at stake. The sum and substance of the Bill is that College Administrative Councils as per the revised amendment, are

to be constituted. I am happy that the Minister of Education like an old democrat has continuously responded to the enlightened opinions of the teachers and others. He has kept his eyes and ears open. Even now he has shown his willingness to modify the bill by recommending certain good amendments, which would change the entire structure as it was originally conceived. Therefore, I think that with the amendments that he has himself proposed together with the amendments that he has approved as moved by my honorable friend, Mr. Bhupesh Gupta, the Bill has also undergone a substantial change.

Sir, I would say that the Bill tries to improve the structural organisation of one of the biggest Universities of the country. As my friend, Professor Vidya Prakash Dutt has rightly pointed out neither the federal character nor if you please the confederal character can be maintained if we have 97,000 or 1 lakh students on the rolls. It is impossible to maintain the organic character of education which is a most necessary thing to be maintained if the teacher-taught ratio is as adverse as it is in the University of Delhi.

Therefore, the teachers of the University, the members of the Faculties of the University must address themselves to this urgent task. Have they proposed some alternative strategy? Have they applied their mind over the years? After all, the number of students, colleges and teachers has been increasing from 1960-61. The number has increased in a phenomenal manner. What have my good teacher friends been doing all these years? Why should we only act and react to any Education Minister? Why should we only act and react to any Bill? The teachers are called "engineers of the soul," "the architects of the mind." Let them live upto this designation. I would respectfully suggest that they must apply their minds to a constructive proposal of structural change in the Delhi University because, under the circumstances, I think no better alternative arrangement could have been conceived except the organisation of College Administrative Councils, in order to partially solve one major problem. This will not only delink as apprehended, but I submit, it will relink in a most organised way the 40-50 colleges including about 65,000 students, and 4,000

[Prof. Rasheeduddin Khan]

teachers, with the University bodies and authorities.

Sir, the main objections to the Bill are four. Firstly, it has been mentioned that it will delink under graduate teaching from the post-graduate teaching. I am not convinced about this because Post-graduate teaching, in a way is already delinked. After all, what is the percentage of the College teachers who are called upon to take postgraduate classes ? Not more than 5-10 per cent of the 4,000 teachers. Therefore, to over-emphasise the fact that by the establishment of the College Administrative Councils the opportunity for post-graduate teaching would be denied is not a very adequate charge.

Secondly, it was mentioned that the scales of salary will be changed. About this also I am not convinced. The Minister has very rightly pointed out that the statutes of the University provides and, above all, the U. G. C. provides the rules governing the scales and salaries of the teachers. This is not controlled by the establishment or otherwise of the college Administrative Councils.

Thirdly, it is mentioned that the federal character of the University will undergo a change. Even about this apprehension I am not convinced. The federal character has been already impinged upon by the increasing numbers because how can you maintain the federal character if the University is spread over 18 sq. miles with college near the Jawaharlal Nehru University on one side of the city and another college in Model Town on the other end of the city. After all, Sir, the post-graduate teaching can be done better if the colleges are around a single campus. Hence I will say that the emphasis on federal character is a tautology, a slogan which, if examined most carefully, is not changed by the Amending Bill.

The fourth objection is that the under-graduate teaching will be so completely delinked from the post-graduate teaching that the quality of education will come down. Here, Sir, as an old teacher. I would submit something for the consideration of

the House. When the Agra University was established way back in the third quarter of the 19th century, it also used to conduct examinations for High Schools. As the number of students increased the High School Boards were established. I would say the teachers must consider this problem that if the numbers of students are increasing, and happily so because in a democracy we have to educate our youth and, therefore, the numbers will go on increasing then is it possible for a single University to control the examination pattern, courses and curricula and maintain a happy ratio between the teacher and the taught ? Either we must multiply the number of Universities or if the same Universities are to be maintained then some administrative measures are to be introduced which should have organic link between the under-graduate teaching and postgraduate teaching.

Therefore, Sir, frankly and truly I can put my hand on my heart and say that I do not find the objections raised by the teachers Association of Delhi worthy of consideration of an old teacher. I think what they can object to is that Delhi University has become so unwieldy that maintenance of standards have become difficult.

In conclusion I will only say that now that the Ordinance has been transformed into a Bill and acquired a more democratic form, and that the original Bill has also been changed in order to accommodate public opinion. I hope that my friends and colleagues in the University of Delhi will give a fresh look to the proposal and withdraw their strike and go back to their lecture-rooms and colleges, because in a participatory democracy, strike alone is not a good instrument of change. While some trade union activities must be adopted by the teachers—I am an old trade unionist myself—but more than the trade union activity, a constructive and organised approach is needed. I implore the Vice-Chancellor to initiate a dialogue, because as the Minister has correctly pointed out, this is only an enabling Bill and it does not prevent the University from coming to terms with the demands of the teacher. I am sure the Vice-Chancellor and the Pro-Vice-Chancellor will initiate a dialogue and nothing will be implemented without the concurrence and



consent of the teachers. Thank you.

SHRI LAL K. ADVANI : Mr. Vice-Chairman, Sir, I will start with Mr. Rasheeduddin Khan's speech. I am inclined to endorse his view that nothing should be done in this regard without the concurrence and consent of the teachers concerned. I am sure that of the whole matter had been placed before the teachers in the proper light, if the amendments that have been brought to-day had been placed before the teachers at an early stage or when the whole Bill was being conceived, the teachers may have had a different reaction. Maybe they could have suggested something else in the new amendments which might have averted the crisis that has emerged to-day. But things being what they are, we have to see the whole matter in that light. And seeing it in that light and even after hearing the hon. Minister as well as the Pro-Vice-Chancellor, Mr. Dutt, I am still of the opinion that the issuing of the Ordinance was a wrong measure. Now, the Ordinance itself was a half-baked, hasty measure which should not have been brought in the first place. And even after it has been brought, I see no reason why the matter should be persisted with in the manner in which it is being persisted with.

Sir, somehow no one has yet answered the question why, even if the measure is right, it should be imposed and thrust upon the teachers. That is the most pertinent question to which I would seek a reply from the Minister when he replies to the debate. Why is the measure now being thrust upon the teachers, an unwilling body of teachers, a reluctant body of teachers, who have almost unanimously, if not unanimously, protested against it, who do not want this measure? Why is it nevertheless being thrust on them? I said that the whole issue has become a matter of prestige, and the Government and perhaps the Vice-Chancellor are insisting on the issue only because they think that it is a matter of prestige for them. I would like to know how I am incorrect in this reasoning. On the face of it, I feel that the heavens are not going to fall if this Ordinance, which at the outset was ill conceived and which by virtue of the amendments now accepted has undergone a radical change, is left to lapse. What is going to happen? As the Minister said,

the object in bringing this ordinance was to have the institution of College Councils set up before the new academic year started. Now several months have passed after the start of the academic year, but the institution of College Councils has not come into being.

It is only because the teachers are opposed to it. This is the main reason. And the teachers continue to be opposed to it. What happens now? Even if the Bill is adopted what will happen? Here we have adopted the Bill. This Bill goes to the other House and the other House also adopts it. What happens after that? Do we want to impose it upon them in spite of their reluctance? If the institution of College Councils does not work, then it becomes an exercise in futility. And even if it works, even if it starts working somehow, by pressure or by some other such means, I would call it an exercise in *ad hocism*.

[THE VICE-CHAIRMAN. (SHRIMATI PURABI MUKHOPADHYAY) in the Chair]

Because, Mr. Rashiduddin Khan just now said that it would be proper for the Minister to bring forth a comprehensive scheme of reform, a comprehensive scheme of reorganisation, I would like to state my important objection to this Bill and that is this a piecemeal act of legislation. This is a piecemeal act trying to restructure the University whereas I understand that a comprehensive scheme of legislation pertaining to the Delhi University is on the anvil and the Education Minister does propose to bring it. It would be in point and in place if this scheme of College Councils and the alternative scheme of College Councils proposed by the DUTA-I understand they call it a scheme, they call it the Central Council of Administration; Mr. Dutt says that it would lead to centralisation; maybe, he is correct in it; I think that their scheme the scheme of Central Council of Administration which is to act as a buffer between the central authorities of the University and the units, namely, the colleges and the departments, this should also be examined, and when a comprehensive Bill is brought before the House, this scheme of the DUTA as well as the College Administrative Councils now being introduced through this Bill, they can be weighed and this House can

LShri Lai K. Advivii]

consider it without any burden, without any compulsion, that if we accept this Bill the DUTA suffers; if we reject this Bill, then the prestige of the honourable Minister or the prestige of the honourable Vice-Chancellor suffers. No prestige issue is involved. Therefore, I would humbly plead with the honourable Minister even at this late stage, considering the unanimous opposition of the DUTA and the teachers' body, it cannot be dismissed saying, "After all there are other teachers also". To my objection that six teachers had resigned from the Academic Council—all the teachers' representatives had resigned from the Academic Council—the honourable Minister pointed out to me that I was trying to delink the college teachers from the University teachers. I only pointed out that these are elected representatives of the Academic Council whereas the other teachers who are on the Academic Council are there ex-officio. These six teachers who have resigned, have a special status in that body being the elected representatives of the teachers and I found even in the University Act where the mention is made of the composition of the Academic Council—it is in the beginning, and the items mentioned are: 6 professors, 15 members, etc. etc. whereas in the 8th item it is written, 10 teachers of University elected from amongst themselves by the teachers. I was referring to this category of teachers who had resigned in protest against this Bill. I think that their opinion should be given due weight. And if we give their opinion due weight, we would come to the conclusion that having erred in the beginning, having bungled in the beginning—we have done it so, there is no doubt it—it is futile to say that these amendments are merely making explicit what was implicit in the Bill. It is trying to deceive ourselves and trying to deceive the House because I have seen the statutes that have been issued after this amendment. And these statutes specifically mentioned in the powers of the College Councils, several of the powers that are now sought to be excluded from the purview of the College Councils by virtue of this amendment so that the original College Councils that were contemplated both by the amendment, by the Ordinance as well as by the replacing Bill, those College Councils today stand whittled entirely. And I am happy over

the amendment that has come. But even after my happiness I think that nothing should be done which would seem to be an imposition by the majority of Members of this House on the will of the teachers. And in the manner in which we are proceeding, this is bound to happen.

This is sure to happen. Therefore, once again I would plead with the hon. Minister to allow this Ordinance to lapse. I would appeal also to the DUTA to keep an open mind on the issue of College Councils. They are agreed that there is need for decentralisation of the university administration. Having agreed to that, whether the College Council is the proper method for bringing about decentralisation in the administration or their own scheme is more prudent and sound, is a matter for examination and negotiation between the university authorities and the teachers. I am sure the DUTA would be open to conviction. If the Government give them an opportunity for mutual negotiations, I think things would turn out very well.

PROF. S. NURUL HASAN : I have already answered most of the points and it would not be proper for me to take more time of the House. I would like to give a categorical assurance that I am not taking a dogmatic view, nor have I ever had the intention of taking a dogmatic view. If after seeing the functioning of these Councils it is felt that some change is needed for some other method is better and worth while, I would have no hesitation in coming before the House. I claim to be a teacher. A teacher is one who is a lifelong student who keeps on correcting himself. I have never claimed—I hope a day will not come when I will claim that—that all wisdom lies in my head. I have during this period learnt greatly from my hon. friends in Parliament and from innumerable teachers whom I have met. It is a constant process and that process should go on. I also wish to make it quite clear that our intention is not to set up a large number of Councils. I know the mind of Vice Chancellor and I do not think that he has had at any time the intention of setting up a very large number of Councils. But even assuming for argument's sake that a proposal comes to that effect, I will have no hesitation in advising the Visitor not to agree to such a proposal. . .

SHRI MAHAVIR TYAGI : The Bill says that one or more College Council\* for two or more colleges can be set up. According to this provision one College Council can be set up for two Colleges, although the original recommendation of the Committee was only for two Councils.

PROF. S. NURUL HASAN : That is why I am giving this assurance. It is a very serious matter. For one thing there is no intention on the part of anyone to propose a very large number of Councils. But even assuming for argument's sake that such a proposal comes, to become effective it must receive the approval of the Visitor and I can give this assurance that I will not advise him to give his approval to it.

SHRI MAHAVIR TYAGI : How many Councils are going to be created ?

PROF. S. NURUL HASAN : There is a proposal for three at the moment. But may be one more can come. There is no question of anything more than that. I would also like to give this assurance in connection with what has been said by my hon. friends Shri Advani and Shri Bhupesh Gupta, that I am all in favour of a continuing dialogue between the Vice Chancellor and the teachers. I only hope that the teachers will not stand on prestige. I think as a teacher of 30 years standing I have this right to say that a teacher who stands on prestige is not acting according to the best traditions of his profession. He should always have a resilient mind.

And, Sir, he should have the capacity to learn and the capacity to adapt himself to the changing situation. I have every hope that my colleagues, the teachers of the Delhi University, will coolly look at the whole problem, will hold consultations with the Vice-Chancellor, with the Pro-Vice-Chancellor, and with the other Members of the Academic Council of the University and will be able to suggest such concrete changes as this Bill would enable them to make and as would be in the best interests of the University and its students.

Madam, with these words, I request that the Bill be taken into consideration.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

"That this House disapproves the Delhi University (Amendment) Ordinance, 1972 (No. 5 of 1972) promulgated by the President on the 22nd June, 1972."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

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

*The motion was adopted.*

SHRI MAHAVIR TYAGI : Before we proceed further, I want a clarification on amendment No. 1. It says, "for the words 'to declare', the words 'to declare, with the consent of the colleges concerned', etc. Now, consent of the colleges means all the colleges or the managing bodies of the colleges ? It must be clarified. "Colleges concerned" means what authority ? Therefore, you correct it and say "the managing body of the college".

PROF. S. NURUL HASAN : I think the honourable Member would read further. It says, "in the manner specified by the Academic Council".

SHRI MAHAVIR TYAGI : What is the consent of the college ?

PROF. S. NURUL HASAN : That is something that has to be prescribed by the Academic Council.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : Now, let us take up the clause-by-clause consideration of the Bill.

*Clause 2.—Amendment of Section 4*

PROF. S. NURUL HASAN : Sir, I beg to move :

1. "That at page 1, line 10, *for* the words "to declare" the words "to declare with the consent of the colleges concerned, in the manner specified by the Academic Council", be substituted."

PROF. S. NURUL HASAN : Sir, I beg to move :

3. "That at page 2, line 1, *for* the words "College Councils" the words "College Administrative Councils" be substituted."

SHRI BHUPESH GUPTA : Sir, I beg to move :

2. "That at page 2, lines 1 to 3 be deleted."

*The questions were proposed.*

SHRI BHUPESH GUPTA : Sir, my amendment is to sub-clause (9B). These lines may be deleted. It is a very simple thing and I need not speak very much on it. I have already spoken on it. I want the idea of College Councils not to be encouraged and, in fact, to be abandoned, if possible. But, Sir, I find from the amendments given by Prof. Hasan that he is not prepared to abandon them, but he is prepared to call them as Administrative Councils. Therefore, Sir, he should accept my amendment. If you call it as the Administrative Council you have no difficulty in accepting my amendment, why bring in something else ? My amendment accords with his logic. So, I move my amendment. Let it be recorded. Now I find he is coming close to me. He will not accept my amendment. But, Sir, it will be a good gesture if he accepts it.

PROF. S. NURUL HASAN : Madam, I am very sorry I am unable to accept amendment No. 2 of the honourable Member.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is:

1. "That at page 1, line 10, *for* the words "to declare" the words "to declare, the with, consent of the colleges concerned, in the manner specified by

the Academic Council," be substituted".

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

2. "That at page 2, lines 1 to 3 be deleted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

3. "That at page 2, line 1, *for* the words "College Councils" the words "College Administrative Councils" be substituted."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

"That clause 2, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

*Clause 3.--Amendment of section 28*

PROF. S. NURUL HASAN : Madam, I move :

4. "That at page 2, lines 9 and 10, *for* the words "College Councils" the words "College Administrative Councils" be substituted."

SHRI BHUPESH GUPTA : Madam, I move :

5. "That at page 2, lines 9 and 10 be deleted."

*The questions were proposed.*

SHRI BHUPESH GUPTA : My war is with the words "College Councils". I propose that at page 2, lines 9 and 10 be deleted. I need not make a speech.

PROF. S. NURUL HASAN : Madam, I am sorry I cannot accept his amendment.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

"That at Page 2, lines 9 and 10, for the words "College Councils" the words "College Administrative Council" be substituted."

*The motion was adopted.*

*\*The Amendment (No 5) was, by leave withdrawn.*

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

"That clause 3, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 3, as amended, was added to the Bill.*

*Clause 4—Amendment of section 29*

SHRI BHUPESH GUPTA : Madam, I move :

6. "That at page 2,—

(i) Line 13, for the words "Executive Council" the word "Court" be substituted;

(ii) line 15, for the words "Executive Council" the word "Court" be substituted;

(iii) line 20, for the words "Executive Council" the word "Court" be substituted; and

(iv) lines 23-24, for the words "Executive Council" the word "Court" be substituted."

I beg to move :

"That at page 2, after line 20, the following further proviso be inserted,

♦For the text of amendment, vide col 228.supra.

namely :—

'Provided further that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any Statute affecting all or any of the following matters, namely :—

(i) the constitution, powers and duties of the Academic Council, and the other powers which may be conferred, and duties which may be imposed on the Academic Council;

(ii) the authorities responsible for organising recognised teaching in connection with the University courses;

(iii) the withdrawal of Degrees, Diplomas, Certificates and other Academic distinctions;

(iv) the establishment and abolition of Faculties, Departments, Halls, Colleges and Institutions;

(v) the conditions under which Colleges and other Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;

(vi) the institution of Fellowships, Scholarships, Studentships, Exhibitions, Medals and Prizes;

(vii) the extent of autonomy which a College may have and the matter in relation to which such autonomy may be exercised;

(viii) the composition and functions of the College Councils;

(ix) the emoluments and the terms and conditions of service of the teachers of the University; and

(x) the conditions of recognition of teachers of the colleges/institutions as teachers of the University."

*The questions were proposed.*

PROF. S. NURUL HASAN : As stated in my observations earlier, I would be prepared to accept one of the points. . .

SHRI BHUPESH GUPTA : Are you prepared to accept my amendment with your modification ?

PROF. S. NURUL HASAN : I am prepared to accept it that way. In subclause (viii) after the words "the composition", the word "powers" may be added. Sub-clause (ix) may be deleted; and subclause (x) will become sub-clause (ix) and this will read as under :

"(ix) the conditions on the fulfilment of which the teachers of the colleges and institutions may be recognized as teachers of the University."

SHRI BHUPESH GUPTA : I suggested "conditions for the recognition of teachers of the college..."

PROF. S. NURUL HASAN : It does not fit in with the original thing. Your amendment is partially accepted.

SHRI BHUPESH GUPTA : What about my amendment No. 6 ?

PROF. S. NURUL HASAN : I deeply regret I am unable to accept Amendment No. 6 of the hon. Member\* . .

SHRI LAL K. ADVANI : I rise to oppose this particular proposal. The proposal intends to empower the Executive Council of the University instead of the Court to change the Statutes or particular clauses of the Statutes with the approval of the Visitor of the University. May I point out to the hon. Minister that in the University Act, while section 29 is being amended, in section 31 which deal with Ordinances—I hope I have the ear of the Minister...

PROF. S. NURUL HASAN : I am listening with all interest.

SHRI LAL K. ADVANI : In section 31 of the University Act which deals with Ordinances, it is said in sub-section (4) that "all Ordinances made by the Executive Council shall be submitted as soon as may be to the Visitor and the Court and shall be considered by the Court at its next meeting and the Court shall have power by a resolution passed by a majority of not less than two-thirds of the members voting to cancel any Ordinance made by the Executive Council and such Ordinance shall, from the date of such resolution cease to have

effect". So, this indicates the whole scheme of the Act, that the Court is to be a supervisory body on the Executive Council in its Ordinance-issuing authority. The Executive Council is now being empowered also to issue statutes, to make statutes. I should think that when the Court can review a provision, annul the statutes, the ordinances made by the Executive Council, the same authority in respect of statutes also should be given to the Court because, after all, even in the mention of authority, in the *seriatim* order of the authority of the University, the Court is the prime authority. That is No. 1 and the Executive Council and the Academic Council then follow. Therefore, I would like to point out this anomaly and discrepancy which will come into the whole scheme of the Act if this particular clause is introduced.

PROF. S. NURUL HASAN : I have explained my attitude and the Government's attitude towards the Courts. As it is, in the case of four other Central universities they have accepted this scheme. Therefore I am unable to accept the point which the hon. Member has raised.

*Amendment (No. 6) was, by leave, withdrawn.*

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is :

That at page 3, after line 20, the following further proviso be inserted, namely :-

Provided further that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any Statute affecting all or any of the following matters, namely :—

(i) the constitution, powers and duties of the Academic Council and the other powers which may be conferred, and duties which may be imposed on the Academic Council;

(ii) the authorities responsible for organising recognised teaching in connection with the University courses;

(iii) the withdrawal of Degrees, Diplomas, Certificates and other Academic distinctions;

(iv) the establishment and abolition of Faculties, Departments, Halls, Colleges and Institutions;

(v) the conditions under which Colleges and other Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;

(vi) the institution of Fellowships, Scholarships, Studentships Exhibitions, Medals and Prizes;

(vii) the extent of autonomy which a College may have and the matter in relation to which such autonomy may be exercised:

(viii) the composition powers and functions of the College Councils; and (ix) the conditions on the fulfilment of which the teachers of the colleges and institutions may be recognised as teachers of the University." *The motion was adopted.* THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is r

"That clause 4, as amended, stand part of the Bill." *The motion was adopted.*

*Clause 4, as amended, was added to the Bill.*

*Clause J ii as added to the Bill*

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

PROF. S. NURUL HASAN : Madam, I move "That the Bill, as amended, be passed."

*The question was proposed.*

SHRI BHUPESH GUPTA : Just one word. The only thing I would like to say is this. Now that this is being passed I hope the hon. Minister has improved the climate. As you know we have always been supporting the teachers' struggle. Up to the strike we have been supporting them. Now in the light of what has been passed here I hope they will reconsider all that has happened and take a new look at it and there will be more discussion in working out a comprehensive Bill. This is all that I would say in this connection because it is more important as my friend Mr. Rasheedu-ddin Khan has said.

Now before I sit down I would like to invite your attention to one thing and that is why I got up. It would take only one minute. In the Delhi University last year during the 1971-72 academic session Russian History was prescribed as one of the optional papers. It was for the students of the M.A. (Previous). When some of the students offered this course it was not done on the plea of non-availability of Professors of Russian History. At the insistence of the demand of the students the Chancellor said that the course will be taught from the next session of 1972-73 but the course of Russian History has been omitted from the syllabus prescribed for the academic year 1973-73. I do not know why this is happening when there are students who opt for it. Is this cold war or what?

AN HON. MEMBER : This has nothing to do with the Bill.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The question is

"That the Bill, as amended, be passed," *The motion was adopted*

#### MESSAGE FROM LOK SABHA

##### THE MINES AND MINERALS (REGULATION AND DEVELOPMENT) AMENDMENT BILL, 1972

SECRETARY : I have to report to the House the following message received from the Lok Sabha, signed by the Secretary of the Lok Sabha :

"In accordance with the provisions of Rule 96 of the Rules of Procedure and conduct of Business in Lok Sabha, I am directed to enclose herewith the Mines and Minerals (Regulation and Development) Amending Bill, 1972, as passed by Lok Sabha at its sitting held on the 26th August 1972." Sir, I lay a copy of the Bill on the Table.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : The House stands adjourned till 11.00 A.M. tomorrow.

The then House adjourned at four minutes past six of the clock till eleven of the clock on Tuesday, the 29th August, 1972.