

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI OM MEHTA) : I agree with Pitamber Dasji and Nawal kishoreji. We can pass this Aligarh University Bill today and for the rest of the business we can sit tomorrow. But, for Aligarh Muslim University Bill we will have to sit through lunch to finish all these things.

MR. CHAIRMAN : I give my permission.

SHRI NAWAL KISHORE : We can forego lunch. Those who want to speak there is a large number of them.

MR. CHAIRMAN : May I suggest that there should be only half an hour lunch from 1.30 to 2.00 P.M.? Will it be all right?

DR. BHAI MAHAVIR (Delhi) : Sir, on a point of order. Before you call upon the Minister to move this Bill for consideration, I have to draw your attention to the fact that here is a Bill which has not been moved in this House so far and, therefore, I would like to know: Can a Bill which has not at all been introduced be -moved for consideration straightaway?

MR. CHAIRMAN : Yes, because that Bill is coming here after having been passed there. There is a special procedure for that.

SHRI A. K. A. ABDUL SAMAD (Tamil Nadu) : Sir, the lunch break may be between 1.30 P.M. and 2.00 P.M. so that we can perform our Jumma Prayers.

DR. BHAI MAHAVIR : Is it because the Aligarh Muslim University Bill is going to be taken up you need special

adjournment for Jumma Prayers? I am not questioning your right, but, Sir, here a Bill is being moved without any notice of two days and the whole thing is being hustled through. You are also adopting a special procedure today. . .

MR. CHAIRMAN : Your objection is very much belated. I am merely advancing the lunch hour from 1.30 P.M. to 2.00 P.M. to 1.00 P.M. to 1.30 P.M.

Yes, Mr. Minister.

**THE ALIGARH MUSLIM  
UNIVERSITY (AMENDMENT)  
BILL, 1972**

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN) : Sir, I beg to move :

"That the Bill further to amend the Aligarh Muslim University Act, 1920. as passed by the Lok Sabha, be taken into consideration."

As the House will recall, this Bill which has been passed by the Lok Sabha has been introduced in this House because there was a persistent demand for the same when the Call Attention was being discussed on the postponement of examinations of the Aligarh Muslim University. I had been promising that I shall do my very best to bring forward the Bill as soon as possible and Sir, here I am before you and the House.

This Bill has been discussed at great length by the other House and in deference to the wishes expressed by Members of the other House many amendments have been accepted. These are incorporated in the Bill that is before this House.

SHRI A. P. JAIN (Uttar Pradesh) : Please explain the amendments.

PROF. S. NURUL HASAN : I shall rather attempt to explain all the main features of this Bill for the convenience of the hon. Members.

This Bill is substantially based on the recommendations of the Ganjendragadkar Committee on the 'governance of the Universities'. The House will recall that at a Conference of Vice-Chancellors the structure of universities, especially in so far as the question of participation of students was concerned, was discussed and in deference to the wishes of the Vice-Chancellors, the University Grants Commission appointed the Gajendragadkar Committee with a very wide and expert membership consisting of Vice-Chancellors, Professors, Principals, representatives of teachers, educational administrators and educational planners. This Committee met many distinguished educationists, Education Ministers, representatives of student unions, representatives of Teachers' Associations and hon. Members of Parliament.

As a result thereof, a document was unanimously drawn up and it represents the consensus of at least this cross section of the Expert Committee. I had made the announcement on several occasions in this House and the other House that the Government accepted the recommendations of the Gajendragadkar Committee in principle as had been done by the UGC also. I had also stated that the Government would be guided by these recommendations in drafting this Bill. This Bill substantially incorporates the recommendations of the Gajendragadkar Committee. I will not go into any number of procedural points which are there in the Bill but I shall attempt to highlight those which are of special importance and significance. The first major change in the Bill is that Section 12(a) of the principal Act which gave to the University the power to admit colleges to the privileges of the University, or in plain English, the power to affiliate colleges maintained by others has been done away with.

SHRI NAWAL KISHORE (Uttar Pradesh) : This power was never used.

PROF. S. NURUL HASAN : This power, as the Member has pointed out, has never been used. The Member has

served on the Executive Council of the Aligarh Muslim University and, understands fully why this power was never used. This thinking has been going on for a long time that at least some universities in the country should remain unitary and primarily residential in character so that they can be used for innovation, organisation of corporate life and for experimentation. Therefore this House will recall that when in 1966 the B.H.U. Amendment Act was passed by the Parliament, the power to affiliate institutions was done away with. Originally Banaras had the power to affiliate institutions just as Aligarh had this power. Banaras had affiliated for historical reasons four colleges. It would have been unfair to deprive these four colleges by force of the privilege of the BHU and therefore it was decided that the colleges which had already been affiliated might continue to remain affiliated but at the same time no new or fresh college would be affiliated to the BHU. The Gajendragadkar Committee went into this matter and made a specific recommendation that the Central Universities other than Delhi University which has its historical reasons, should not remain affiliating universities but should remain mainly teaching university. In the case of the powers of the Visitor, a slight modification has been made. The Visitor had the power, since 1951, of causing an enquiry into the affairs of any Central University. Now it has been proposed that before ordering an enquiry, the Visitor will give to the University a chance to make any representation and will order such an enquiry after he has considered such representation.

The next important change is that the post of Treasurer has been abolished and in place of the Treasurer there will be a Finance Officer appointed by the Executive Council. In the olden days when the revenues of a university came largely from sources other than that of the Central Government, the Court used to elect the Treasurer.

Now, Sir, the bulk of the revenues of the Central Universities comes from the Central Government sources.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : What is the proportion? Will you kindly say?

PROF. S. NURUL HASAN : About 90 per cent of all expenditure of a University.

SHRI MAHAVIR TYAGI : How much does it come to?

PROF. S. NURUL HASAN : In Ali-garh it is more than Rs. 3 1/2 crores in the current year, all types of grants taken together, Plan and non-Plan. I do not have the exact figure but that will give to the hon. Member a rough idea of what the situation is. It is therefore very necessary that the finances are controlled by someone who is an expert. The same provision has been introduced in the Banaras Hindu University and in the Jawaharlal Nehru University.

SHRI A. P. JAIN : You have internal audit for that purpose.

PROF. S. NURUL HASAN : Internal audit is also there in Aligarh. Now the Treasurer has been continuing but the Treasurer has been performing the functions which are being performed in Banaras and Jawaharlal Nehru Universities by the Finance Officer. Sir, it has also become the tradition, although it is not provided in the law—that the Central Universities, request the Comptroller and Auditor-General of India to suggest the names of a few officers. The Executive Council or the Selection Committee goes through the names suggested and their rolls and where necessary they interview the persons and appoint one of them for a brief period, the whole idea being that sufficient care is exercised by the University in expenditure of funds which mainly come from the Central Government, but the control and authority of the Executive Council has been maintained and for that purpose at another place in the Bill it has been provided that the Finance Committee will no longer be deemed to be an authority of the University but would become a sub-committee of the Executive Council.

In the appointment of the Chancellor and pro-Chancellor a modification has been made. Instead of the Chancellor and the pro-Chancellor being elected by the Court, the Chancellor and the pro-Chancellor will be appointed by the Visitor out of a panel of names submitted by the Executive Council. This, Sir, also is broadly in accordance with the Gajendargadkar Committee Report.

The next very important change is in the powers of the Court. The Gajendragadkar Committee had said that in a University it was not proper that there should be a hierarchical organisation. There are different elements, different types of functions which have to be performed by different elements. Each is as important as the other and therefore the powers of the Court as recommended by the Gajendragadkar Committee are as follows: (a) to review from time to time the broad policies and programmes of the University and to suggest measures for the improvement and development of the University; and (b) to consider and pass Resolutions on the annual accounts of the University and the audit report thereon. We have added to this one more power because it is already there in BHU and Aligarh, namely, to advise the Visitor in respect of any matter which may be referred to it for advice. In so far as the procedure for making of statutes is concerned the existing position in all the Central Universities except Delhi whose Act is to be amended is that the draft amendment will have to be proposed by the Executive Council but it shall come into force only after the Visitor has approved it. More powers have been given to the University by bringing within the scope of the Ordinances a few additional matters. Then, Sir, so far as the Statutes are concerned, in the matter of the appointment of the Vice-Chancellor we have accepted in Aligarh what is the practice in Delhi University, namely, that the Executive Council shall appoint two members of a selection committee, the Visitor shall appoint one person, and this committee will send up a panel of three names to the Visitor out of whom the Visitor shall appoint one. The Visitor retains the right to return the panel, as he has always had. and call

for a fresh panel. The powers of the Vice-Chancellor, the Pro-Vice-Chancellor, the Registrar and the Finance Officer remain substantially the same subject to such changes as have been made from time to time either at the instance of the University itself or in accordance with the Gajendragadkar Committee report. In the matter of the appointment of Deans of Faculties, till now it was the procedure that only Heads of Departments could become Deans of Faculties by rotation according to seniority. Now in the case of Jawaharlal Nehru University, this House and the other House together made a departure. This new procedure has been also endorsed by the Gajendragadkar Committee. That is to say, the Deans of Faculties shall be appointed by the Vice-Chancellor from among the Professors in the Faculty for a period of three years and shall be eligible for reappointment. In the case of Heads of Departments the Gajendragadkar Committee had merely stated that there should be no permanent Head of the Department. In this Bill we have made a provision as substantial as in the case of Jawaharlal Nehru University that where there are more than one Professor, the Head of the Department shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor from among the Professors, and again in keeping with the spirit of the Gajendragadkar Committee recommendation, where there is only one Professor, the Executive Council shall, on the recommendation of the Vice-Chancellor, appoint either the Professor or one of the Readers to be the Head of the Department.

Sir, the next major change is the introduction of another authority of the University, the Students' Council whose Chairman shall be appointed from amongst the teachers of the University.

Sir, the composition of the Court has been considerably modified and I would like to bring it to the notice of the House. This is now in the Statutes which is given as the Schedule to the Act.

SHRI MAHAVIR TYAGI : What about the other universities? Similar things will be introduced there also?

PROF. S. NURUL HASAN : More or less there are certain minor change\* which have to be made as recommended by the Gajendragadkar Committee in the case of. . .

SHRI MAHAVIR TYAGI : I was anxious particularly about the representation of the students.

PROF. S. NURUL HASAN : It will be followed in all universities.

Ex-officio members of the Court are Vice-Chancellor. All ex-Vice-Chancellors, Pro-Vice-Chancellor, All Deans of Faculties, Chairman, Students' Council, Dean of Students' Welfare, Librarian, Registrar, Three Provosts, by rotation according to seniority, and Proctor. Then there are nineteen Heads of Departments and the procedure has been prescribed that they would be from grouping of various Faculties. Then, from amongst teachers other than Heads of Departments there will be five Professors, five Readers and five Lecturers. Again the grouping has been done. Then, Sir, there are representatives of students. There will be, according to this proposal, fifteen representatives of students, viz : —

(a) President and Secretary of the Students' Union,

(b) Secretary, Students' Council,

(c) Two persons to be elected by the Students' Council from its own members, provided that one of them shall be a Secretary of the Students Advisory Committee of a Faculty.

(d) Five members to be elected by an electoral college consisting of students who have shown their academic merit in the manner prescribed by the Ordinances,

(e) Five members to be elected by an electoral college or colleges consisting of the student members of the Cultural Committee, Social Service Committee and the Games Committee in the manner prescribed by the Ordinances.

As the House will appreciate, every university has three types of students, viz., the brilliant students who has shown academic merit, the student who has

shown merit in extra-curricular activities like games, social service and ether cultural activities and the student who represents the other students.

SHRI NAWAL KISHORE : Student-politician.

SHRI B. K. KAUL (Rajasthan) : What do you call them?

MR. CHAIRMAN : Call them by any name.

SHRI PITAMBER DAS (Uttar Pradesh) : I would particularly like to know from Prof. Nurul Hasan, not from the Minister, what name did he give them when he was in the university.

PROF. S. NURUL HASAN : As a student or as a teacher? I gave two separate names. When I was secretary of the students' union I gave one name and when I became a teacher I gave a slightly different name, but I would still stand by the principle. It is an extremely good training for a student to be given a chance for fighting elections and for organising corporate life. It is a good thing and I stand by that even today. Then, there will be fifteen re-presentatives of the Old Boys' Association. The Gajendragadkar Committee had recommended ten, but we have modified it to 15 because even in the earlier constitution the representation of the old boys was 15. Then, there will be ten representatives of Parliament. The earlier proposal was five representatives of Parliament, but some hon. Members suggested that it should be ten. I personally feel that this is a good change and I have welcomed this change and have incorporated it in the Bill. It is much better that both Houses are associated with the functioning of universities. It would bring strength to the universities if Members of both Houses are associated with them and understand the problems with which the universities are faced. Then, there will be twenty members from learned professions and special interests, including representatives of industry, commerce, trade unions, banking and agriculture to be nominated by the Visitor, provided that out of the twenty members aforesaid.

not less than five shall be representatives of cultural and educational institutions of India. Sir, this requires a word of explanation primarily because people may think that the Visitor's nominee would mean that it would bring in Government control. Nothing is farther from my mind than that, for two reasons. Firstly, they are Visitor's nominees and not Visitor's representatives. Usually the persons who have served as nominees of the Visitor have exercised their own discretion and are not guided by any directive that has been given, for example, my hon. friend sitting on the other side was a nominee of the Chief Rector and at least I am not aware of any occasion when he was given a directive to take a decision one way or the other. He exercised his discretion in what he thought was in the best interests of the university. I have myself had the honour and privilege of serving as the nominee of the Visitor on the executive councils of two universities and there was no occasion when the Education Minister wanted even his inclination to be made known to me. Sir, the real reason is that if we want to bring university education more in tune and in harmony with the needs of national development and economy, then we should be able to persuade persons who have distinguished themselves in various branches of academic activity and in various learned professions to agree to serve on the Court of a university. Persons of such eminence are not likely to seek election and therefore this has been provided that this would be done so that persons of eminence can be associated. Then there will be one person nominated by the Chief Rector and three nominated by the Chancellor and the remaining members of the Executive Council. The Executive Council will have the Vice-Chancellor, Pro-Vice-Chancellor, five Deans, one principal, one professor by rotation according to seniority, three teachers of whom at least one shall be a lecturer to be elected by the Academic Council from amongst its members by a system of proportional representation and five persons to be elected by the Court from amongst its members by a system of proportional representation none of whom shall be an employee or a student of the univer-

sity and four persons to be nominated by the Visitor. This makes a total of 21.

The other things may not be of very great interest to this House except that in the Students' Council the composition is that there shall be a Chairman who will be nominated by the Vice-Chancellor, then, President, Vice-President and Secretary of the University Students' Union. Secretary of the Students' Advisory Committee of each Faculty, 15 persons elected by an electoral college consisting of the Students' Advisory Committees of Faculties and halls in accordance with the system 'of proportional representation and five students nominated by the Vice-Chancellor from amongst outstanding students or sportsmen or those who have distinguished themselves in any field of student activity giving due consideration to the representation of special interests.' And there is a general proviso. Sir, which has been in operation by the Inter-University Board for a long time, in the case of a student permitted to participate in Inter-University Sports' tournaments. We have applied the same restrictions both to the student membership of the Court and the student membership of the Students' Council, namely, that no student who has passed the High School or an equivalent examination more than eight years earlier or the Pre-University or an equivalent examination more than seven years earlier or has taken more than one year in excess of the period prescribed for the course for which he is a student, shall be eligible to become a member of the Students' Council, or a student member of the Court. And the Students' Council has been given sufficient powers to be consulted by the Academic and Executive Councils in most matters which deeply affect the life of the students. Sir, there is a slight change in the composition of the Selection Committee and a few other matters have been provided. We are now giving statutory status to the Students' Union, the Teachers' Association and the Staff Association other than the academic staff of the University.

Sir, with these words. I have the honour to move that the Bill be taken into consideration.

MR. CHAIRMAN : There are two amendments for reference to be Select Committee. Names have not been given.

श्री ओम् प्रकाश त्यागी (उत्तर प्रदेश) :  
सेलेक्ट कमेटी के प्रस्ताव को अगर सरकार  
स्वीकार कर ले तो फिर नाम देने में देर नहीं  
लगेगी ।

श्री सभापति : अब मूव करने का वक्त  
है। आप क्या नाम दे रहे हैं। आप अकेले  
हैं या और है।

श्री ओम् प्रकाश त्यागी : नाम मेरे पास है।

श्री सभापति : नाम बता दीजिए ।

Will you read out the names ?

श्री सभापति : त्यागी जी, आप अपना  
मोशन मूव कर रहे हैं ?

श्री ओम् प्रकाश त्यागी : जी हाँ ।

श्री सभापति : तो नाम बता दीजिए ।

श्री ओम् प्रकाश त्यागी : श्रीम्, जो  
विधेयक लाया गया है और मंत्री महोदय  
ने जो चंद बातें पढ़ की हैं मैं उनसे सहमत  
हूँ।

श्री सभापति : त्यागी जी, आपका जो  
मोशन है उसको सिर्फ मूव करने के लिए  
कहा। इस वक्त बिल पर बोलने के लिए  
नहीं कहा है। प्रोसिजर यह है कि अपना  
मोशन मूव कर दें—इस वक्त और बात  
नहीं करनी है—और मोशन कंप्लीट तब होगा  
जब आप सेलेक्ट कमेटी के सदस्यों के नाम  
बता दें क्या क्या हैं।

श्री ओम् प्रकाश त्यागी : सभापति जी,  
मैं प्रस्ताव करता हूँ कि :

मुस्लिम यूनिवर्सिटी (संशोधन)  
विधेयक को राज्य सभा की प्रवर  
समिति जिसमें निम्नलिखित 10  
सदस्य होंगे, के सुपुर्दे किया जाए, इस

आदेश के साथ कि अगले सत्र के अंतिम दिन तक वह अपनी रिपोर्ट प्रस्तुत करे :—

1. डा० भाई महावीर ।
2. श्री बनारसी दास ।
3. श्री नागेश्वर प्रसाद शाही ।
4. श्री लोकनाथ मिश्र ।
5. श्री श्यामलाल यादव ।
6. श्री एस० ए० खाजा मोहिदीन ।
7. श्री के० एस० मल्लेगौडा ।
8. चौधरी ए० मोहम्मद ।
9. श्री हमीद अली शामनाड ।
10. श्री ओम प्रकाश त्यागी ।

श्री बनारसी दास : सभापति जी, मैं प्रस्ताव करता हूँ कि :

“मुसलिम युनिवर्सिटी (संशोधन) विधेयक को राज्य सभा की प्रवर समिति जिसमें निम्नलिखित 10 सदस्य होंगे, के सुझाव किया जाए, इस आदेश के साथ कि अगले सत्र के पहले दिन तक अपनी रिपोर्ट प्रस्तुत करे :—

1. डा० भाई महावीर
2. श्री नीरज घोष
3. श्री लोकनाथ मिश्र
4. श्री नागेश्वर प्रसाद शाही
5. श्री बनारसी दास
6. श्री श्याम लाल यादव
7. श्री जी० ए० अय्यन
8. श्री एस० ए० खाजा मोहिदीन
9. चौधरी ए० मोहम्मद
10. श्री हमीद अली शामनाड”

The questions were proposed.

श्री नवल किशोर : चेअरमन साहब, मुझे खुशी है कि शिक्षा मंत्री जी ने आखीर में किसी तरीके से अलोगढ़ मुसलिम युनिवर्सिटी विधेयक पेश कर ही दिया। जब उन्होंने अपना भाषण दिया, बड़े भोलेपन से यह बात कही कि चूंकि कालिग अटेंशन मोशन हाऊस में आया था और इस हाऊस के मेंबर साहबों का बड़ा इन्सिस्टेंस था इसलिए उन्होंने उस समय भी वायदा किया था कि वह बहुत जल्द इसको सदन में लायेंगे और वे इसको ले आए। असली वाक्या यह है कि सन 1965 में जब आपने शार्ट टर्म मुसलिम युनिवर्सिटी ऐक्ट पास किया उस वक़्त यह वायदा किया था कि हम एक बड़ा कॉम्प्रेहेन्सिव बिल पेश करेंगे। 1970 में आपने बिल पेश भी किया अब वापस ले लिया तो असली बात यह है कि 7 साल के बाद आपने यह विधेयक पेश किया है इस सदनके के समक्ष श्रीमन् स्टेटमेंट ऑफ आइजेक्टस् एन्ड रोजन्स के आखिरी पैराग्राफ में लिखा है—

"Based on the recommendations of the Committee and taking into account other relevant factors. Government decided to introduce comprehensive legislation for the Aligarh Muslim University."

तो यह नहीं बताया आपने कि किस डेट को आपने तय किया था, किस डेट में इन्ट्रोड्यूस किया। खैर, मुझे खुशी है कि आपने इन्ट्रोड्यूस किया। श्रीमन् जो ब्राड प्रिन्सिपल्स है जिनको भंत्री महोदय ने बताया उनसे भी मैं सहमत हूँ, उनका समर्थन करता हूँ, लेकिन एक बात की मुझे शिकायत है कि इतना इम्पॉर्टेंट बिल जिसको आपने गजेट्स् एन्ड कमीशन के ऊपर आधारित किया है, जो शायद आगे चलकर माडल बनने वाला है बाकी सेन्ट्रल युनिवर्सिटीज का, उस बिल को जितनी जल्दी में आप पास करवाना चाहते हैं यह बहुत मुनासिब बात नहीं मालूम पड़ती है। दलील दी जा सकती

है कि स्टूडेंट्स का एजिटेशन चल रहा है अलोगढ़ युनिवर्सिटी में और हम चाहते थे कि वहाँ की स्थिति शांत हो जाए, नार्मल हो जाए, इसलिए हम इस विधेयक को लाए, हालांकि यह बात उन्होंने अपनी स्पीच में कही नहीं। श्रीमन् मुझे इस बात का अफसोस है कि इस विधेयक को लेकर अलोगढ़ के स्टूडेंट्स ने एजिटेशन किया, 1000 के करीब स्टूडेंट्स रजिस्ट्रार और वाइस चान्सेलर के पास गए, उन्होंने यह मांग की कि जब तक फेबरेबल युनिवर्सिटी विधेयक पास न हो जाए तब तक के लिए इम्तिहानों को पोस्टपोन कर दिया जाए।

मुझे स्टूडेंट्स से कोई शिकायत नहीं है, लेकिन वाइस चान्सेलर ने बिना सोचे इस बात को मान लिया कि इम्तिहान पोस्टपोन कर दिये जायें। इस तरह के फैसले से हजारों विद्यार्थियों को नुकसान हो रहा है, इसमें उनके कैरियर का सवाल है, उनकी तालीम का सवाल है, उनकी पढ़ाई का सवाल है, क्योंकि अगर इम्तिहान नहीं होंगे तो अगले साल एडमिशन में काफी तकलीफ होगी। यही नहीं, वहाँ के विद्यार्थियों ने यहाँ पर आकर डिमान्स्ट्रेशन किया और कुछ विद्यार्थी गिरफ्तार भी किये गये।

श्री नूरुल हसन जी के साथ काम करने का मुझे सौभाग्य प्राप्त हुआ है। वे इत्तिफाक करेंगे कि युनिवर्सिटी में टीचर्स पोलि-टिशियन्स भी होते हैं और इस तरह के जो टीचर्स पोलि-टिशियन्स होते हैं वे बड़े खतरनाक होते हैं। मुझे इस बात की शिकायत और संदेह है कि स्टूडेंट्स के एजिटेशन के पीछे अलोगढ़ युनिवर्सिटी के प्रोफेसरों का एक संकशन जरूर है।

श्री पीताम्बर दास : टीचर पोलि-टिशियन्स से क्या मतलब हुआ ? A teacher who turns politician ?

श्री नवल किशोर : टीचर पोलि-टिशियन्स से मेरी मन्शा यह है कि जो टीचर पोलि-टिशियन होता है वह युनिवर्सिटी में अपने स्वार्थ और अपने किसी निहित उद्देश्य को लेकर स्टूडेंट्स के साथ मिलकर एजिटेशन करता है। वैसे श्री नूरुल हसन साहब टीचर पोलि-टिशियन्स हैं, लेकिन वे अच्छे और काम के आदमी हैं। तो मैं यह अर्ज कर रहा था कि वहाँके स्टूडेंट्स के एजिटेशन के बाद इस तरह का बिल आया। मैं इस बात को मान लता हूँ कि इस बिलको लाने में किसी किस्म का अभी कोई कोयर्शन नहीं है, लेकिन आम धारणा यही बनेगी कि आपने इस कोयर्शन और एजिटेशन के दबाव में आकर इस बिल को पेश किया है और इस कोयर्शन की वजह से आप इतनी जल्दी इस बिल को पास कराना चाहते हैं।

श्रीमन्, यह विधेयक कितनी जल्दबाजी का है इससे साबित होता है कि खुद मंत्री जी ने इस बिल के सम्बन्ध में 63 अमेन्डमेंट पेश किये हाउस के अन्दर यानी विधेयक पेश करने के दूसरे ही दिन मिनिस्टर साहब ने 63 अमेन्डमेंट पेश किये जिससे यह साबित होता है कि कितनी जल्दी में यह बिल ड्राफ्ट किया गया।

एक बात आपने यह कही की हमने गजेंद्रगडकर कमेटी के आधार पर यह बिल बनाया है। यह बात तो ठीक है लेकिन जो भी काम किया गया है वह नूरुल हसन कमेटी ने किया है क्यों कि आपको याद होगा कि जब फर्स्ट ड्राफ्ट आया था इस कमेटी का तो एक सब कमेटी बनी थी, जिसमें आप भी थे, प्रोफेसर माथुर थे और सेक्रेटरी मेम्बर था। उनको यह अधिकार दिया गया था कि इस ड्राफ्ट को रिवाइज किया जाय और चेअरमन को अधिकार दिया गया था कि इस रिवाइज्ड ड्राफ्ट को स्वीकार कर यू० जी० सी० के सामने



पेश कर दी। चेअरमन तो एक कांस्टी-ट्यूशनल हेड है और गर्जेद्रगडकर के नाम पर जो यह बिल बनाया गया है उसके पीछे दरअसल जो दिमाग है वह नूरुल हसन साहब का है, जो आज हमारे शिक्ष मंत्री है।

जहां तक श्री नूरुल हसन साहब का ताल्लुक है, मेरे और उनके ताल्लुक ऐसे है कि वे समझते होंगे कि मैं उनको कॉप्लोमेंट दे रहा हूं, या नहीं दे रहा हूं। मेरा मन्शा तो उनको कॉप्लोमेंट देने का ही है।

श्रीमन्, इस यूनिवर्सिटी के संबंध में जो मोटी मोटी बातें मंत्री जी ने बतलाई और उसके साथ ही साथ जो बुनियादी और इंपोर्टन्ट चीज उन्होंने बतलाई वह यह है कि इस बिल में से सेक्शन 12 ए को निकाल दिया गया है। डिवाइड कर दिया गया है। यूनिवर्सिटी को 1920 के ऐक्ट में यह अख्तियार था कि वह स्वतंत्र कालेजों को मान्यता दे सकती थी और उनको एफिलिएट कर सकती थी। लेकिन जहां तक मुझे मालूम है कि पिछले 40-50 सालों के अन्दर इस चीज का इस्तेमाल नहीं किया गया। इसी बात को लेकर अलोगड के कालेजों के विद्यार्थियों ने इस बात का आन्दोलन किया और वहां के लोग भी यह चाहते हैं कि अलोगड में जो कालेज है उनको इस यूनिवर्सिटी के साथ एफिलिएट कर दिया जाय। श्रीमन् जैसा गर्जेद्रगडकर कमिशन ने कहा और राधा-कृष्णन कमिटी ने भी कहा कि जहां तक नेशनल यूनिवर्सिटीज का सवाल है, जितनी सेंट्रल यूनिवर्सिटीज है उनका करेक्टर रेसिडेन्शियल होना चाहिये। यह बात भी सही है कि वहां मुस्लिम भाईयोंको भी इस तरह की मांग थी कि रेसिडेन्शियल यूनिवर्सिटीज होनी चाहिये। आपने इस में से इस संबंध के बारे में क्लोज निकाल दिया वह अपनी जगह पर ठोक किया।

श्रीमन्, इस यूनिवर्सिटी के करेक्टर के बारे में काफी मतभेद है। यह सब जानते हैं कि शुरू में जब 1915 में एम० ए० स्कूल और फिर कालिज और बाद में 1922 में यह यूनिवर्सिटी बनी थी तो इसका खास मन्शा यह था कि मुस्लिम कम्प्यु-निटी को मॉडर्न और साइंटिफिक एजुकेशन दी जाय। और जो एडवांसड टेकनालाजी है उसके अन्दर एजुकेशन दी जाय। इसके साथ साथ यह भी आवजेक्ट था कि जो इस्लामिक स्टडीज है और इस्लाम धर्म है उसकी तालीम दी जाय। वह करेक्टर आज भी उसके अन्दर मॉटेन्ड है और उसमें कोई चंज नहीं हुआ है। श्रीमन् मैं उन लोगों में से हूं जो चाहते हैं कि हिन्दुस्तान में माइना-रिटीज को पूरा आशवासन हो और उनके अधिकार हमारे संविधान के अन्दर जिस प्रकार से सुरक्षित है वही उसी प्रकार सुरक्षित रहे। मगर मैं आज तक यह नहीं समझ पाया हूं कि माइनारिटी करेक्टर के माने क्या हैं। अगर माइनारिटी करेक्टर के माने यह हैं कि यूनिवर्सिटी को जो डिफेंट बाडीज है, उसका जो एडमिनिस्ट्रेशन है उसमें मुस्लिम माइनारिटी का ज्यादा रिप्रजेंटेशन हो तो मैं उससे 100 पर सेंट इतिफाक करता हूं। अगर उनकी मन्शा यह है कि अलोगड यूनिवर्सिटी में मुस्लिम स्टूडेंट्स का अनुपात ज्यादा हो, 60 या 65 परसेंट हो, तो मैं उससे भी इतिफाक करता हूं। लेकिन अगर स्पेशल करेक्टर के माने थियोक्रेटिक या मजहबी संस्थान बनता है और अगर उसको कोई थियोक्रेटिक यूनिवर्सिटी बनाना चाहता है तो मैं उससे इतिफाक नहीं कर सकता हूं। मैं इस यूनिवर्सिटी की हिस्ट्री में जाना नहीं चाहता।

श्रीमन्, मैं एक बात आप से अर्ज करूंगा कि श्री भूपेश गुप्ता को आप बहुत प्रिविलेज देते हैं, आज आप मुझे कुछ प्रिविलेज दे दें।

तो मैं यह कह रहा था कि उसका थिओक्रेटिक कैरेक्टर मैं आज मानने के लिये तैयार नहीं हूँ।

श्री सभापति : आप 12 बजे तक बोल लें।

श्री नवल किशोर : श्रीमन् 12 बजे तो बैसे अच्छा नहीं होता।

श्रीमन् इस संबन्ध में मैं गजेंद्रगडकर कमिटी रिपोर्ट के पेज 12 से यह कोट करना चाहता हूँ कि युनिवर्सिटी के माने क्या है ?

In 1947 Pandit Jawaharlal Nehru, while addressing the graduates of the Allahabad University, said :

"A University stands for humanism, for tolerance, for reason, for the adventure of ideas and for the search for truth. It stands for the onward march of the human race towards ever higher objectives. If the universities discharge their duties adequately then it is well with the nature and the people."

श्रीमन्, अली यावर जंग साहब जो आजकल गवर्नर हैं महाराष्ट्र के, वे कुछ जमाने तक एम्बसेडर रहे फारेन कंट्रीज में और वे इस युनिवर्सिटी के वाईस चन्सेलर थे। बदकिस्मती से 1965 में वहाँ एक झगडा हुआ और उनके ऊपर कातिलाना हमला किया गया। खुदा ने उनको बचा दिया और उनकी जान बच गई श्रीमन्, उन्होंने 2 मई 1965 को एक चिट्ठी लिखी थी छागला साहब को। उसमें भी उन्होंने इस माइनारिटी कैरेक्टर के बारे में कहा है। वह मैं श्रीमन् कोट करना चाहता हूँ। उन्होंने उस पत्र में बहुत से सजेसन दिये हैं। अन्त में उसमें उन्होंने कहा है :

"I hope the minority character of the Aligarh University would not be affected as a result; it is a proof of the practice of our secularism that such a minority university exists in India and is supported unstintedly by large funds. But the institution must justify itself by being a real university, not a home of obscurantism, reaction and violence, and it must either accept the world of India or be extinguished. I am sure the majority of our teachers and students are of the right type, but there is no limit to the potentialities of a fanatical minority protected by the provisions of a free and democratic Constitution and though a minority, it can frustrate or sabotage all efforts at improvement. We have to save Aligarh Muslim University against this dangerous minority. The recent deplorable events opened the lid, which well-intentioned but temporising and well-whispered, kept things hid from exposure. I invite you to have a look from inside, to order a clean up and to ensure that the university becomes a source of pride in India and to Indian Muslims as a house of learning and progress."

इसके साथ ही साथ मैं बहुत आभारी हूँ अपने प्रधान मंत्री जी का। उन्होंने भी इस के संबन्ध में अपना स्टैंड बहुत साफ कर दिया जब कांग्रेस पार्टी का एक्सिक्यूटिव की मिटींग हुई, तो प्राईम मिनिस्टर ने कहा कि :

The Prime Minister told the Executive of the Party that it was not possible to retain the minority character of Aligarh University or any other university financed by the Centre. It should be a national institution.

Removal of educational backwardness of a minority was no longer linked with Aligarh Muslim University which had only 8000 students on its rolls. Unless the Muslim masses were brought into the main educational stream, they would not be able to move forward along with the rest of the people. There was a growing opinion among the Muslim masses themselves that their education should be in tune with that for the rest.

श्रीमन्, इस के साथ साथ मैं सिर्फ दो कॉलेजों और पढ़कर जहाँ तक इस के कॉरेक्टर का ताल्लुक है अपनी स्पीच खत्म करूँगा और उस के बाद मैं तीन चार बातें और कह कर अपनी बात समाप्त कर दूँगा। श्रीमन् गजेंद्रगडकर कमेटी की ओपिनियन है, जिस में प्रो० नुरुल हसन साहब भी थे, पेज

4 5 W 46 IT : These two Universities are National Institutions and must always remain as such. . .

In our view it should be the special privilege of Aligarh Muslim and Banaras Hindu Universities not only to specialise in the study of Muslim and Hindu philosophies and culture respectively, but to make a joint endeavour to encourage a cooperative study of the evolution of the present Indian composite culture, philosophy and way of life. Students and teachers of these two universities, by their academic and non-academic activities should contribute, as indeed all universities should, to bring all the Indian communities together as members of the mighty Indian brotherhood entitled to and enjoying the same fundamental obligations — and thus to strengthen the cause of secularism.

डा० राधाकृष्णन साहब का विचार है :

डा० जेड० ए० अहमद (उत्तर प्रदेश) : ज्यादा कॉलेजों से कंप्यूजन हो जाता है।

श्री नवल किशोर : आपका तो कंप्यूजन में फायदा ही है।

श्री सभापति : अब तो 12 बज रहे हैं।

श्री नवल किशोर : I am not a Sardar.

श्री राधाकृष्णन कमेटी का भी यह व्य है।

"We think all universities should be free and their advantages equally available to the deserving, and the disintegrating tendencies of commu-

nalism and all forms of favouritism banished. Any other course is a denial, at least in part, of the conception of a university". The Declaration of Human rights adopted by the United Nations last December has ; clause — "There shall be equal access to higher education on the basis of merit."

श्रीमन्, यह इस के कॉरेक्टर के बारे में बात चीत हुई। जैसा श्रीमन् मैं ने पहले ही कहा इस के हिस्टारिकल बैकग्राउंड में मैं जाना नहीं चाहता क्यों कि इस यूनिवर्सिटी ने जहाँ एक तरफ बड़ा काम किया है इस मायने में कि उस ने मुस्लिम कॉलेज को जो आज की माडर्न और अडव्हान्स एज्युकेशन है उस को दिया, यह बात भी सही है और उस के अन्दर एक से एक ज्यादा राष्ट्रीय भावनाओं से ओतप्रोत नेताओं का भी जन्म हुआ, पर यह बात भी उस के साथ सही है कि यह यूनिवर्सिटी कम्युनल पॉलिटिक्स का एक हाट-वर्ड रही है और प्रोफेसर साहब को याद होगा कि जंगे आजादी की समय मीलाना आजाद जो हमारे देश के बड़े नेता थे, राष्ट्रीय नेता थे, उस समय इसी यूनिवर्सिटी के स्टुडेंट थे, जिन्होंने उन पर जुता फेंका था, प्रो० हुमायून कबीर जो आज हमारे बीच में नहीं है, उनके तीन दांत तोड़कर उनकी जान किसी तरह छोड़ दी गयी थी और जैसा मैं ने पहले कहा श्री अली यावर जंग जो वहाँ वाईस चन्सेलर थे उनको बुरी तरह मारा गया, यह खुदा की मेहेरबानी की उन की जिन्दगी बच गयी।

12 Noon लिहाजा उसके बैकग्राउंड में ज्यादा जाना नहीं चाहता क्यों कि देश की आजादी के बाद इसमें कोई शक नहीं कि कुछ इंप्रूवमेंट हुआ, जाकिर साहब ने कोशिश की इंप्रूव करने की, जनाब अली यावर जंग साहब ने भी

कोशिश की और श्री नूरुल हसन साहब ने भी एज ओ प्रोफेसर काफी कोशिश की लेकिन ज्यादा कामयाब नहीं हो सके। तो अब श्रीमन् मैं तीन चार बातें कह कर खत्म करूंगा।

इसमें जो खास खास बातें आपने बताई हैं इनमें एक तो यह है कि आपने डोनर्स कॉन्स्टिट्यूअन्सी को समाप्त कर दिया है। कोई यह न समझे कि बड़ी प्रतिक्रियावादिता की बात है लेकिन प्रोफेसर साहब को याद होगा कि जब यूनिवर्सिटी बनी थी उस समय गवर्नमेंट को इतनी इमदाद नहीं थी, यह स्कूल बना तो हजारों आदमियों ने लाखों लाख रुपया इकट्ठा कर के दिया था और आगे भी उम्मीद है कि जब कभी मौका होगा, तो लाखों रुपया इकट्ठा होगा। तो मैं इस बात को मान सकता हूँ कि डोनर्स कॉन्स्टिट्यूअन्सी का जो रिप्रेजेंटेशन है उसकी तादात घटा दी जाय लेकिन मैं समझता हूँ कि इसको एकदम हटा देना अहसान फरामोशी भी होगी और उसके साथ साथ यह दिक्कत भी पड़ेगी कि आइन्दा लोग बहुत आसानी से आपको पैसा नहीं देंगे।

इसके अलावा इसमें विजिटर को यह अधिकार है कि वाईस चैंसेलर के जो तीन नाम आयेंगे उनको वह वापस भी कर सकता है और दूसरा यह है कि वह अलफाबेटिकल आर्डर में आयेंगे। मैं एक बात मंत्री जी से कहना चाहता हूँ और वह यह है कि सिलेक्ट कमेटी बने वह इन आर्डर आफ प्रिफरेंस नाम दें एक, दो, तीन कर के, दूसरी बात यह है कि एक बार नाम के आ जान के बाद भी विजिटर साहब उन नामों को वापस कर सके, तो मुझे डर यह है कि विजिटर का जो तामिनी

सेलेक्शन कमेटी में होगा उसके जरिये से कहीं ऐसा न हो कि बीटो पावर उसके हात में आ जाय। साधारण तथा एक्सीक्यूटिव की राय मानना ही चाहिए।

इसके अलावा आपने कुछ करेसपांडेस कोर्स के खोलने की बात भी रखी है। एक अच्छी चीज इसमें है कि करेसपांडेस कोर्स खोलें जा सकेंगे।

**प्रो० एस० नूरुल हसन :** लोक सभा ने डिलीट कर दिया है।

**श्री नवल किशोर :** श्रीमान मुझ को अभी तक यह तो पता नहीं है कि उन्होंने क्या डिलीट किया।

**श्री सभापति :** वह बिल नहीं होगा आज जो आया है।

**श्री नवल किशोर :** पहले बिल में था। आज यह आया है, मैं आपको क्या बताऊँ जो अच्छी बात थी वही वहाँ डिलीट हो गई है। अब मैं क्या कहूँ।

एक बात मैं यह भी कहना चाहता हूँ कि इसमें एक नई चीज है स्टुडेंट कौंसिल की मेरे खयाल से यह आपका फस्ट एक्सपेरिमेंट है और बर्थ एक्सपेरिमेंटेशन है, मैं हेड परसेंट इसमें इन्फोक करता हूँ। आज के बदलते हुए जमाने में जब कि सारे देश में ही नहीं बल्कि विदेशों में भी स्टुडेंट्स में फरवेंट पैदा हुआ है। एक बेभारी पैदा हुई है, तो यह मुनासिब है कि उनको आप डिफरेंट बाडीज के साथ एसोसिएट करे ताकि इनमें भी जिम्मेदारी आये। यह इसके अन्दर एक अच्छा प्रोविजन है।

श्रीमन्, एकाध बात और कहना चाहता हूँ। इसमें आपने हेड आफ दि डिपार्टमेंट के बारे में यह रखा है कि जरूरी नहीं है कि प्रोफेसर्स को ही हेड आफ दि डिपार्टमेंट बनाया जाय बल्कि रीडर्स और दूसर टीचर्स

को भी बनाया जा सकता है। इसके पीछे क्या लाजिक है यह मैं नहीं समझ पाया। मैं समझता हूँ कि अगर जूनियर्स को आप बनायेंगे, तो इससे एक हार्ट-बनिंग पैदा होगी असंतोष होगा। जहाँ तक रीडर्स और टीचर्स के रिप्रजेंटेशन की बात है इनकी डिफरेंट बार्डोज में काफी तादाद हो यह मुनासिब ही है तो इस बात को आप अपने दिमाग में रखें और सोचें।

श्रीमान् जहाँ तक ट्रेजरर वर्ग की बात है वह तो खैर ठोक हो है, यह तो सिर्फ नाम का बदलाव है। हाँ, यह अच्छा किया कि रजिस्ट्रार को पोस्ट भी अब बाई एक्वाइंटमेंट कर दो है हालाँकि जो हालत पुराने रजिस्ट्रार को यूनिवर्सिटी में थी वह बहुत खुशगवार नहीं थी। यह कुछ चीजें अच्छी हैं जो आपन की हैं लेकिन एक चीज मैं जरूर कहना चाहता हूँ कि दि टेस्ट आफ दि पुडिंग लाइज इन इटस् इंटिंग। आपने एक बड़ी इमानदारी के साथ और बड़ी आकांक्षाओं के साथ इस बिल को पेश किया है और मुझे उम्मीद है कि यह बिल तमाम जो सेवशंस है हमारे देश के अन्दर उस सब को ही सटिसफाई करेगा,

[MR. DEPUTY CHAIRMAN in the Chair.]

यह माइनारिटिज को भी सटिसफाई करेगा और स्टूडेंट्स को भी सटिसफाई करेगा क्यों कि यह पहली दफा होगा, यह पहली यूनिवर्सिटी होगी जिसमें कि स्टूडेंट्स के पार्टिसिपेशन की बात शुरू की गई है और उम्मीद है कि आगे चल कर और जगहों में भी यह होगा।

श्रीमान्, बस एक बात और कह कर मैं खत्म करता हूँ कि इसका जो इम्प्लीमेंटेशन है वह जरूर इस तरह से होना चाहिये कि जो माइनारिटी है, खास तौर पर मैं जो हमारे मुस्लिम भाई हैं, उनको यह महसूस नहीं होना चाहिये, हालाँकि जहाँ तक

मैंने इसको पढ़ा है उनको महसूस होने का को मौका नहीं है, कि उनके हित और स्वार्थ सुरक्षित नहीं हैं।

लेकिन एक सेक्शन ऐसा है जिसको आप कभी सटिसफाई नहीं कर पाएंगे। उनके साथ कोई सिम्पथी नहीं होनी चाहिये इसलिए मैं चाहता हूँ, इसके इम्प्लीमेंटेशन के वक्त आप इस बात का ध्यान रखें। एक बात और है कि अगर कुछ स्टूडेंट्स को सटिसफक्शन न हो, तो किस कीमत पर, किसी कोर्प्शन, किसी वायलेन्स या किसी एजिटेशन को तहत आपको सबमिट नहीं करना चाहिए।

श्री भूपेन्द्र सिंह (पंजाब) : मिस्टर डिप्युटी चैअरमन, आन अ पॉइंट आफ आर्डर।

श्री नवल किशोर जो ने, उस समय जब चैअरमन साहब ने उ दफा उनको टाइम बताया, यह कहा कि - आई एम नॉट अ सरदार - यह कह कर उन्होंने हमारा फीलींग को इन्ज्युर किया। इसलिए उनको चाहिए ये शब्द वापिस ले लें।

SHRI NAWAL KISHORE : If I have injured his feelings, unknowingly and unintentionally, I withdraw my words. It was a common saying.

MR. DEPUTY CHAIRMAN: Mr. Bipinpal Das.

SHRI BIPINPAL DAS (Assam): Mr. Deputy Chairman, Sir. the need for reforms in University administration has long been felt by the educationists, the teachers and academic circles in this country. And from this point of view the Gajendragadkar Committee Report is a very welcome report. This report, if implemented, will help us in fulfilling a long-standing desire. Although there may be room for further improvement in the same direction, but for the present, as far as it goes, I think the Gajendragadkar Committee report is a very progressive one. Particularly I am happy that this report emphasized the need of democratisation of University administration. I am one of those

who feel that the Universities and educational institutions should be administered by the teachers, the students and the employees of the University. Sir, I may refer to the experiment made in Yugoslavia in this respect. I do not know if any other country has made a better experiment so far as the democratisation of University administration is concerned. And, therefore, from that point of view also, since this Committee has introduced the idea of more participation by teachers, participation by students and also the employees, in the administrative affairs of the University, I take this report and this particular recommendation as very progressive. In particular, the fact that students have been allowed to participate in various ways in the administration although not in the Executive Council, but in various other ways—is also a very welcome feature of this report. In the matter of student participation, whereas I welcome entirely the recommendation made by the Gajendragadkar Committee, I request the Education Minister also to examine the kind of student participation they have evolved in Glasgow University, and particularly in Strathclyde University. I have seen myself and I was very much encouraged by the experiment made in that University regarding student participation.

Now, Sir, the most important feature of this Bill, in my opinion, is that—this University will henceforth be unitary and residential type, and the clause which allowed the University to affiliate colleges has been deleted. Now, Sir, my personal experience is—because I used to belong to a University which was of affiliating type—that the affiliating types of Universities cannot do justice to the question of standard or raising the standard of education. The unitary Universities, and particularly the residential types of Universities, have greater opportunities to pay attention to the question of standard. And if we look around in this country we will find that not only today but also in the past the unitary types of Universities or residential types of Universities have made much more contribution to standard than the affiliating types.

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i Therefore, this particular provision I made in this Bill to convert the Aligarh University entirely into a unitary type or residential type is a very welcome measure

There is in this Bill, for example, the procedure suggested for electing or selecting Deans of Faculties and Heads of Departments. These were long-felt demands. As a matter of fact, the teachers of this country were feeling for a long time that such a reform should be made and they have made it now at least in the case of the Aligarh University. The progressive teachers welcome it that it has been brought out in this Bill so far as the Aligarh University is concerned. My request to the hon. Minister is that he should try to introduce these ideas, these features in the administration of the other universities in this country also.

Some people have raised the question as to why the Aligarh University should not be allowed to affiliate colleges. The Minister has explained very clearly that it was from the point of view of the recommendations made by the Gajendragadkar Committee. Not only from that point of view—that is there and we have tried to implement that idea—but I would like to emphasise that it is also from the point of view of raising the standard itself that it is very necessary at least in the Central universities to have the unitary type and to do away with the affiliating type. And this principle, I understand, has been implemented so far as the Banaras University is concerned, since 1966. Because of the affiliation of colleges the university administration—the Vice-Chancellor and the Registrar—become too much occupied with a large number of colleges and they cannot pay that much of attention which is necessary for raising the standards of the university itself. But in this Bill the Aligarh University will be allowed to establish special centres, specialised laboratories and such other things within a radius of 25 kilometres, and that is very necessary. So the work of the University in the sense of expanding its own activities, raising its own standards will not suffer because of the deletion of that particular

[Slni Bipinpal Das]

clause by which the affiliation has been taken away.

I believe that every educational institution, particular!) a university, must be able to develop its own personality. If you look at the universities the world over, the courses provided are more or less the same. After all, the courses provided in Oxford and Cambridge are "Store or less the same, but still Oxford is Oxford and Cambridge is Cambridge. A university itself must be able to develop its own personality and that depends upon the traditions, the practices, the administration, the courses provided and the whole academic climate provided by the University within the university itself. All these together develop the personality of the university,

I believe Aligarh University also has a distinct personality. It has a historical role to play; it has played it. Aligarh University, to make it short, was established mainly to emphasise and concentrate on Islamic studies- Islamic history. Islamic culture. Islamic theology and Islamic philosophy. Now all these have not been taken away by this Bill. The emphasis on Islamic studies in the Aligarh University is there because that has a historical role and cause of the specialisation in this respect Aligarh University has developed its own personality. That has been laid down in this Bill. Nobody has taken it away. Therefore, if there is some apprehension in the minds of some people, my opinion on this amendment of the University Act is that the idea that this specialised feature of the Aligarh University is going to suffer or is going to be taken away is a misconception. At the same time it must be recognised and realised that education and the educational institutions, the educational system must be able to move with the times. It must on the one hand, be rooted in its own healthy traditions and on the other hand it must be able to take in, accept, absorb the modern ideas and thoughts and modern ways of life from that point of view also this Bill is a very welcome measure. For example, some pro

have been made in this Bill by which the control of the administration will be free from obscurantist ideas and forces and modern elements have been given more prominence. For example, the emphasis on representation of is. the emphasis, the new idea that has been provided for getting representation of the existing students in preference to old students, the attempt to free the University from the clutches of the obscurantist forces of like the donors—we all know who the donors are- all this is very important. If this University maintains its historical role keeping intact its own healthy traditions. maintain its specialised character for studies, for concentration on specialised studies, this University must also be able to move with the times, and therefore if the students are given more hand, if the teachers are given more hand in the administration of the University, if the employees are made to play some part in the administration, I think they are healthy measures, very progressive measures and I am really happy that the Education Minister has brought this Bill before us. I would only wish this will be an example for other Universities to follow.

I have already said about student participation. There was a debate in the press. This has been going on. The representation of the old students has been cut down and new students have been given more representation. : amendments have been made in the Lok Sabha in this regard. We cannot run a University effectively and efficiently, we cannot produce the results, we cannot make it really progressive unless the students are allowed more participation and unless we make them feel that they are also responsible for the well-being and progress of the "hole institution. And therefore the present students are more important than those who used to study years ago. So from all these considerations. while on the one hand I welcome wholeheartedly the recommendations of the Gniendragadkar Committee. I am particular!', happy that some of the very important recommendations of the Gajendragadkar Committee have been incorporated in the present Bill.

Some people have raised the demand that we should declare this University to be a minority institution. Now what do they mean by it? Whatever has been proposed in the Bill will not affect the minority in any way. I have repeatedly emphasised also that the specialised character of the University has been maintained. The domination of the minority community in the administrative bodies also will be there automatically if you examine the composition of the different bodies. But I do not think that the Central Government can declare any institution as a minority institution. Firstly it will go against our secular principle and secondly if today we declare Aligarh to be a minority institution tomorrow all the other minorities, linguistic, religious and what not, will come up with demands of a similar nature. There are hundreds and hundreds of minorities in this country and as a result the entire cultural life of this country will be totally disintegrated. We do not want a disintegrated cultural life, we want an integrated cultural life. I will not take the time of the House b) quoting what the Gajendragadkar Committee has said in this regard. My friend, Mr. Nawal Kishore, has just now read out that passage. We have to build an integrated society in this country and we cannot encourage forces and tendencies which will disintegrate our social and cultural life. Because of these two reasons I am not in favour of declaring any institution in this country either as a minority institution or as a majority institution. Let these institutions be declared as national institutions: let us honour them that way. We are proud to have this Aligarh University as a national institution in this country. We want this University just as the Jawahar-lal Nehru University or the Delhi University or the BHU or any other great University to contribute towards the development of a composite culture of this country and for integration of the country. Therefore I do not think that this particular demand that this University be declared a minority institution is supportable. I would emphasize that the Aligarh University will continue to be one of our proud national institutions and it must remain like that. We

should make further progress in that direction. What happened in 1920 is a different thing, The situation (b) is not what it was in 1920. It is wrong to believe that all the Muslim students in the whole country come to Aligarh. They don't; there are thousands of Muslim students studying in different Universities in the country. What about them? If we give some special privilege from the minority point of view only to Aligarh University what about the thousands of Muslim students studying in different Universities in the country? Therefore that particular idea I think is not a very healthy one

In conclusion I would only say this that education can no longer be allowed to serve the interests only of a particular class, only of the upper strata of the society. Education must be able to meet the needs of the vast masses of this country who are poor, who are backward. There are millions of people still without education and we have to think of measures by which we can raise the cultural standards of the vast masses of our people and provide them with the necessary facilities. Therefore from that point of view I would suggest that those who are thinking only in terms of a small section of the Muslim population enjoying the privilege of being educated in Aligarh should instead think of the vast masses of the people spread over the whole country who are yet to get education. Let us consider what facilities we can give and what provision we can make for their education.

Thank you.

डा० भाई महावीर (दिल्ली): उपभोक्तापति जी, अखिल भारतीय मुस्लिम यूनिवर्सिटी के संबंध में जो विधेयक हमारे सामने है उस की धाराओं की व्याख्या मंत्री जी ने की है। यूनिवर्सिटी के संविधान में क्या क्या प्रविधान होने चाहिए, इस के बारे में गजेंद्रगडकर कमिटी की जो सिफारिशें आयीं उन के आधार पर यह विधेयक बनाया गया। मैं समझता हूँ कि इन धाराओं के साथ कोई ज्यादा मतभेद रखने की गुंजाइश



[डा० भाई महावीर]

नहीं और मंत्री जी ने उस के अंदर जो सुधार लाने की कोशिश की है, कुछ पुराने परिवारों को, जो डोनर्स फंडमलोज थीं उन का उस के उपर जो गतबा बना हुआ था उस को कम करने का जो विचार किया है, यह स्वगत के योग्य कदम है । और इसलिये स्वाभाविक है कि इस विधेयक से देश की और शिक्षा के सभी हितचिंतकों को उम्र हद तक खुशी होगी जिस हद तक सुधार की आशा इसमें से पैदा होती है लेकिन, महोदय, जब हम इस विधेयक पर विचार करते हैं तो एक बात सामने आती है कि सात साल की प्रतीक्षा के बाद यकायक कुछ ऐसा इल-हाम हमारी सरकार को हुआ कि अब दो दिन का भी इंतजार नहीं किया जा सकता, इतना भी मौका नहीं दिया जा सकता कि बिल एक सेलेक्ट कमेटी के सुपुर्द इस बिल को कर के अगले सत्र तक उसकी रिपोर्ट मांग ली जाय । तुरंत पास करना है, नोटिस का जो पिरियड है उसको भी बच कर के इसके लिये विशेष रूप से सदन के अधिवेशन को बढ़ाना जरूरी दिखाई दिया तो वह भी करके और यह फैसला किया गया कि यह बिल अभी पास किया जाना चाहिये । प्रश्न यह है कि सात साल तक जो हमने प्रतीक्षा की वह किस बात के लिए थी और आज यकायक कौन सी चीज हो गई कि जो हमें लगता है कि वह प्रतीक्षा आज पूर्ण हो गई या वह सफल हो गई । मंत्री जी ने कहा कि आंदोलन चले हैं । मैं नहीं जानता कि आंदोलन करनेवाले इस बिल से कहां तक संतुष्ट हैं अगर वे संतुष्ट हैं तो क्या कोई दूसरा वर्ग ऐसा न पैदा होगा जो आंदोलन करेगा, वास्तव में वह पहले ही है मंत्री जी को भी मालूम है कि उनके आंदोलन के विरोध में भी आंदोलन कर रहे हैं तो यदि आंदोलनों से प्रभावित होकर के सरकार निर्णय करने लगे तो एक तरह से तो यह सरकार के

डेमोक्रेटाईजेशन का बड़ा अच्छा लक्षण है लेकिन मंत्री जी ने नहीं कही कि यहां ध्यानाकर्षण प्रस्ताव में बहुत जल्दी करने के लिए जोर दिया गया था । मैं चाहूंगा कि सरकार की तरफ से यह आश्वासन मिल जाय कि आगे भी जब किसी ध्यानाकर्षण प्रस्ताव पर इतना जोर दिया जायगा तो सरकार इतना जल्दी ही कार्यवाही करेगी क्यों कि आज तक हमारी यही शिकायत रही है कि बार बार एक विषय को उठाया गया, ऐसे विषय को उठाया गया जिससे छोटे लोगों को, छोटे कर्मचारियों को, घरेलू, उद्योग वालों को कुछ सुविधा मिलने की बात हो, उनके हित के वास्ते जब ऐसे ध्यानाकर्षण प्रस्ताव लाये गये और कांग्रेस तथा सदन के अन्य सभी वर्गों से भी उनके लिये मांग की गई फिर भी सरकार ने कार्यवाही जल्दी करने का फैसला नहीं किया । वर्षों बीतते रहे और किसी को चिंता नहीं हुई । परंतु यहां पर जल्दी की गई । क्यों जल्दी की गई मैं नहीं समझ सका । और फिर यदि यह कहा जाता है कि विद्यार्थी कक्षाओं के बाहर हैं तो जैसा कि मेरे मित्र श्री नवल किशोर कह रहे थे कि विद्यार्थियों ने तो मांग की है कि 'फेबरेविल' एक्ट बन जाय तो वे बढ़ेंगे अब व इस एक्ट को फेबरेविल समझेंगे या नहीं ? अगर उनका कोई आश्वासन मंत्री जी के पास है तो बता दें । किन्तु हमें जहां तक स्थिति मालूम है वह यह है कि उनका कोई आश्वासन नहीं है । और यदि उनका आश्वासन है तो इसका क्या आश्वासन है कि इस एक्ट बनने के बाद कोई और दूसरा वर्ग नहीं उठ खड़ा होगा ?

श्रीमन्, विश्वविद्यालय के संविधान के अंदर बदल किया गया है जिसकी व्याख्या मंत्री जी ने की है । मैं समझता हूँ कि मंत्री जी इस बात पर सहमत होंगे, जैसा कि कहा जाता है "दि लाइज एन एस,"

'जो कानून है एक गधे जैसा है' उसके कान पकड़ कर के जैसा चाही मोड़ लो, तो जो और कानूनों के बारे में कहा जा सकता है वह मैं समझता हूँ कि अलीगढ़ यूनिवर्सिटी के संशोधन विधेयक के बारे में भी कहा जा सकता है, जो किसी भी कानून के बारे में सच होगा वह इसके बारे में भी अवश्य सच होगा। प्रश्न यह है कि इस 'ऐस' के कानों को मरोड़ कर इसे किधर ले जाया जाएगा। यह ले जाना लेजाने वालों पर है, उन लोगों पर है जो वहाँ सत्ता रखते हैं, जिनके हाथ में अधिकार हैं और जो उन अधिकारों का उपयोग आज तक करते आये हैं। वे कैसे लोग हैं?

सात साल पहले यह स्थिति क्यों पैदा हुई कि वहाँ के लोकतंत्रों ढांचे को स्थगित कर के वहाँ पर एक नॉमिनेटेड, नामांकित व्यवस्था लागू की गई और आज तक वह चलती रही। यह स्थिति हम जानते हैं तब पैदा हुई जब यूनिवर्सिटी के वाइस चान्सलर श्री अली यावर जंग के उपर कात्तिलाना हमला हुआ, एक ऐसा हमला हुआ जिस हमले के पीछे यूनिवर्सिटी के अधिकारियों का हाथ था, छात्रों की एक साजिश थी और वहाँ के शहर के भी शायद कुछ बड़े भयंकर और समाजद्रोही तन्त्रों की एक साँठ गाँठ उसके अंदर शामिल थी।

इन सब की मिली भगत से, महोदय, 2 मई 1965 को वह हमला हुआ और आज पूरे 7 साल 1 महीना होने के बाद 2 जून 1972 को इस मदन में यह विधेयक प्रस्तुत है। मैं यह जानना चाहता हूँ: जो दुर्घटना उस समय हुई थी, और जो पत्र श्री अली यावर जंग ने, उपकुलपति ने, अपने आंसुओं में डूबो कर, अपने दिल की गहराइयों से निकाल कर, शिक्षा मंत्री को लिखा था—क्या उस पत्र के मुझाव पर कोई कार्यवाही की गई? क्या उस पत्र में जिन

खतरों की तरफ से सरकार को आगाह करने की कोशिश का गई थी उन से सरकार आगाह हुई क्या? क्या सरकार ने ऐसा कोई कदम भी उठाया जिनका उठाया उन्होंने जरूरी बताया था? महोदय, दो-तीन बातों की तरफ में ध्यान दिवाना चाहता हूँ। श्री अली यावर जंग ने उसके पहले 1961 को इन्क्वायरी रिपोर्ट का जिक्र किया था और उन्होंने कहा था:—

"The spirit of the recommendation of the Enquiry Committee of 1961 that we should borrow the serv'c« of an expert Finance Officer who should be given adequate powers was violated when, instead of requesting the Auditor-General of India or the Accountant-General of U.P. to depute a suitable officer of his choice both the Finance Officer and the Accountant Officer were handpicked by the Registrar from the U.P. from among his previous acquaintance for no other reason than that they were Muslims. Similar handpicking has been done in the case of Heads of Buildings and Electricity Departments to ensure that they would not be non-Muslims and I must confess that I fail to see how the minority character of the Muslim University or for that matter the Hindu character of the Banaras University, would be altered by the accident of some efficient executive

यह अली यावर जंग कह रहे हैं। मैं कहता तो आप कह देते कि ये सांप्रदायिक लोग हैं, हिंदुओं में भी सांप्रदायिक हैं, मुसलमानों में भी सांप्रदायिक हैं। दोनों को एक लाठी से ढांकने के लिए जइ० ए० अहमद साहब खड़े हो जाते हैं।

in technical departments being of a different faith. A chance remark of mine to this effect was bandied about as treachery, and. not content with this kind of fortress that has been built, a distinguished Aligarhian once seriously told me that, for keeping law and order between the town and the university, the Collector, the S.P., the D.S.P., the D.I.G. and the T.G. should all. in principle, be Muslims."

डा० ज० ए० अहमद: हाँ हाँ, जरूर कहूँगा।

डा० भाई महावीर : जी हाँ, कहेंगे, क्यों कि उसमें आपको पंच बनने की बड़ी आसानी से सहूलियत मिलती है। परंतु, महोदय, अली यावर जंग साहब के कथन के बाद, छात्रों के बारे में उन्होंने जो दो चार वाक्य कहे हैं मैं उनको आपके सामने कहना चाहूँगा :

"A traditional belief that our students were essentially a good lot had kept up the myth that they were all disciplined, respectful of authority, hospitable and even refined. This was mentioned to me by many teachers, old boys and even my predecessor. The further myth that through our Halls of Residence. « were not only teaching but building the characters of our students, also kept us from reviewing from time to time on Hall system and the impact of the provosts and wardens on the students."

". . . and what struck me most, in all the « pomp and lavishness was

बाग़े ट्रैडिशनल कैरेक्टर की ओर इशारा किया जा रहा है।

the indulgence in worn out cliches in reference to past glories, in hypocritical allusions to a multi-religious and multi-cultural society when the union did not tolerate the inclusion even of one non-Muslim on its executive body".

I came to know only yesterday from Col. Zaidi that as long as October 1%4.

उससे आगे उन्होंने कहा है :

when I accepted your offer of the Vice-Chancellorship of Aligarh. two local Urdu rags published bulletins accusing me of having betrayed the Nizam, opposed the Ittihad-ul-Muslimeen and sold Hyderabad and Osmania University to the Hindus and India. It is strange that neither the University nor the local police nor even my predecessor informed me of this when I took over on March 1."

महोदय, यह थी स्थिति, यूनिवर्सिटी के अंदर की हालत रजिस्ट्रार और पुराने वाइस चान्सलर की यह मनोवृत्ति (वहाँ की फाइनैन्शियल इर्रिब्युलेरिटीज वगैरह दुसरी इन सारी बातों को तरफ़ में नहीं जा रहा क्यों कि जिस वजह से इतनी देर तक कानून नहीं लाया जा सका और जिस तरह के आंदोलन के प्रभाव से आज कानून बनाने का फैसला हुआ है, उसकी तह में जो सबसे बड़ा कारण है केवल उसका उल्लेख करना चाहता हूँ) कि श्री अली यावर जंग ने कहा कि जो हमला हुआ मेरे ऊपर, वह कोई स्पोर्टिड इन्सोडेंट नहीं था।—ऐसा नहीं था कि किन्हीं दो चार लडकों को जोश आया, लडके आखिर लडके होते हैं, किसी भी यूनिवर्सिटी में वह कितनी भी अच्छी हो 4 लडके या दस-पाँच लडके जोश में आकर ऊधम मचा सकते हैं, पर ऐसा नहीं हुआ। उन्होंने कहा है :—

कौन लॉग थे जिन पर हमला हुआ ? कुछ लोगों को खास तौर पर निशाना बनाया गया और कुछ लोगों को छोड़ दिया गया। जिन को छोड़ा गया, कुछ तो इन्सिगनिफिकेंट होंगे, और कुछ शायद ऐसे होंगे जिनको उनके प्रति सहानुभूति थी। लेकिन कुछ अन्य का इस बारे में उल्लेख किया गया है।

"It would be interesting to find out who all among the members of the stall present at the meeting of the court did not suffer injuries. Some of them were probably regarded as nobodies; some others—these would be ven few may have been held in some respect by the students; it is the remainders—on whom we should concentrate. Who also were the officials of the university who asked the police to go away instead of asking them to get into the building and defend the members of the court and the authorities? There is a host of other enquiries to be made about the activities of the deliberate inactivity of university officials and.

in any case, it has to be investigated where the snakepits exist and who and how many the snakes are.

For, far more important than the question of the physical or spiritual injury sustained by me is the question of the continuing existence in the Muslim University of a well entrenched minority of men, with ramifications in Aligarh town and elsewhere, who are more than merely communal and have deeply and reactionary fascist leanings. Their existence and influence cannot be ascertained by an enquiry requiring judicial probe; there must at least first be a thorough CBI probe at a high level with the participation of the State's own investigation authorities."

महोदय, क्या यह जांच कराई गई ? क्या इस तरह की जांच कराने के बाद सरकार को कुछ मालूम हुआ ? क्या मात साल का अरसा बीत जाने के बाद हमें लगता है कि सारी हालत अपने आप ठीक हो गयी होगी, सब लोग अपने आप भले मानस हो गये होंगे और सब तरह की साजिशें अपने आप शांत हो गई होंगी ? यदि ऐसा होता तो यह घटना एक स्पोर्टिङ्क इन्सिडेन्ट साबित होती । मगर यह घटना कोई स्पोर्टिङ्क घटना नहीं थी, जैसा कि श्री अलियावर जंग ने कहा था उसके पीछे कोई स्थायी तत्त्व थे । और वे स्थायी कारण अलीगढ यूनिवर्सिटीके प्रारंभ से ही वहां पर थे । सर सैयद अहमद ने अलीगढ यूनिवर्सिटी को बनाया था । यह बात ठीक है कि इस यूनिवर्सिटी को मुस्लिम कन्वैन्सिटी में शिक्षा का प्रसार करने के लिए बनाया गया था । लेकिन शिक्षा के दो पहलू होते हैं । एक पहलू शिक्षा का यह होता है जिसमें हिस्ट्री पढाई जाती है, भूगोल पढाया जाता है, पोलिटिकल साइन्स, इकॉनॉमिक्स, मेथेमेटिक्स, इंजिनियरिंग और मेडिकल साइन्स यह सब पढाया जाता है । इन चीजों को पढाने में इस यूनिवर्सिटी और किसी दुसरी यूनिवर्सिटी में जायद ही

कोई फर्क हो सके । लेकिन इसके इलावा वहां पर तो एक माहोल पैदा कर दिया गया है । एक ऐसा वातावरण बना दिया गया है इस तरह की एक हवा को जन्म दे दिया गया है कि जिस हवा ने वहां के लोगों को अपने राष्ट्र के स्वतंत्रता संग्राम में हिस्सा लेने के लिए प्रेरित करने के बजाय उनको अलग रखा और मुसलमानों से कहा "ए, मुसलमानों, तुम्हें अंग्रेजों का साथ देना है, तुम्हें अंग्रेजों के राज के साथ रहना है । तुम हिन्दुओं के साथ किस तरह से मिल सकते हो ? अगर तुम हिन्दुस्तान की आजादी के लिए लड़ोगे, उनके साथ शामिल होंगे, तो यह तुम्हारे हित में नहीं है, यह तुम्हारे इन्टरेस्ट से पूरी तरह अलग चीज है और तुम्हारे हित से टकरा रही है । इस मूलभूमिका को लेकर वहां पर यूनिवर्सिटी की स्थापना की गई और उसके परिणामस्वरूप . . .

(Time bell rings)

श्रीमन्, इस विधेयक पर सारे दिन विचार होगा, इसलिए मैं कुछ अधिक समय लेना चाहता हूँ ।

श्री उप सभापति : इसमें कांती लोग बोलने वाले हैं और हर एक को 15 मिनट का समय दिया गया है ।

डा० भाई महावीर : श्रीमन्, अगर मेरे हिस्से में इतना ही समय आता है तो मैं जल्दी में अपनी बात खत्म कर दूंगा । परन्तु क्या समय पार्टी के अनुसार बांटा नहीं गया है ?

श्री उप सभापति : पूरे दिन बहस होगी और बोलने वालों की संख्या बहुत ज्यादा है इसलिए हर एक के लिए 15 मिनट का समय रखा गया है ।

डा० भाई महावीर : श्रीमन्, मैं जल्दी में अपनी बात खत्म कर दूंगा । हुआ यह कि जिस तरह से यूनिवर्सिटी में वह हवा बन गई । उसका परिणाम यह निकला है

[डा० भाई महावीर]

कि वहाँ के जो नौजवान छात्र हैं उनमें 'मुस्लिम कौम' के प्रति तो भक्ति भावना है परंतु राष्ट्रीय आंदोलन के प्रति एक-पूर्ण प्रथकता की भावना है। वहाँ पर प्रोफेसर थे जिन्होंने देश के बहुत पहले के विभाजन की कल्पना की। उन्होंने यह योजना बनाई कि देश को तीन हिस्सों में बांट दिया जाय। सैयद जफरुल हसन और मोहम्मद अफजल कादरी, इन दो प्रोफेसरों ने देश को तीन हिस्सों में बांटने की तजवीज बनाई थी। वे तीन हिस्से तो अवश्य हो गये। बंगला देश अलग हो गया। पर जिस तरह से उन लोगों ने सोचा था उस तरह से शायद नहीं हुआ। इस देश का विभाजन भी हुआ, लेकिन जैसी उन्होंने कल्पना की थी उस ढंग से नहीं हुआ। काजी ताजुद्दिन अहमद भूगोल विभाग के एक रीडर थे, उन्होंने यह अभूतपूर्व खोज की कि इस देश के अंदर कभी भी भौगोलिक एकता नहीं रही। यह विचारधारा महोदय, जिन कारणों से पैदा हुई वे कारण मुस्लिम लोग को फिलासफी और मुस्लिम लोग की विचार धारा के साथ जुड़े हुए थे। वहाँ पर जिन्ना साहब बराबर जाते थे क्यों कि उनको वहाँ से कार्यकर्ता मिलते थे। इस वास्ते जिस वक्त देश का विभाजन हुआ उस समय भी अलीगढ़ यूनिवर्सिटी के छात्रों ने उत्तर पश्चिमी सीमा प्रांत में जाकर के यह प्रचार किया कि सीमा प्रांत पाकिस्तान के साथ जाय भारत के नहीं।

श्री अवधेश्वर प्रसाद सिंह (बिहार): हिंदू-महासभा का कांटीव्यूशन देश के विभाजन में कम नहीं था। यह भी समझना चाहिये।

डा० भाई महावीर : अगर आप को कुछ पता नहीं है तो अपने अज्ञान को कमसे कम छिपाना सीखिये।

श्री अवधेश्वर प्रसाद सिंह : आपका ज्ञान तो प्रकट हो गया है।

डा० भाई महावीर : यहाँ पर हिंदू-महासभा का सवाल नहीं है। आप जो ज्ञान रखते हैं उसके अंदर केवल अज्ञान ही है और कुछ नहीं है।

महोदय, हमारे वर्तमान उद्योगमंत्री श्री मोइनुल हक चौधरी 1947 में अलीगढ़ यूनिवर्सिटी के छात्र संघ के महासचिव थे और ये छात्रों का एक दल ले कर के पश्चिमी सीमा प्रांत में मुस्लिम लोग के हक में इस का प्रचार करने के लिए गये थे कि वह क्षेत्र पाकिस्तान में जाय। परंतु महोदय, ये सब बातें होने के बाद 1947 में देश की स्थिति बदल गई। वहाँ की स्थिति बदलते हुए भी जो वहाँ कुछ बहुत कट्टरपंथी थे उनको ऐसा लगा कि शायद आगे उनका वहाँ रहना ठीक नहीं होगा, इस लिए वे पाकिस्तान भाग गये। हाँ, वहाँ कुछ ऐसे लोग भी आये चाहे अपवादस्वरूप ही, डा. जाकिर हुसेन जैसे जिन्होंने चाहा कि वहाँ कि हवा बदले और वह यूनिवर्सिटी सचमुच में ऐसी संस्था बन जाय जो ज्ञान का केंद्र हो इस्लामिक शिक्षा दे। उन्होंने यह भी चाहा कि उसमें चरित्र निर्माण भी हो और देश की राजनीति के अंदर जो योगदान नहीं पीढी को करना चाहिये वह करने के लिए लोगों को तैयार किया जाय लेकिन डा० जाकिर हुसेन जितनी देर वहाँ रहे उसके बाद दुखी हो कर के आये और जो उन्होंने अपना विदाई का भाषण दिया उससे उनकी निराशा साफ झलकती है। परंतु महोदय, यह सारी तसवीर जो श्री अली यावर जंग ने सामने रखी और जिस का इशारा डा. जाकिर हुसेन के विदाई के भाषण में भी मिलता है, उसके अंदर जो मेरा पहला प्रश्न था उसका उत्तर आज मिलना चाहिये था। अलीगढ़ मुस्लिम यूनिवर्सिटी का माइनारिटी कैरेक्टर रहना चाहिये, यह मांग की गई। इस मांग के पीछे क्या तस्व थे? यह हमने जानने की कोशिश

की कि माइनारिटी कैरेक्टर क्या है। श्री अली यावर जंग ने भी माइनारिटी कैरेक्टर का कुछ मतलब बताया है। हम समझते हैं कि वह मतलब सही है। अगर वहां पर इस्लामिक ग्रंथों का अध्ययन होता है, अगर वहां पर इस्लामिक फिलासिफी और इस्लामिक धर्म का शोध होता है, अगर वहां पर ऐसे सारे हालात पैदा किये जाते हैं जिससे इधर उधर से विद्वान आ कर के दुनिया के अन्दर इस्लाम के रोल के बारे में ग्रंथ प्रकाशित करायें, पुस्तकालय बनाये जायं, तो यह बड़े आनन्द और सौभाग्य का विषय होगा। इससे देश की राजनीति में और शिक्षा के क्षेत्र में बड़ा योगदान मिलेगा। परंतु मैं नहीं समझता कि यह करने के रास्ते में अगर वहां पर स्थानीय कालेजों को यूनिवर्सिटी से संबद्ध कर दिया जाता तो कौन सी बाधा आती कौन सी अड़चन आती और नान रेजिडेंशियल कैरेक्टर उसका रास्ते में बाधक बनता। उसका नान रेजिडेंशियल कैरेक्टर केवल इसलिए बाधक बनता है कि लोगों को लगता है कि आसपास के कालेजों के छात्र ज्यादातर अगर हिंदू हैं और हिंदू छात्र सम्बद्ध हो गये तो इस्लामिक रूप खतरे में पड़ जायेगा। माइनारिटी कैरेक्टर खतरे में पड़ने की दुहाई देने के लिए बहुत बड़े बड़े सेक्यूलरपंथ आचार्य भी खड़े होंगे। मेरा यह निवेदन है कि अलीगढ़ यूनिवर्सिटी के अंदर जो झगडा, एजिटेशन और खिचाव पैदा होता रहा है उसका एक कारण यह भी है कि उस यूनिवर्सिटी को जितनी ग्रांट मिलती है, केन्द्रीय सरकार की तरफ से जितना धन मिलता है, शासन की ओर से जितनी सुविधाएं मिलती हैं, सड़क के पार के उसी नगर के अंदर जो दूसरे कालेज के छात्रों को दिखाई देता है कि उसका तीसरा चौथा हिस्सा भी प्रति छात्र के हिसाब से उनको नहीं मिलता है। इससे उनको लगता है कि क्या हम भारत मां के सातेले बेटे हैं क्या भारत की

सरकार हमें घटिया समझती है, क्या हम सेकंडक्लास सिटिजन हैं। ये प्रश्न उठ सकते हैं और इनका उठना स्वाभाविक है। महोदय, बनारस हिंदू यूनिवर्सिटी के बारे में भी यही कर रहे हैं। कहते हैं बनारस हिंदू यूनिवर्सिटी को भी अफिलिएशन का अधिकार नहीं है। परंतु दोनों की स्थिति पुरी तरह भिन्न है वहां यह कारण मीमांसा नहीं आ सकेगी। यहाँ यह कारण मीमांसा इस लिए पैदा हो गई कि अलीगढ़ यूनिवर्सिटी का एक इतिहास है और उस इतिहास को समझ कर जो हल करना चाहिये वह हल इस बिल में नहीं किया गया है।

आज यह विधेयक लाया गया है। इस को लाने के बाद भी महोदय, छात्रोंके प्रवेश का जो अनुपात था, जब श्री अली यावर जंग पर हमला हुआ तो झगडे का कारण यही था कि वहां स्थानीय छात्रों के प्रवेश में 75 प्रतिशत जो रिजर्वेशन था वह कम करे के 50 कर दिया जाय या न किया जाय। एक यह ऐसा विषय था जिसके बारे में स्पष्ट है कि एक लोकतांत्रिक देश के लोग क्या उचित समझेंगे। अगर इस तरह की कोई मांग एक यूनिवर्सिटी वहां के कुछ प्रोफेसरो की शय पर उठा कर चलती है तो मैं समझता हूं कि इस को उचित नहीं ठहराया जा सकेगा। शायद प्रो. नूरुल हसन साहब कहेंगे कि यह सब इस बिल के अंदर नहीं है। मैं भी जानता हूं कि यह सब इस बिल के अंदर नहीं है, यह यूनिवर्सिटी का ऑटोनोमस अधिकारों का हिस्सा है, लेकिन अगर यूनिवर्सिटी उस अटोनामी का गलत इस्तेमाल करे तो वहां लोगों की गलत मनोवृत्ति या गलत प्रवृत्ति होने के कारण जो स्थिति वहां पैदा हुई थी उस के परिणामस्वरूप सात साल तक हम खटाई में पड़े रहे और आज जब आप यह बिल ला रहे हैं तो फिर वजह क्या है, कि वही

## [डा० भाई महावीर]

कारण फिर न पैदा कर दिये जायें जिन की ओर इशारा श्री अली यावरजंग साहब ने किया था। उन की क्या कोई खोज हुई? क्या उस तरह के तत्वों को दूर हटाया गया? और क्या इसके बाद अलगढ यूनि-वर्सिटी शुद्ध रूप में सरस्वती का मंदिर बनेगी? सरस्वती का मंदिर कहने के बाद मुझे आशा है कि हमारे मुसलमान दोस्त इसे माइनारिटी कैरेक्टर के विरुद्ध कह कर बुरा नहीं मानेंगे क्यों कि जो एक विद्या का केंद्र, ज्ञान आराधना का स्थान होता है उसे हम सरस्वती का मंदिर कहते हैं ऐसा जिसमें राजनीति को स्थान न हो और तमाम दकियानूसीपन की चीजें निकाल दी जायें, क्या वे सब निकल सकेंगी या नहीं? इस बिल से यह पता नहीं लगता। इस लिए जो प्रश्न सात साल पहले था वह अभी भी है। मैं चाहूंगा कि मंत्री जी यह बतायें कि वे उन सारी चीजों को जिन के कारण ऐसी अवस्था पैदा हुई थी कैसे ठीक करेंगे। क्यों कि सात साल तक हम वहां लोकतंत्रीकरण नहीं कर सके, आज जब हम करने जा रहे हैं तो क्या उस से फिर वही तत्त्व पैदा नहीं होंगे? क्या उन्हीं के सामने झुक कर तो हम यह बिल नहीं ला रहे हैं? क्या उन्हीं की मांगों को लेकर एफॉर्लीएशन के अधिकार को समाप्त तो नहीं किया? यह प्रश्न हैं जिन का उत्तर चाहिए और यदि उन का समाधानाकारक उत्तर हो तो ठीक है। श्रीमाली कमेट्री की सिफारिशें कितनी मानी गयीं, कितनी नहीं मानी गयीं इस का पता नहीं लगा। मैंने पहले भी कहा, मुझे आशा है कि इस बिल की धाराओं से कुछ न कुछ सुधार होगा, परंतु आपने उन तत्वों के सामने जो समर्पण किया है उस से सुधार होने के बजाय उन को बल मिलेगा यह मुझे डर है। इस चेतावनी के साथ मैं अपनी बात समाप्त करता हूँ।

## [श्री ایم اسعد مدنی (اُتیردیش)]

ڈیٹی چیئرمین صاحب - علم ودیاء  
روشنی کی طرح سب کے لئے ہوتی  
ہے اسی کو کسی کے ساتھ خاصی  
جوڑنا اور دوسرے کو اسی سے  
محروم کرنا یہ نہیں ہو سکتا۔ اور  
نہ اسی کا کسی کو حق ہے۔ ہمارے  
ملک میں بہت سے تعلیمی ادارے  
جیسی یونیورسٹیاں ہیں۔ شاید  
۲۰ - ۲۰ سے بھی زیادہ ہیں۔

ہمارے ملک کے بسنے والوں  
کو حق ہے اور ہونا چاہیے کہ  
ان میں آزادی کے ساتھ علم  
حاصل کریں ان سے فائدہ  
اُٹھائیں اور ان کو ان سے  
مستفید ہونے کے حوالہ حاصل  
ہوں لیکن ایک حقیقت ہے  
کہ اسی ملک میں اتنے تعلیمی  
ادارے اور یونیورسٹیاں ہونے  
کے باوجود اس میں تعلیم  
حاصل کرنے کے داخلے اتنی

مقابلے و ظائف اور ملازمتوں  
میں بہ قسمتی سے وہ سارے  
فائدے نہیں پائے جاسکے  
جو ایک سیکولر اسٹیٹ  
اور اس کے اداروں میں  
سب کو انصاف اور برابری  
کے ساتھ ملنے چاہئیں۔ لوگ  
یہ محسوس کرتے ہیں کہ قدم  
قدم پر امتیاز ہو رہا ہے یہ  
ہماری بہ قسمتی ہے اور ملک  
کے نئے براہِ فال ہے جس کے  
لئے سب کو مل کر اس کو ختم  
کرنے کی کوشش کرنی چاہئے  
کاشی اگر الیسا ہو چکا ہوتا  
تو ہم سب لوگ اس حق میں  
کھڑے ہوتے کہ عرف نام ہی  
نہیں بلکہ ساری چیزوں کو  
بدل کر ایک ہی لیول پر لے  
آیا جائے اور کوئی ضرورت  
نہیں ہے۔ ہر جگہ ہر شخص بلا امتیاز  
بغیر کسی ریزرویشن کے جائے  
اور روشنی حاصل کرے لیکن

موجودہ صورت جو ایک  
بہ قسمتی سے قائم ہے اور ابھی  
تک اس میں پوری کامیابی نہیں  
حاصل ہوئی ہے اسکی وجہ سے  
اس ملک کی اقلیت جو اس  
یونیورسٹی کو ابھی یہ سمجھتی ہے  
کہ یہ ہماری یونیورسٹی رہی  
ہے اور ہے اسی کی اس طرح  
سے جو شکل ہے اس میں تنگی  
اور گھٹن محسوس ہو رہی ہے۔  
لوگوں کے دماغ میں انتشار  
پوشیدگی اور تکلیف ہے۔ یہ  
یونیورسٹی پہلے ایم۔ اے۔ او کالج تھی  
اس کے بعد ایک ماؤنڈری کیٹیجی بنی  
اور انگریزوں سے انہوں نے بات  
کی کہ ایک مسلم یونیورسٹی قائم  
کرنی چاہئے۔

انگریزوں نے ۳۰ لاکھ روپیہ ان  
سے مانگا۔ اسی ٹیڈن نے ہندوستان  
کے پینے والے مسلمانوں نے ہی  
نہیں ہمارے غیر مسلم برادران  
وطن سب نے اشتراک سے



## [بشری ایم اسعد مدنی]

اسی رقم کو اکٹھا کیا اور ایک ۳۰ لاکھ اور پھر ۲۰ لاکھ روپیہ گورنمنٹ کو دیا اور جتنی اس کی منقولہ اور غیر منقولہ جائیدادیں تھیں وہ سب معاہدہ کے تحت انگریز کے سپرد کیں اور گورنمنٹ نے تب مرکزی اسمبلی میں قانون پاس کیا۔ مسلم یونیورسٹی ایکٹ ۱۹۲۰ء۔ والٹر نے جاکر علی گڑھ کے لوگوں کو خاص طور سے مسلمانوں کو ان اوگریجیشن کے حوالہ پر یونیورسٹی کے قائم ہونے کے لئے مبارکباد دی۔ بہر حال وہ یونیورسٹی کام کرتی رہی۔ ملک کے سینے والوں اور خاص طور سے اقلیتوں کو کوئی شبہ نہیں تھا کہ اس یونیورسٹی کے بارے میں مستقبل میں کوئی اور چیز ہونے والی ہے۔

میں پچھلے واقعات میں نہیں جانا چاہتا۔ اس یونیورسٹی نے تقسیم سے پہلے مسٹر رفیع احمد قدواٹی۔ ڈاکٹر ڈاکر حسین۔ راجہ ہمندر پرتاپ اور اس طرح کے اور نیشنل لیڈر بھی پیدا کئے تھے۔ اس کا سب سے پہلا گریجویٹ مسلمان نہیں تھا ہندو تھا۔ آج بھی اس کے اندر غیر مسلم برادران وطن کی تعداد ۱۰ فی صدی کے قریب ہے۔ یونیورسٹی جن حالات میں قائم ہوئی جن تناؤں کے ساتھ جن قربانیوں کے ساتھ قائم ہوئی اس سے قوم کا ایک جذبہ جاتی نگاؤ اس کے ساتھ رہا ہے اور ایسے تکلیف دہ ماحول کے اندر اس کے ساتھ یہ محسوس کرتے ہیں۔۔ حالانکہ یونیورسٹی کا کوئی مسئلہ مسلمانوں کا حل ہونے والا نہیں ہے

کسی حالت میں بھی - ملک کے  
 موصد میں ہر طرف لوگ بستے  
 تھیں کسی کی مادری زبان بنگالی  
 ہے کسی کی مادری زبان تامل  
 ہے کسی کی کنڑ ہے کسی کی  
 اور کچھ اور ۵۰ اپنی  
 اپنی یونیورسٹیوں میں تعلیم  
 حاصل کر بیٹے تہی ترقی کر  
 سکیں گے لیکن وہ یہ محسوس  
 کرتے ہیں کہ یہ بھی ہماری کوئی  
 چیز ہے - آزادی کے ۲۰ سال  
 کے اندر جب کہ دوسرے تعلق  
 اداروں میں روز روز اخلاقی  
 انحطاط کی وجہ سے اسٹوڈنٹ  
 اور اسٹاف میں جھگڑے ہو  
 جاتے ہیں مار پیٹ ہو جاتی  
 ہے آگ لگا دی جاتی ہے توڑ  
 پھوڑ کر دی جاتی ہے - گھنٹوں  
 پرنسپل اور وائس چانسلر  
 کو بند رکھا جاتا ہے - پولیس  
 بھی چھڑا نہیں سکتی اور دوسری  
 طرح کی تمام غارت گری ہوتی

ہے - اس یونیورسٹی نے آزادی  
 کے ۲۰ سال کے اندر کوئی چیز  
 نہیں دکھائی لیکن بد قسمتی  
 سے ۱۹۶۵ میں ایک ہنگامہ  
 ہوا - سارے ملک کے مسلمانوں  
 کا سرسٹرم سے قتل کیا اور  
 یہ ایک بد قسمت واقعہ تھا  
 اور مسلمان محسوس کرتے تھے  
 کہ ہندوستان کے طلباء نے  
 ہم سب لوگوں کے مانتے پر  
 کلنک کا ٹیلہ لگایا ہے -  
 لیکن بد قسمتی سے ہمارے ایجوکیشن  
 سسٹرنے اس بڑے واقعہ پر  
 اس قدر سنجی سے اس قدر  
 غیر ضروری تشدد کے ساتھ اس  
 یونیورسٹی کے ساتھ عمل کیا -  
 وہاں اُنہوں نے وہاں کے  
 قانون کو توڑا اور وہاں فوراً  
 ایک آرڈیننس جاری کیا - ان سب  
 چیزوں سے ملک میں ایک  
 پریشانی اور خطرہ غیر یقینی  
 حالت اور بدگمانیوں کی فضا

## [شہری ایم اسسٹریٹس]

اسی طریقہ سے اس بل میں ایسی چیزیں ہونی چاہئیں جس سے افلیٹس اپنے خدشات کی تلخی جو پائی جاتی ہے سناٹو سناٹو میں جو مایوسی اور پریشانی ہے اس کو دور کیا جائے۔

یہ ہم لوگوں کی بے زور درخواست ہے کہ آپ اس مسئلہ کو سنجیدگی سے محسوس کریں۔ یہ ادارہ اس لئے قائم ہوا تھا کہ مسلمانوں میں ایک ماڈرن اور ایڈوانسڈ ایجوکیشن کا انتظام ہو آج بڑی بڑی یونیورسٹیاں ملک میں کھل رہی ہیں تو اس کو بھی بڑھانا چاہئے اور دوسری یونیورسٹیوں کے لیول پر لانا چاہئے۔ جس دن مساری یونیورسٹیوں میں یہ سہ راہ دور ہو جائیں گی تو سب سے پہلے ہم کہنے ہو کر کہیں گے کہ مسلم کا لفظ خراج دنگل د

سب کو ایک سناٹو چلا دیکھیں اگر اقلیت کے لوگوں کو دوسری جگہ نہ ملے اور جیسی جیسی تکلیف دہ تاریخ سات سالہ موجود ہے ایسی حالت جیسے اگر آپ صرف ایسی کامیابی سے پہلے اصلاح کرنے کو چلیں اور عملی طور پر وہ ساری تنخیاں موجود رہیں سارے ملک میں تو ایسی بڑی مایوسی پیدا ہوگی اس کی طرف آپ کو توجہ کرنی چاہئے۔ میرے محترم بزرگو آپ حضرات سے میں درخواست کرتا ہوں خصوصاً ایجوکیشن منسٹر صاحب سے کہ آپ کو یہ فضا نہیں لانا چاہئے کہ آپ کسی بھی طرح سے اسٹاف کے لوگ اور اپنے خاص قسم کے ذہن کے لوگوں کو کسی نہ کسی طرح لانا چاہتے ہیں لیکن جو دعوات سے اتفاق رکھنے والے لوگ وہیں جتن کی رہنے کی اس ادارے

طور سے کچھ تحفظات کی یقینی  
دہانی کی ہو اس کی خاص  
روشنی میں پورے ملک میں  
کہا سنا گیا۔ وہ سب چیزیں  
ساتھ ہیں ان حالات کے اندر  
یہ بل آیا ہے۔ اگر ہم لوگ  
اس بل کے اندر اقلیت کی ان  
تکلیف دہ سات سالہ تاریخ  
کی روشنی میں جو شبہات  
پیدا ہو گئے ہیں جو مشکلیں  
ہیں جسی میں کوئی حل میرے  
نزدیک نہیں ہے لیکن اس  
تکلیف دہ صورت حال میں اگر  
اس کے اندر ہم لوگوں نے خدشات  
کو دور کرنے کے لئے کچھ اسپیشل  
دو ایک چیزیں قائم کرنے میں  
کامیاب نہ ہوں گے تو اس سے  
اقلیت کے لوگوں کو اور ملک  
کو عالیوسی پرلینائی اور بے اطمینانی  
پیدا ہوگی۔ اگر ملک کی سات  
کردار اقلیت کے مسائل میں  
ایک تکلیف محسوس کرنے میں

گے تو ملک کو دھمپیں نہیں کیا  
جاسکتا اور ملک کا جو نیا  
اسٹریٹجی ہونا چاہئے اس میں  
ان لوگوں کے حصہ نہ لینے سے  
ملک کی ترقی کے اندر جادھا آئے  
گی یہ چیز اچھی نہیں ہے بری ہے۔  
اگر اقلیت کو دو چار فی صدی  
زیادہ مل جائے تو ۹۰ فی صدی  
اکثریت پر کوئی اثر نہیں پڑ  
سکتا۔ اگر ان کو دو چار  
وینرویشن دو چار نمائندگی  
دے دی جائے تو ۸۰ فی صدی  
کا کچھ نہیں بگڑتا۔

اگر اسی طرح سے ان کے  
نمائندگی ہوگی اور دو چار  
چیزیں لیتے جائیں گے تو اس  
سے کوئی فرق نہیں پڑے گا۔  
جسی انجمن نے اسی کی بنیاد  
دہری مسلم ایجوکیشن کالونری  
اسی کو اگر نمائندگی نہیں مل  
سکتی ہے تو کیا آپ تاریخی  
کردار عائد کر رہے ہیں اس لئے

## [شری ایم اسعد مدنی]

پیدا ہوئی اور اس فضا میں یہ سات سال گزرے ہیں۔ اس فضا نے ملک کے اندر یہ احساس پیدا کیا ہے کہ آخر کار ہمارے ایک ادارہ کا کیا ہوگا۔ یہ فضا تمام اقلیتوں اور مسلمانوں کے دلوں میں قائم ہے اور وہ یہ چاہتے ہیں کہ اس چیز کو ٹھیک کیا جائے۔

دوسری بد قسمتی یہ ہوئی کہ اتفاق سے کچھ لوگ غلطی سے اس کمیٹی کو لیکر سپریم کورٹ میں چلے گئے اور سپریم کورٹ نے جہاں اپنے فیصلہ کے اندر اس بات کا اعتراف کیا کہ فاؤنڈر کمیٹی بنی تھی مسلمانوں نے قربانی کی ملک والوں کے ساتھ ملکر پیسہ اکٹھا کیا اور اس طرح کا معاہدہ ہوا اور اس معاہدہ کے نتیجے میں

گورنمنٹ برطانیہ نے ۱۹۲۰ء میں ایکٹ بنایا لیکن اس کے ساتھ ہی کیوں کہ اور کوئی شکل نہیں تھی اور صرف مرکزی اسمبلی کے ذریعہ ہی قانون بن سکتا ہے۔ اس ٹیکنیکل وجہ سے اس نے یہ فیصلہ دیا کہ یہ مسلمانوں نے نہیں بلکہ گورنمنٹ نے قائم کیا ہے۔ پارلیمنٹ کو اس پر اختیار ہے۔ اس فیصلہ کے اوپر ہمارا شرٹے ایڈوکیٹ جنرل نے بڑا تبصرہ کیا ہے۔ اس طرح سے چیئرمین کمیٹی نے بھی کہا ہے۔ تو وہ بات کچھ سمجھو میں آ سکتی ہے لیکن کورٹ نے اس چیز سے انکار کیا۔ بہر حال یہ قانونی چیز ہے جو سپریم کورٹ کے ٹیکنیکل ورڈس کی وجہ سے پیشی آئی ہے۔ اگر اس کے بعد ۱۹۷۱ میں ہماری پارٹی نے مینی فیڈو کے اندر صاف

سے وابستہ رہی ہے جنہوں نے آپ کے سپرد کیا ہے۔ جنہوں نے آپ کا تعلیمی ترقی کے راستے میں ساتھ دیا ان لوگوں کو آپ پیچھے مٹانا چاہتے ہیں ان کی نمائندگی آپ برداشت کرنا نہیں چاہتے اور اس کو خاص قسم کا ادارہ اور مرکز بنا دینا چاہتے ہیں یہ بات صحیح نہیں ہے۔ اگر آپ کے خیالات صحیح ہیں روشن ہیں تو آپ کو سب کو ساتھ لے کر چلنا چاہئے معقولیت کی بنیاد پر سب کو ساتھ لے کر اپنے طریقے میں فرق کرنا چاہئے۔ میں بہت زیادہ نہیں کہوں گا لیکن مختصر طور پر بنیادی چیزوں کی طرف اور جن حالات کی وجہ سے یہ سب کہنا پڑ رہا ہے ان کی طرف توجہ دلانا چاہئے

ہوں اگر آپ اس طریقہ سے نہیں کرینگے تو اقلیت کے لوگ یونیورسٹی سے تعلق رکھنے والے لوگ جنہوں نے سیکرٹریٹ قربانیاں دی ہیں اگر ڈونسی آجائیں گے ڈونسی آئیں گے مشکل سے دو تین۔ جنہوں نے قربانی دی ہے وہ آج کے بورڈ میں نہیں۔ آج پیسہ کو ہی سب کچھ سمجھا جاتا ہے۔ اس طریقہ سے اگر مسلم ایجوکیشن کونزلس کے دو تین نمائندے جس سمتھا نے اس کو جنم دیا۔ جو فاؤنڈر ہے اس میں اگر دو تین آدمی اس کے لئے جائیں تو کوئی غصہ نہیں آجائے گا۔ اس طرح آپ سارے نمائندوں کو دیکھیں۔ اگر آپ قردری چاہتے ہیں تو ایک فائننس آفیسر رکھ لیں۔ خود رکھیں لیکن اس

### [سٹری ایچ اسٹریڈرڈی]

کے ساتھ بہت سے مسئلے ہیں۔  
 جمہوری نظام کے واسطے اگر ٹریڈرڈ  
 کو بھی رکھ دیا جاتا تو کوئی گریڈ  
 نہ ہوتی۔ وہ صرف نگرانی  
 رکھتے۔ پالیسی کا جواب  
 دے ایگزیکٹو کونسل کو جو  
 نائٹنشل کمیٹی ہے اسے آفیسر  
 جاتے ہیں ان کے پاس۔  
 اس طرح کی چھوٹی چھوٹی اور  
 معمولی باتوں سے بہت کچھ  
 ہو سکتا ہے لیکن ان چیزوں  
 کی نہ جاننے کی وجہ سے ایک  
 امپریٹنٹی ملک کے اندر  
 خدا نخواستہ پیدا ہو جائے کہ  
 ہم لوگوں کی ایک یونیورسٹی  
 تھی اس میں کوئی بات نہیں  
 سنی گئی تو یہ چیز اچھی نہیں  
 ہوگی اور اس سے دل کے اندر  
 مایوسی اور پریشانی ہوگی  
 اس لئے اس چیز کی طرف توجہ  
 کرنی چاہئے۔

مجھے افسوس ہے کہ ہم اس  
 ہاؤس میں بیٹھے ہیں اور ہم  
 اس میں آجینڈا مینٹ نہیں  
 رکھ سکتے ہیں کیوں کہ اس  
 کو پھر دوسرے ہاؤس میں  
 جانا پڑے گا تو ایسی حالت  
 میں میں یہ بات رکھنا  
 چاہتا ہوں کہ ان چیزوں  
 کی طرف آپ کو محسوس کرنا  
 چاہئے۔ اگر آپ محسوس نہیں  
 کر سکتے تو یہ ایک نیشنل نقصان  
 ہوگا۔ یہ صرف کسی ایک کمیونٹی  
 کا مسئلہ نہیں ہے۔ کسی کو ایک  
 کمیونٹی کو جب کہ وہ اقلیت  
 میں ہو مقابلہ میں تصور کرنا  
 اور اس کے مقابلہ الزام تراشی  
 سخت الفاظ اور طاقت کا  
 استعمال کرنا یہ مناسب بات  
 نہیں ہے غیر مناسب بات  
 ہے۔ اس معاملہ کو بات چیت  
 کر کے نبھانا زیادہ مناسب ہوگا  
 افسوس اس بات کا ہے کہ چار

سوال کی اتنی حدت کے بعد بھی ہم  
اس سے مطمئن نہیں ہیں اور  
مطمئن کرنا مشتعل ہے۔ اس طرح  
سے ہم اُچید کرتے ہیں کہ آپ حضرات  
ان باتوں کو جن کے بارے میں توجہ  
دلائی ہے اسی کی طرف توجہ  
کریں گے اور ایسی صورت بنائیں  
گے جس سے مزید حالیوسی اور پریشانی  
نہ ہو اور یونیورسٹی اپنے کردار  
کو صحیح طور پر پیدا کر سکے اور ملک  
کیلئے مفید ہو اور آئے ساری یونی  
ورسٹی کا دروازہ کھل جائے اور  
سب جگہ تعطل دور ہو جائے۔  
اسی طرح سے سب یونیورسٹیز آئے  
ملک کیلئے مفید بنیں اور جو  
وہاں خدشہ ہے خدشات  
ہیں جس طرح سے لوگ محسوس  
کر رہے ہیں کہ صرف قبضہ رکھنا  
چاہئے نہیں اور اسی واسطے یہ  
راسخ اختیار کیے جا رہے ہیں  
اور باقی لوگوں کو بے حق کر  
دیا جائے گا۔ ان چیزوں کو  
دور کرنے کیلئے آپ صحیح سمت چلے

میں ان الفاظ کے ساتھ اس بل  
کی تائید کروں گا لیکن مجھ کو انہوں  
ہے کہ اسی میں کچھ کمزوریاں ہیں  
جس سے ہم پریشان ہیں۔

†[श्री एम० असदव मवनी (उत्तर प्रदेश):  
डिप्टी चेयरमैन साहब, इलम विद्या रोशनी  
की तरतु सब के लिये हांती है। उसको किसी  
के साथ खास जांडना और दूसरों को  
इससे महकम करना यह नहीं हो सकता  
और न इसका किसी को हक है। हमारे  
मुल्क में बहुत से तालीमी अदारे है  
युनिवर्सिटियां है शायद 60-70 से भी  
ज्यादा है। हमारे मुल्क के बसने वालों को  
हक है और होना चाहिये कि इनमें  
आजादी के साथ इलम हासिल करे उनसे  
फायदा उठाये और उनको उनसे मुस्तफाद  
होने के मुदाका हासिल हो लेकिन एक  
हकीकत है कि इस मुल्क में वे इतने तालीमी  
अदारे और युनिवर्सिटियां होने के बावजूद  
इसमें तालीम हासिल करने के दाखले  
इम्तेहानी मुकाबले बजायफ और मुलाजमतों  
में बद किस्मती से वह सारे फायदे नहीं  
पाये जा सके। जो एक सेक्युलर स्टेट  
और उसके अदारों में सबको इसाफ और  
बराबरी के साथ मिलने चाहिये। लोग यह  
महसूस करते है कि कदम-कदम पर एम्ते-  
याज हो रहा है यह हमारा बद किस्मती  
है और मुल्क के लिए बुरा काल है जिसके  
लिये सबको मिल कर इसको खत्म करने  
की कोशिश करनी चाहिये काश अगर  
ऐसा हो चुका होता तो हम सब लोग इस हक  
मे खडे होते कि सिर्फ नाम ही नहीं बल्कि  
सारी चीजों को बदल कर एक ही लेवल  
पर ले आया जाये और कोई जरूरत  
नहीं है। हर जगह हर शाख बिला एम्ते-  
याज बगर किसी रिजर्वेशन के जाय और



[श्री एम० असद मदनी]  
 रोशनी हासिल करे लेकिन मौजूदा सुरत जो एक एक बद किस्मती से कायम है और अभी तक इसमें पूरी कामयाबी नहीं हासिल हुई है, उसकी वजह से इस मुल्क की अकलियत जो इस यूनिवर्सिटी को अभी यह समझती है कि यह हमारी यूनिवर्सिटी रही है और है, उसकी इस तरह से जो आकलन है उसमें तंगी और घुटन महसूस हो रही है। लोगों के दिमाग में इंतशार परेशानी और तकलीफ है। यह यूनिवर्सिटी पहले एम० ए० ओ० कालेज थी, उसके बाद एक फाऊंडर कमेटी बनी और अंग्रेजों से उन्होंने बात की, कि एक मुस्लिम यूनिवर्सिटी कायम करनी चाहिये। अंग्रेजों ने 30 लाख रुपया उनसे मांगा। इस कमेटी ने हिंदुस्तान के बसने वाले मुसलमानों ने ही नहीं हमारे गैर-मुस्लिम बरादरान वतन सबने इश्त-राक से इस रकम को इकट्ठा किया और एक 30 लाख और फिर 20 लाख रुपया गवर्नमेंट को दिया और जितनी उसकी मन-कूला और गैरमनकूला जायदादें थीं, वे सब मुहय्यदाके तहत अंग्रेजों के सुपुर्द कीं और गवर्नमेंट ने तब मरकजों असेम्बली में कानून पास किया। मुस्लिम यूनिवर्सिटी एक्ट 1920। वायसराय ने जा कर अलागठ के लोगों को खास तौर से मुसलमानों का इन्वोल्वेशन के मौके पर यूनिवर्सिटी के कायम होने के लिये मुन्नारकबाद दी। बहरहाल वह यूनिवर्सिटी काम करती रही मुल्क के बसने वालों और खास तौर से इकिलियतों को कोई शुबा नहीं था कि इस यूनिवर्सिटी के बारे में मुस्तकबिल में कोई और चीज होने वाली है।

मैं पिछले वाक्यात में नहीं जाना चाहता। इस यूनिवर्सिटी ने तकसिम से पहले मिस्टर रफी अहमद किदवई, डाक्टर जाकिर हुसैन, राजा महेन्द्र प्रताप और इस तरह के और नेशनल लीडर भी पैदा किये हैं। इसका सबसे पहला ग्रेज्युएट मुसलमान नहीं था हिन्दू था। आज भी, इसके अंदर

गैर मुस्लिम बरादरान वतन की तादाद 40 फसिदी के करीब है। यूनिवर्सिटी जिन हालात में कायम हुई, जिन तमन्नाओं के साथ जिन कुर्बानियों के साथ कायम हुई उससे कौम का एक जजबाती लगाव उसके साथ रहा है और ऐसे तकलीफदेह माहीन के अंदर उसके साथ यह महसूस करते हैं—हालांकि यूनिवर्सिटी का कोई मसला मुसलमानों का हल होने वाला नहीं है किसी हालात में भी—मुल्क के हर हिस्सा में हर तरफ लोग बसते हैं किसी की मादरी जवान बंगाली है किसी की मादरी जवान तामिल है, किसी की कन्नड है और किसी की और कुछ है और वह अपनी-अपनी यूनिवर्सिटी में तालिम हासिल करेंगे तभी तरक्की कर सकेंगे, लेकिन वह यह महसूस करते हैं कि यह भी हमारा चीज है। आजादी के 20 साल के अंदर जब कि दूसरे तालिमी अदारों में रोज-रोज इस्लामी इन्हतात की वजह से स्टूडेंट और स्टाफ में झगडे हो जाते हैं, मार पीट हो जाती है, आग लगा दी जाती है तोड़ फोड़ कर दी जाती है। घंटों प्रिसिपल और वाईस चांसलर को बंद रखा जाता है। पुलिस भी छुड़ा नहीं सकती और दूसरी तरह की तमाम गारत-गरी होती है। इस यूनिवर्सिटी ने आज आजादी के 20 साल के अंदर कोई चीज नहीं दिखाई लेकिन बदकिस्मती से 1965 में एक हंगामा हुआ। सारे मुल्क के मुसल-मानों का सिर शर्म से झुक गया और वह यह एक बद किस्मत वाक्या था और मुसलमान महसूस करते थे कि हिंदुस्तान के तुलवा ने हम सब लोगों के माथे पर कलंक का टीका लगाया है। लेकिन बद किस्मती से हमारे एजुकेशन मिनिस्टर ने इस बुरे वाक्य पर इस कदर सक्ती से इस कदर गैर-जरूरी तशदद के साथ इस यूनिवर्सिटी के साथ अमल किया। वहां उन्होंने वहां के कानून को तोड़ा और वहां फौरन एक आर्डनेंस जारी किया। इन सब चीजों से मुल्क में एक परेशानी और

खतरा गैर-यकीनी हालत और बढ़ गुमानियों को फिजा पैदा हुई और इस फिजा में यह सात साल गुजरे हैं। इस फिजा ने मुल्क के अंदर यह एहसास पैदा किया है कि अखिरकार हमारे एक अदारा का क्या होगा। यह फिजा तमाम इक्लियतों और मुसलमानों के दिलों में कायम है और वह यह चाहते हैं कि इस चीज को ठीक किया जाय।

दूसरी बढ़-किस्मती यह हुई कि इति-फाक से कुछ लोग गलती से इस केस को लेकर सुप्रीम कोर्ट में चले गये और सुप्रीम कोर्टने जहाँ अपने फैसले के अंदर इसबात का एतराफ किया कि फाऊंडर कमेटी बनी थी, मुसलमानों ने कुर्बानी की, मुल्क वालों के साथ मिल कर पैसा इकट्ठा किया और इस तरह का मुआयदा हुआ और इस मुआयदा के नतीजे में गवर्नमेंट बर्तानिया ने 1920 ई० में एकट बनाया लेकिन इसके साथ ही क्योंकि और कोई शकल नहीं और सिर्फ मरकजी असेम्बली के जरिये ही था कानून बन सकता है इस टेक्नीकल वजह से इसने यह फैसला दिया कि यह मुसलमानों ने नहीं बल्कि गवर्नमेंट ने कायम किया है। पार्लियामेंट को इस पर अख्तियार है। इस फैसले के अपर महाराष्ट्र के एडवोकेट जनरलने बड़ा तबसरा किया है। इसी तरह से चटर्जी कमेटी ने भी कहा है। तो वह बात कुछ समझ में आ सकती है, लेकिन कोर्ट ने इस चीज से इंकार किया।

बहरहाल यह कानूनी चीज है जो सुप्रीम कोर्ट के टेक्नीकल वर्ड्स की वजह से पेश आ गई है। अगर इसके बाद 1971 में हमारी पार्टी ने मनीफेस्टो के अंदर साफ तौर से कुछ तहफ़फ़जात की यकीन दहानी की हो उसकी खास रोशनी में पूरे मुल्क में कहा मुना गया। वह सब चीजे सामने है उन हालात के अंदर यह बिल आया है। अगर हम लोग इस बिल के अंदर अक्लियत की इन तकलीफ देइ सात साला तारीख की

रोशनी में जो शुबहात पैदा हो गए हैं जो मुश्किलें हैं, जिसमें कोई हल मेरे नजदीक नहीं है लेकिन इस तकलीफ दे सुरत हाल में अगर इसके अंदर हम लोगों ने खदशात को दूर करने के लिए कुछ स्पेशल दो एक चीजे कायम करने में कामयाब न होंगे तो इससे अक्लियत के लोगों को और मुल्क को मायूसी परेशानी और बे इतमिनानी पैदा होगी, अगर मुल्क को सात करोड अक्लियत के मसायल में एक तकलीफ महसूस करते रहेगे तो मुल्क को मुतमैयन नहीं किया जा सकता और मुल्क का जो नया एस्ट्रीम होना चाहिये, उसमें उन लोगों के हिस्सा न लेने से मुल्क की तरक्की के अंदर बाधा आएगी यह चीज अच्छी नहीं है, बुरी है। अगर अक्लियत को दो दो चार फीसदी ज्यादा मिल जाय तो 90 फीसदी अक्सरियत पर कोई असर नहीं पड सकता। अगर उनको दो चार रिज-वंशन दो चार नुमांयदगी दे दी जाये तो 80 फीसदी का कुछ नहीं विगड़ता। अगर इस तरह से उनकी नुमांयदगी होगी और दो चार चीजे लेते जायेंगे तो उससे कोई फर्क नहीं पड़ेगा। जिस अंजमन ने उसकी बुनियाद धरी मुस्लिम एजुकेशन कानफेस उसको अगर नुमांयदगी नहीं मिल सकती है तो क्या आप तारीखी करदार आइद कर रहे हैं, इसलिये इस तरीके में से इस बिल में ऐसी चीजे होनी चाहियें, जिससे अक्लियतें अपने खदशात की तलखी जो पा जाती है साथ साथ में जो मायूसी और परेशानी है उसको दूर किया जा सके

यह हम लोगों की पुरजोर दरखवास्त है कि आप इस मसले को संजीदगी से महसूस करें यह इदारा इसलिये कायम हुआ था कि मुसलमानों में एक माडर्न और एडवांस एजुकेशन का इन्तेजाम हो, आज बडी-बड युनिवर्सिटियां मुल्क में खुल रही है तो उसक भी बढ़ाना चाहिये और दूसरी युनिवर्सिटिय के लेवल पर लाना चाहिये। जिस दिन सारं युनिवर्सिटियों में यह तंदेराह दूर हो जायेंगी

[श्री एम० असद मदनी ]  
तो सबसे पहले हम खड़े हो कर कहेंगे कि मुस्लिम का लफ्ज खुर्रज निकाल दो सबको एक साथ चलाओ लेकिन अगर अक्लियत के लोगों को दूसरी जगह न मिले और जैसी जैसी तकलीफदे तारीख सात साला मौजूद है, ऐसी हालत में अगर आप सिर्फ इसी का सबसे पहले इसलाह करने को चले और अमली तौर पर वह सारी तलखियां मौजूद रहें सारे मुल्क में तो इससे बड़ी मायूसी पैदा होगी, इसकी तरफ आपको तबज्जो करनी चाहिये। मेरे मोहतरिम बुजुर्गों आप हजरत से मे दरख्वास्त करता हूँ खमुसन एजूकेशन मिनिस्टर साहब से कि आपको यह फिजा नहीं लाना चाहिये कि आप किसी भी तरह से स्टाफ के लोग और अपने खास किस्म के जहन के लोगों को किसी न किसी तरह लाना चाहते हैं। लेकिन जो वहां से ताल्लुक रखने वाले लोग हैं, जिनकी जिदगे इस अदारा से वाबस्ता रही है, जिन्होंने आपके सुपुर्द किया है, जिन्होंने आपका तालीमी तरक्की के रास्ते में साथ दिया उन लोगों को आप पीछे हटाना चाहते हैं इनकी नुमाइंदगी आप बरदाश्त करना नहीं चाहते और उसको खास किस्म का इदारा और मरकज बना देना चाहते हैं यह बात सही नहीं है, अगर आपके क्यालात सही है, रोशन है। तो आपको सब को साथ लेकर चलना चाहिये। महाकूलियत की बुनियाद पर सबको साथ लेकर अपने तरीके में फर्क करना चाहिये। मैं बहुत ज्यादा नहीं कहूंगा लेकिन मुस्तसर तौर पर बुनियादी चीजों की तरफ और जिन हालात की वजह से यह सब कहना पड़ रहा है उनकी तरफ तबज्जो दिलाना चाहता हूँ अगर आप इस तरीके से नहीं करेंगे तो अक्लियत के लोग युनिवर्सिटी से ताल्लुक रखने वाले लोग जिन्होंने सैकड़ों कुर्बानियां दी हैं अगर डाउन्स आ जायेंगे, डाउन्स आयेंगे इत्किल से दो तीन। जिन्होंने कुर्बानी दी

है वह आज के बोर्ड में नहीं। आज पैसे को ही सब कुछ समझा जाता है। इसी तरीके से अगर मुस्लिम एजूकेशन कान्फेन्स के दो तीन नुमाइंदे जिस संस्था ने इसको जन्म दिया जो फाउंडर हैं उसमें अगर दो तीन आदमी उसके लिये जायें तो कोई गजब नहीं आ जायेगा। इसी तरह से आप सारे फाइनांस को देखे। अगर आप जरूरी चाहते हैं तो एक फाइनांस आफिसर रख लें, जरूर रखिये, लेकिन उसके साथ बहुत से मसले हैं। जम्हूरी नजाम के वास्ते अगर ट्रेजरार को भी रख दिया जाता तो कोई गड़बड़ी न होती। वह सिर्फ निगरानी रखते। पालीसी का जवाब दे। एग्जीक्यूटिव कौंसिल की जो फाइनांसियल कमेटी है उसके आफिसर जाते हैं उनके पास इस तरह की छोटी-छोटी और मामूली बातों से बहुत कुछ हो सकता है, लेकिन इन चीजों की मने मानने की वजह से एक इम्प्रेसन मुल्क के अंदर खुदानख्वास्ता पैदा हो जाये कि हम लोगों की एक युनिवर्सिटी थी, उसमें कोई बात नहीं सुनी गई तो यह चीज अच्छी नहीं होगी और इससे दिल के अंदर मायूसी और परेशानी होगी, इसलिए इस चीज की तरफ तबज्जो करनी चाहिए।

मुझे अफसोस है कि हम इस हाउस में बैठे हैं और हम उसमें अमेंडमेंट नहीं रख सकते हैं क्योंकि उसको फिर दूसरे हाउस में जाना पड़ेगा तो ऐसी हालत में मैं यह बात रखना चाहता हूँ कि इन चीजों की तरफ आपको महसूस करना चाहिए। अगर आप महसूस नहीं करेंगे तो यह एक नेशनल नुकसान होगा। यह सिर्फ किसी एक कम्युनिटी का मसला नहीं है। किसी को एक कम्युनिटी को जब कि वह अक्लियत में हो मुकाबले में तसव्वर करना और उसके मुकाबले इलजाम तराशी और मुस्त इलफाज और ताकत का इस्तेमाल करना यह मुनासिब

बात नहीं है, गैर-मुनासिब बात है। इस मामले को बात चीत करके निपटाना ज्यादा मुनासिब होगा। अफसोस इस बात का है कि चार साल की इतनी मुद्दत के बाद भी हम इससे मुत्तलइन नहीं हैं और मुत्तमइन करना मुश्किल है। इस तरह से हम उम्मीद करते हैं कि आप हजरत इन बातों को जिनके बारे में तबज्जो दिलाई है उसकी तरफ तबज्जो करेंगे और एसी सुरत बनायेंगे जिससे मर्जीद मायूसी और परेशानी न हो और युनिवर्सिटी अपने करदार को सही तौर पैदा कर सके और मुल्क के लिए मुफ्फीद हो और आग सारी युनिवर्सिटी का दरवाजा खुल जाये और सब जगह ताअत्तल दूर हो जाये। इस तरह से सब युनिवर्सिटीज आगे मुल्क के लिये मुफ्फीद बनें और जो वहां खदशा है, खदशात हैं जिस तरह से लोग महसूस कर रहे हैं कि सिर्फ कबजा रखना चाहते हैं और इसी वास्ते यह सारे रास्ते अख्तियार किये जा रहे हैं और बाकी लोगों को बे हक कर दिया जायगा। इन चीजों को दूर करने के लिए आप सही सिम्मत चलिये।

मैं इन इलफाज के साथ इस बिल की ताईद करूंगा, लेकिन मुझको अफसोस है कि इसमें कुछ कमजोरियां हैं जिससे हम परेशान हैं।

MR. DEPUTY CHAIRMAN : The first speaker after lunch would be Dr. Z. A. Ahmed. The House now stands adjourned till 1-30.

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

The House reassembled after lunch at thirty minutes past one of the clock. THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) in the Chair.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : Mr. Swaminathan.

SHRI V. V. SWAMINATHAN (Tamil Nadu) : Madam, I want to welcome this Bill. The D.M.K. party welcomes the spirit of the Bill because it introduces radical measures. There are certain redeeming features in this Bill, and its principles are in tune with the march of time. The Bill tries to give a new image and national character to this institution. The Government is careful enough and I congratulate the Government, and especially the Minister concerned, for retaining sub-section (2) of section 5 of the old Act, "to promote oriental and Islamic studies and give instruction in Muslim theology and religion and to impart moral and physical training". It is very heartening really to see that sub-section (2) of section 5 of the old Act is being retained in tact. It is only re-lettered; that's all.

There are new features introduced in this Bill, namely, the students are given representation. Already in Kerala the students are given representation in the administration of the university and here also it is a very welcome feature. The students are permitted to have some sort of experience in the administration and it will help them to develop a sort of leadership. There are even provisions for settling their disputes. That also has to be welcomed because only in a peaceful atmosphere can the students breed culture and accumulate knowledge. In the matter of representation of students I would suggest — because the Radha-krishnan Committee also has said that there must be less of elections — to avoid elections and also to encourage the students to get more distinctions; there may be some provisions or some ways and means devised to see that those students alone who get distinction and the highest marks be allowed to be represented in the administrative set-up.

On the model of this Bill we would suggest and we anticipate that the Ba-naras University Act and the Central Universities Act should be amended.

While welcoming the spirit and letter of this Bill some of our ally Members, namely, the Muslim League Members, entertained some fear that their minority character would be injured. A heavy constitutional responsibility has been

[Shri V. V. Swaminahan.]

east upon the Government and the Ministry to see that their fear is wiped out. If they say anything we should not treat it as communal; we should not hurry to such conclusions. But we must take them as genuine fears and try to allay those fears from the minds of those people because the Muslims are second to none in this country; in all times — in crisis, in times of war, and in all national activities — they have supported us and they proved their *bona fides* of Indian nationality.

The way in which this Bill is hustled through after having waited for so many years — some six or seven years — might have created some fears in their minds. Why not we accede to refer this matter to a Select Committee. There is a very well-known legal proverb: Not only must justice be done but also justice must appear to have been done. The Government is not going to lose anything by referring this matter to a Select Committee to satisfy and to allay the fears of the Muslim League in this country.

SHRI D. P. SINGH (Bihar) : Madam Vice-Chairman, I thought my turn was coming almost at the end. Since some feelings have been expressed in the discussion about the various provisions, I want to state at the outset that we welcome the incorporation of section 24 and section 25 in this amendment Bill which particularly deals with the Students Council. It is for the first time that a provision is made for associating the students—the Secretary of the Students Advisory Committee. Then, five students would be nominated by the Vice-Chancellor from amongst outstanding students or sportsmen or those who have distinguished themselves in any field of activity. There is also a provision that the Secretary of the Students' Council shall be elected by it from amongst its members through the system of proportional representation by means of single transferable vote. The powers and functions of the Students' Council have been defined in section 25. Then, one of the most welcome feature is that for the first time a provision has been made for an appeal to the Executive Council. No longer are the

students left at the mercy or vagary of the decisions of the Vice-Chancellors. In the past few years, as a result of students indiscipline, it has generally been noticed that the punishments have been extremely harsh. Many of our students, who had trespassed into the field of little excesses, were either rusticated or debarred from the University activities so that their entire student career has been jeopardised and their life wasted. Madam, Vice-Chairman, the only recourse to them was to move the various High Courts under article 226 of the Constitution. We know how difficult it is for a student to come to a court and convince it about the *bona-fides* and so on and final decision that the courts gave was that they were not sitting in judgment and, therefore, it was difficult to find an area of jurisdiction. Students many a time suffered. This is for the first time that a provision has been made for appeal so that a review of the case is possible on facts and if there is any harshness or any defect in the judgment, there is a provision that it can be rectified. Apart from this, the other salient provisions that have been referred to by the earlier speakers are of course those in which the representations in the Council have been for the first time sought to be altered in the light of the decision of the Supreme Court. Now when the matter came up about seven years back, the Supreme Court had an occasion to examine its various aspects— they examined it in the light of article 30 of the Constitution, *i.e.*, right to establish and administer educational institutions of their choice. They, having found that it is not one set of people but the entire community who has contributed to its establishment, negated the right of a particular community to administer it. The right floated from the 'establishment' and it was found that since outside individuals and the Government had also contributed to the fund for its establishment, it was no longer the right of any one section of the society. All those things have been noticed and suitable provisions have been made. Neither in the preamble nor in any other substantive provisions there appear to be any provision which can really offend the general spirit of the students.

Madam Vice-Chairman, this country decided 25 years back—the decision is not of today but we have decided 25 years back—that there shall be no discrimination in this country on the ground of race, sex or religion. That having been decided and put in the chapter of Fundamental Rights of the Constitution, it is no longer open to make a departure from the spirit or the letter. Now every subsequent legislature or bodies of legislatures are bound by the provision and in fact, if they make any departure from it, then they always run the risk of those provisions being declared *ulna vires*. Therefore in that light we can understand the feelings of our Muslim brethren and there is no desire not to respect their sentiments but the question is, if substantially regard is paid to look after their interests, seeing that their interest is not jeopardised, then in form and in substance also one has to see that the spirit and the letter of the Constitution is respected and in that view of the matter, to-day when a claim is made and insistence is made that this must be dubbed as a minority institution, our Muslim brethren must realise the handicap or the [imitation of the situation that we have because of the Fundamental Right and other provisions of the Constitution, it is not open to us to do that. It is not open to the Government to say that here is a minority institution and we will maintain it. If it is a minority institution, then the maintenance has to come from that institution itself. Such provisions came for examination in the Kerala Education Bill in 1958 before the Supreme Court and they said : 'We are setting up institutions and the Government is trying to interfere'. The Court said : 'Well, if you are establishing an institution with your money and finances, ncrse has any right to do this but the moment you look for Government help and *support*, then the Government is not a free agent. Then Article 14 of the Constitution stares in the face.' There can be no discrimination because if one minority institution is looked after and maintained on that basis, then the claims of others can never be denied. It is in that view of the matter that it may be difficult to put the nomenclature as the

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minority institution but as far as the rights of the people and seeing that their children have their education is concerned, I feel nothing in any one of the provisions which impairs their right. On the contrary great weightage is given to the students for the time being studying in those institutions and the fact that the old students and other groups like the Muslim Educational Conference or the donors are not put on the board does not materially alter the character. This country with its various progressive legislations and various provisions for development is looking ahead really to bring the society forward and to give our people an opportunity in life. Millions of our men are kept beyond the gates of opportunity. Millions of our people have to receive scientific education and training so that they can compete with each other in life and we must look to it that it is those primary urges of human beings, it is those fundamental, basic needs that are satisfied, that they are educated, they are brought in the stream of national life wherein they can have proper opportunities and share the good and share the benefit that this nation after years of struggle has achieved for itself. The nation is looking forward to the days ahead and there is no desire to deny it to anybody because it is not possible, as long as this Constitution lives. There shall be no discrimination on the grounds specified in the Constitution and that is an effective assurance to our brethren particularly the Muslim community who constitute such a large bulk and who have been looked after and this nation guarantees that they will be looked after as well as any other citizens of this country. Madam Vice-Chairman, you will remember, not long before, only about eight months back, we had the Twenty-fifth Amendment to the Constitution. In that Twenty-fifth Amendment provision was being made at that time for the acquisition of property and apprehensions were expressed in this House and in the Lok Sabha that if you have this right—you are reserving to yourself the right to pay whatever compensation you like—then the minority institutions are likely to be affected and two or three hon. Members voiced serious concern. From the language of the

[Shri D. P. Singh]

laws although we saw that these apprehensions were not properly founded still suitable amendments were made in the amended article of the Constitution by saying that nothing in this article shall derogate from the right conferred on the minorities under article 26 or article 30 of the Constitution. So much care is taken, so much anxiety is expressed and so much anxious thought has always been given so that their rights are not jeopardised or affected. One can understand their sentiments, one can understand their apprehensions but many a time those apprehensions are ill-founded, many a time they have no particular basis. We earnestly appeal that this legislation must be accepted in the spirit in which it is being enacted so that this institution can play a premier part in the development of the nation and in the development of the people for whom it is intended.

SHRI M. RUTHNASWAMY (Tamil Nadu) : Madam Vice-Chairman, of all those who will rejoice most at the passage of this Bill, especially the urgency and the rapidity with which it is being passed, the most joyful will be the students who have threatened not to attend their examinations till the Aligarh University Bill was passed. It is a victory for the students' agitation and this Bill looks like a war measure to put an end to this agitation of the students. It is a victory for the student power indeed. With the Government's response to the challenge of the students I hope the students will be satisfied. At one time looking at the history of the conception and the birth of this Bill their challenge that they would not attend this examinations till a new Aligarh University Bill was passed was equivalent to the old Greek Calends but the Government has responded to their challenge and this Bill is being passed as an emergency measure in one day, even less than one day. While the Banaras University Bill took weeks to be passed having been referred to a Joint Select Committee this Bill is being passed almost like a war measure in the shortest possible time.

But looking at the atmosphere in which our Universities work today, in the conduct of students, the deterioration in standards, of students, of teachers, of the relations between the students and the teachers, of the relations between political parties and students, one wonders whether the old university idea of scholarship through social living which was the basic idea of the university could still be maintained. It is not only in this country that the old academic dogma of the university has been degraded. Recently, an American

scholar, Professor Nisbet, has published a book called Degradation of the Academic Dogma wherein he has argued that universities do not fulfil their ancient role of maintaining scholarship ever since the technologists and the industrialists invaded the university with their own endowments for the advancement of their own special technological studies. Here, for other reasons this old academic idea of the university has been brought low. I wonder if this Bill will stem the tide of this deterioration. For instance, this Bill does nothing to regulate the number that may be admitted to the university. It is these large numbers that create the problems of a modern Indian university. Students are admitted who are not fit for pursuing that high standard of scholarship which is required of a university student. They require only that the letters B.A. should be put after their names and so they want the university education to be made as easy as possible. There is no mental training. There is no intellectual training. There is no fighting against intellectual hurdles or obstacles. Potted knowledge is being given by teachers to students not so much in lectures as in notes dictated to them. So, one wonders whether in such an atmosphere the old idea of a university can still be maintained. Nothing is done, as said, to regulate the number to be admitted in a university so that students may devote themselves to serious study and not acquire a B.A. Degree as easily as possible.

And then again turning to other Clauses of the Bill with regard to the Visitor's powers, the Visitor is authorised

to be the final authority with regard to the selection of the Pro-Chancellor, with regard to the selection of the Vice-Chancellor and in regard to other selections. Now the Visitor—I suppose he is the President—in his capacity as Visitor, will he exercise his own individual judgment and discretion in making these selections, or will he, under the convention that has been established, go by the advice of the Government by the advice of the Minister of Education so that in the last resort it will be the Minister of Education, it will be the Government, that will make the final selection in regard to these high university authorities ?

And then there is another Clause which attracted my notice, and that was that in regard to the Headship of Departments of Studies, a Reader may be appointed while there is a Professor already. Now, a Professor, by seniority and by his scholarship is supposed to be superior to a Reader. So, while a professor is there in the department, a lower 2 P.M. grade of teacher, the reader, can be selected as the head of the department. I do not think this will lead to harmony in the department, to a fruitful functioning of the department.

Then, with regard to the participation of students, there are three ways in which students are allowed to participate in the administration of the Aligarh university. One is by the Students Council, which will be an elected body, with a few nominations. The Students Council is to advise on all academic matters, in the matter of syllabus, in the matter of textbooks and in the matter of studies. Then, again, there is the Students Union. The students union in other countries is a club, to which members join voluntarily paying a subscription, but here every student is going to be enrolled as a member of the students union. The powers and functions of the students union are not defined in the Bill, but are to be provided for in the statutes. What is going to be the relation between the Students Council and the Students Union ? That will not be known till the roles are framed under the Ordinance

| Then, there is the participation of students in university bodies. A certain limited number of students will be on the Senate and the Academic Council. What is going to be the relation between these elected students and the Students Council ? Personally, I think a better way of providing for the participation of students in the administration of universities is to have a Representative Council of students equal in status and authority to the Academic Council and the Senate and it will be allowed to make its views known in regard to all academic matters. The views of the representative council will be taken into consideration by the Academic Council, the Senate and the Executive Council, so that it would be a third administrative body of the university with the students' body being given status equal to the Academic Council, so that such a representative council as I am indicating and as I am suggesting may have a real voice, real participation in the administration of the university. After all, these students who are going to be elected to these academic bodies, to the Senate and the Academic Council, will always be in a minority and they will always have the grievance that they are being outvoted by the senior members. If they are in a separate independent council, they will exercise greater authority over the administration of the

<sup>1</sup> university than if they are a small minority in the university bodies.

Now, as I said, what is the way out of all this deterioration in the idea of a University ? One way out is to make a distinction between the students who are really bent upon higher studies, who are really bent upon the pursuit of scholarship, training of real intellectual life and sharing in a society like a college or university hostel and rest of the students who are qualified for admission to a university. The latter may be allowed to take these correspondence courses which are provided for by the Bill, because the bulk of these students require only a degree and the correspondence course will give them the opportunity of having the honour of adding the magic letters 'B.A.' after their names which they think will improve their prospects of employ-



[Shri M. Ruthnaswamy.]

ment. In this way we would be reducing the number of students in the universities, which creates the great problems and difficulties in Indian Universities. The University Grants Commission has not been able to tackle the problem. On the one hand, you will have a body of students residing in hostels, studying in colleges, devoted to scholarship, devoted to serious study and on the other hand, you will have the large masses who want a B.A. degree, who can get it through correspondence course and reach their ambition of being B.A.?

The Muslims are agitated about the future of the Aligarh Muslim University. Well, that might be. But I am afraid they are using a wrong argument when they want the university to be a minority institution. Now, any minority institution as already pointed out, should be an institution maintained by the minority. And that continued for some time when the old Mohammad AH College was started by Sir Syed Ahmad. There, the donations were made by the Muslims, various funds were contributed by the Muslims but no longer are the Muslims excluded to maintain the University. Therefore, it cannot be called a minority Muslim University. On the other hand, they should use the argument that it is a centre of Islamic studies. Islamic culture is a world culture, is a culture that ought to be studied in our universities. There must be at least one place in India, one university in India, where provision is made for the study of Islamic culture. So, if the Muslims took this line, they would have greater substance in maintaining the character of the Aligarh Muslim University, which is not a Muslim university but an Islamic university, where Islamic culture can be studied not only by Muslims but also by members of the other communities.

Now, in conclusion, I can only wish godspeed to this Bill. I hope it will solve all the problems, the problem of students, the problems of teachers, the problems of the administrators of the university. I hope it will succeed in inducing an atmosphere of scholarship and of culture in the University. I hope it will

be a feather in the cap of one who was once a student, then a teacher and now, the Minister of Education. I hope against hope—that is the atmosphere in which our universities are functioning today—that this Bill will solve most of the problems and difficulties with which the Aligarh Muslim University is beset.

SHRI A.K.A. ABDUL SAMAD (Tamil Nadu) : For the past seven years the Muslim community in India was waiting patiently hoping that the Government would bring forward a comprehensive bill on the Aligarh Muslim University that would satisfy the aspirations of the Muslims of India. When Shrimati Indira Gandhi was elected to the office with a massive majority, the hopes of the community were strengthened and we expected that she would see to it that justice is done to the legitimate demands of the Muslims of India. But I am sorry to say that the Bill introduced by the hon. Minister, Prof. S. Nurul Hasan, demolishes not only the basic character of the Aligarh Muslim University but also the hopes and aspirations of the entire Muslim community of India.

*(Interruptions)*

SHRI B. V. ABDULLA KOYA (Kerala) : Whatever you give is only in name; a big board is there...

*(Interruptions)*

SHRI A. K. A. ABDUL SAMAD : Madam, if Members want it, I will prove another Rajnarain in this House. I do not want to go into the details of the technicalities and legalities of the Bill. But I want to point out certain basic values involved in the introduction of the Bill.

The issue which was agitating the minds of millions of the people of India is being treated so lightly by the ruling party. See the way in which the Bill is being introduced in this House. At the fag end of the session, such an important and controversial Bill was introduced and passed in the Lok Sabha within a few hours. And our House has been extended for this specific purpose and they want to pass it today

itself without giving proper opportunity to the members to ponder over the proposed amendments and discuss in detail on the floor of the House. Madam, do you think that this method of hushing up the opposition and tushing through the legislation will strengthen the course of democracy.

Madam, I am certain that the people did not give this massive majority to strangulate the legitimate aspirations of the minorities in the manner Government is trying to enact this Bill. As the House is aware, the Aligarh Muslim University was established by Muslims through the efforts of late Sir Syed Ahmed Khan with the objective of preserving the religious and cultural heritage of the Muslims and inculcate in the Muslim youth scientific and technical knowledge in which they were much behind other communities. I am thankful to Nawal Kishoreji for what he had said about the University and its minority character. When we say the basic character of the Aligarh Muslim University we do not mean that it would be a theocratic institution. It was never a theocratic institution. The very idea of establishing the University was to inculcate the scientific and technical knowledge in the Muslim youth besides preserving the Islamic culture. So, hon'ble Nawal Kishoreji need not have any doubt about it. Though founded for and at the initiative of the Muslims, the doors of the Aligarh Muslim University always remained open to the students of all the religious communities. It would be interesting to know that the first graduate of the Aligarh Muslim University was not a Muslim but a non-Muslim Hindu youth. Such was the character of the Aligarh Muslim University.

Much has been said about the Muslim League with regard to the Aligarh Muslim University. When a call was given by Gandhiji to boycott the studies, it was the students of the Aligarh Muslim University who came out and ultimately the University was closed, but not the Banaras Hindu University or any other University. These are the facts of history that nobody can deny.

Madam, reference was made to the unfortunate incident of 1965 by Dr. Mahavir. The Vice-Chancellor, Ali Yavar Jung called the police inside the University campus and the police opened fire on unarmed students. Then the rumour spread that the two injured students were dead. The students retaliated and used coca cola bottles and mosquito net sticks and assaulted the Vice-Chancellor. Afterwards they apologised to him. It was not pre-planned. Mr. Ali Yavar Jung and Mr. Chagla misguided the Government and Parliament just to earn praise from Jan-Sangh and the so-called progressive people. Mr. Chagla told the Lok Sabha that the then President of the Students' Action Committee. Mr. Bashir Ahmed Khan, was a Pakistani national. That was a false statement. Mr. Ali Yavar Jung wanted to please the then Government and he made the University students a scapegoat for his administrative failure in the University. Mr. Chagla created unnecessary controversy of changing the names of the Aligarh Muslim University and the Banaras Hindu University. Afterwards the Government withdrew the cases against the students. If the students were so bad, why did they not beat nationalists like Dr. Zakir Husain, Col. B. H. Zaidi and Mr. Badruddin Tyahji. The former Vice-chancellors ?

Madam, there are certain people who would not recognise the contribution made by the Aligarh Muslim University for the cause of educational and national development of our motherland. The late lamented Pandit Jawaharlalji in his autobiography has applauded the contribution of the Aligarh Muslim University in the following words:—

"Without it they could not have played any effective part in the building of Indian nationalism of the new type and they would have been doomed to play second fiddle to the Hindus with the better education and far stronger economic position."

Madam, this was the position of Aligarh Muslim University in our national life. But the tragedy is, by introducing this present Bill, the hon. Minister wants to destroy the laudable object which was

[Shri A. K. A. Abdul Samad.]

appreciated by the first Prime Minister of India. Therefore, we oppose this Bill will ali the vehemence at our command.

Madam. I know fully well that the Government would pass the Bill without any difficulty. Here also they would get a massive majority. But I want to make it clear that the Muslims as a community are opposed to this Bill, and all the people who have faith in true democracy, which would recognise the legitimate rights of minorities, have also supported our contention.

Madam, when I speak on this Bill. I & speak on behalf of all the Muslims of India, even the Congress Muslims whose hearts also bleed with mine. They were vociferous outside the House, but they are quietened by the powerful whip of the ruling party.

I want to forewarn the ruling party that it would face a rough weather on this issue during the forthcoming elections. The measure taken by Prof. Nurul Hasan, is going to be a great liability for the Congress.

Madam, our hon. Minister was eloquent in saying that the Government's intention is to make the Aligarh Muslim University into a pucca National University. We have no objection to the Government establishing any number of National Universities. On the other hand, we welcome it. But on the plea of making a National University, why should they destroy the basic character of the one and only university established and rmmired by the poor Muslim community? fs it not a fact that the large fund collected by the Muslim Community and the assets and endowments belonging to the Muhammedan Anglo-Oriental College were transferred to the university in the year 1920 in the hope that it would be a great seat of learning or preserving the religious and cultural heritage of the Muslims? By destroying the basic character of the Aligarh Muslim University, I am sorry to say, the Government is committing a breach of trust.

Madam. I also pleaded in this House only last week for the introduction of

the Aligarh Muslim University Amendment Bill at an early date, with the fervent hope that it would put an end to the rule of the evil caucus, which is conducting the affairs of the Muslim University for the past seven years. But I never expected that such a black Bill would be introduced and the Government would be in such a haste to pass the said Bill. Madam, I am afraid, perhaps the hon. Minister has succeeded in his attempt to perpetuate the present state of affairs for ever.

Madam, it seems that the hon. Minister has committed to his memory almost the entire report of the Gajendra-gadkar Committee. He quotes it quite o<sup>f</sup>ten. as if it is his chosen scripture. But Nawal Kishoreji revealed that the entire report of the Gajendragadkar Committee was inspired by no less a person than our hon. Education Minister. I want to know, what was the fate report submitted by the Beg Committee which was set up by Hon. Kakhruddin Ali Ahmed, perhaps with the knowledge and approval of our Prime Minister.

Madam, no plausible explanation was given by the hon. Minister for Education for destroying the minority character of the Aligarh Muslim University. According to him and his spokesmen, in a socialistic pattern of societ} and secular Republic, it would be improper to maintain a university I'm the benefit of a minority. Madam, we could not accept his interpretation of secularism and socialism. The future of secularism in India depends upon our national ability to attach proper value and importance to the rights of the minorities. Depriving the minority communities of the liberties and privileges which are recognised as sacrosanct in all enlightened societies of the world, can only lend encouragement to the fissiparous tendencies that are already threatening the very fabric of India's composite nationhood.

Madam, in this connection I want to quote a respectable authority. I quote :

"Tt is possible in a secular Republic, according to our present Constitution, to have a hundred per cent Hindu institution and a hundred per

cent Muslim institution. The Constitution does not say anything against it. From various remarks that I have heard, I am inclined to believe that some people think that the Constitution does not allow the existence of such a purely Muslim or purely Hindu institution. A secular Republic will have a Hindu university and a Muslim university as Central universities, because only a Republic has the large-heartedness and tolerance and vision to have them both."

Madam, this is from the pages of Lok Sabha debates of 1951. The honourable member who spoke this was no less a person than the late Dr. Zakir Husain who was adorning the Chair that you are occupying now, and who became the first Muslim President of the Republic of India. Madam, I hope even the present Education Minister would accept Dr. Zakir Sahib as the proper person to interpret the concept of secularism and socialism. But unfortunately the sayings of those sages are embedded only in the pages of history. Now Prof. Nurul Hasan has assumed the role of an interpreter of secularism.

After having heard the explanation of the honourable Minister, I fail to understand why they have not deleted the word 'Muslim' from the name of the university. Is it to dupe the Muslim world? I am sorry to say our Government should not have double standards in dealing with such important matters. The Aligarh Muslim University, among other things, is an endearing monument to the culture of the Muslims of the country raised, created and founded by the labour and great sacrifices of the Muslim community. The Bill introduced by the honourable Shri Nurul Hasan aims to destroy this endearing monument of the 80 million Muslims of this country. I pity the honourable Education Minister. His name will go down in the history as the destroyer of the character of the Aligarh Muslim University which was founded by the Muslim Community of India through the laudable efforts of Sir Syed Ahmed Khan. Therefore, we oppose the Bill with all the vehemence at our command.

We may be shouted down, we may be voted down. No matter. But I am echoing the sentiments of the 500 Muslims of India which will echo and re-echo every nook and corner of the country.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : Madam, I thank you for giving me this opportunity to participate in this debate. I have been listening attentively to the speeches delivered so far on the provisions of this Bill, and I do not have to add anything to what my colleague, the Education Minister has already said. He has explained the provisions of the Bill at some length with his usual clarity. I have to touch on certain other aspects of this debate because even though we are discussing a Bill which concerns a university, the overtones of this debate are far from educational.

Madam, while we have heard the speeches of Shri Das and others which dealt with both the educational aspect and the general canvas of our country and society against which we have to view this particular Bill, we have also heard some other speeches which are difficult to explain in terms of academic-matters or in terms of academic interest which the speakers have taken. We have heard the speech of Dr. Bhai Mahavir. He is not here. I listened very carefully to him and all that I could gather was that he was trying to run down the Aligarh University. He was trying to run down the institution and he was making an attempt to sow germs of suspicion against the University. He did not have one criticism to offer about the Bill except to say that it should not have a residential character and it should be an affiliating university. For the rest, he said that the Bill has provisions which might do the university some good and he went on to say that he did not have any difference of opinion with the provisions of the Bill. In fact he began by saying this. And yet throughout his speech, he concentrated on creating an air of suspicion which has nothing to do with the Bill itself. Therefore, I said that some speeches were delivered which were not directly related to the

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Bill but which were delivered perhaps with some political objectives in mind. Therefore, it is not possible to meet those objectives except in terms of political arguments which, I think, will detract from the level of this debate.

Similarly I was just listening to my hon. friend Shri Samad from the Muslim League. I heard him also very carefully. Jan Sangh and Muslim League are the opposite sides of the same coin...

SHRI SHYAM LAL YADAV (Uttar Pradesh) : You realised it very late.

SHRI PREM MANOHAR (Uttar Pradesh) : Are you equating nationals with anti-nationals.'

SHRI BANARSI DAS (Uttar Pradesh) : Do not forget that you are in collusion with them in Kerala.

SHRI K. C. PANT : This is an old argument and old debate which has been going on for some time. But I know that the sentiments expressed here today by Shri Samad were certainly not sentiments which, I think, will contribute either to bring the two communities together or to solve any problem. . .

SHRI B. V. ABDULLA KOYA : Then why this haste? You could have waited for some time and discussed these things with us and come to some understanding. Why think that you know everything...

SHRI BANARSI DAS : You have waited for seven years...

SHRI B. V. ABDULLA KOYA : In Kerala we have a saying that papat...

SHRI K. C. PANT : Madam, my hon. friend asked me why I did not wait. Would waiting have altered the position? It would not have made any difference. Listening to the speeches, it does not seem that you are approaching. . .

SHRI B. V. ABDULLA KOYA : you could have seen. . .

SHRI K. C. PANT : I do not think that a running commentary will improve your case.

SHRI B. V. ABDULLA KOYA : I know I am not going to be benefited. But let me have the satisfaction.

SHRI K. C. PANT : Then why did you not speak instead of Shri Samad?

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : You cannot have the satisfaction of a running commentary when the House has allowed a speaker to speak.

SHRI B. V. ABDULLA KOYA : I have seen Parliamentary interruptions elsewhere also.

SHRI K. C. PANT : I do not mind interruptions. But it takes the time of the House. Madam, Shri Samad made some statement. He said that the Beg Committee was appointed at the instance of the Prime Minister. It is not correct...

SHRI HAMID AM SCHAMNAD (Kerala) : Perhaps.

SHRI K. C. PANT : Why should you speculate?'

SHRI A. K. A. ABDUL SAMAD : Then who appointed that Committee ? Shri Fakhruddin Ali Ahmed replied to it.

SHRI K. C. PANT : A Cabinet sub-committee was appointed and it recommended that the Beg Committee should be appointed. It is not factually correct that it was done at the instance of the Prime Minister. *He* has said so.

SHRI HAMID ALI SCHAMNAD : In his official capacity?

SHRI K. C. PANT : I am on a very limited point. It was not done at the instance of the Prime Minister.

SHRI A. K. A. ABDUL SAMAD : Let us take it.

SHRI K. C. PANT : The second point—the second limited point—I want to make is this. He was apparently trying to answer Dr. Bhai Mahavir. It seems that they have compared notes because one was attacking Shri Ali Yavar

Jung and the other was defending him. That is not necessary. He said that Shri Ali Yavar Jung was responsible for mismanagement which created the incidents in the university. Shri Ali Yavar Jung joined the university as Vice Chancellor on 1-3-1965. And this incident occurred on the 25th of April, 1965. So, how could it be due to his mismanagement? It stands to reason that there are factual inaccuracies in his statement. But, these are very small points. Then, the other thing he said was that the elections are around the corner and we will suffer. Let me assure him that the welfare of the Muslims is much more important to us than the elections.

SHRI A. K. A. ABDUL SAMAD : Thank you very much.

SHRI K. C. PANT : Whatever attitude we adopt towards this measure is motivated more by the welfare of India, by the welfare of Muslims than by winning the elections and this is something which you will have to understand, if you want to really understand, that we have brought forward this measure.

Then, Sir, he said that he spoke for all the Muslims. This I can challenge with authority and I know those in our party for whom he presumed to speak—he presumed to speak for the Muslims in our party—and I think that presumption is exaggerated, it is unfounded and it is wrong and if he had listened to the speeches in the Lok Sabha yesterday, he would not have said this. Some very clear statements were made by the Muslim members from our party which totally reflect the thinking of the Government and I presume that it is the thinking of the majority of the secular-minded people in this country.

Apart from saying generally that he opposed with all the vehemence at his command. I fail to spot out one single point of criticism in his speech like that of Dr. Bahi Mahavir who had nothing concrete to say and like him my friend. Mr. Samad had nothing concrete to say, not one comment on any single provision of the Bill. Except just

a general condemnation. So, as I said, these are the two sides of the same coin

श्री नवल किशोर : पंत जी, उन्होंने यह कहा था कि इसका बेसिक कैरेक्टर डिस्ट्राय हो गया और उन्होंने कई ऐसी बातों को कहा, यद्यपि उसको साबित नहीं कर सके।

श्री के० सो० पन्त : बेसिक कैरेक्टर के बारे में भी स्पेसिफाई नहीं किया कि क्या चाहते हैं, क्या नहीं चाहते, बिल में क्या परिवर्तन चाहते हैं।

श्री ओम प्रकाश त्यागी : मैं आपकी जानकारी के लिये बता दूँ।

श्री के० सो० पन्त : मैं आपसे नहीं पूछ रहा हूँ।

श्री ओम प्रकाश त्यागी : अपने डा० भाई महावीर का नाम लिया है।

श्री के० सो० पन्त : आप डा० भाई महावीर की तरफ से बोल रहे हैं, मैंने यह सोचा कि इनकी तरफ से बोल रहे हैं।

श्री ओम प्रकाश त्यागी : आप डा० भाई महावीर का नाम क्यों लेते हैं। अपने दोस्तों की ओर बार बार इशारा करते हैं, बार बार मुस्लिम लीग, मुस्लिम लीग, जनसंघ, जनसंघ कह रहे हैं। यह लगा रखा है। आप कहाँ बिल पर बोल रहे हैं, आप भी तो इधर उधर बोल रहे हैं।

SHRI K. C. PANT : He wants me to come to the Bill. Very well. I shall come to the Bill and I have no intention of wasting the time of the House entirely on this. But. I must point out that he should not feel uncomfortable. After all I have to go by what they spoke. Both these gentlemen spoke and the whole House listened to them and he should not feel uncomfortable if this is exposed.

Now, I think it was Mr. Samad again who chose to criticise my colleague, the Education Minister and chose to criti-

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rise him in manner which, I think, was not at all fair. I am sorry, my friend, Mr. Madani, also made some unfair charges against the Education Minister. I think it is a matter of great good fortune that the Education Minister is piloting the Bill. He has spent a good many years of his life in building up the Aligarh Muslim University. He has been a teacher there for a number of years and he has been the Head of the Department there and all these years he has sought to build up the University and give it a direction which is in consonance with the general ethos of the country. He has tried to bring in ideas in conformity with the ideas and ideals which have inspired our national leaders. Therefore, he has made his own contribution to the building up of this University and I think the House will readily concede that he would be the last person to bring forward a Bill which would in any sense be injurious either to the Aligarh Muslim University or the students of that University. This stands to reason and may I say to those who seem to owe loyalty to the past of the University, that it is far more important to have loyalty to the present and the future of the University? My hon. friend, the Education Minister, has loyalty to the present and the future of the University. And, therefore, it is no use always harping on the past. One must think of the future. And, Sir, it is another good fortune that this Bill has come up when the Prime Minister is Mrs. Indira Gandhi, because there again, I do not think her credentials will be questioned. So, far as her concern for the welfare of the minorities is concerned, I think that no one will question it—not even my friend Shri Samad. Therefore, it is under the best auspices that this Bill is being brought forward, and even on this account alone my hon. friend should be very careful in the kind of criticism that is levelled against this Bill, because it is being ushered in by such two persons as the Prime Minister and the Education Minister. . .

SHRI HAMID ALI SCHAMNAD :  
She is being misled. . .

SHRI K. C. PANT : She has been attempted to be misled by many, including Mr. Madani. But they have not succeeded. .

(Interruptions)

The trouble is that the Aligarh Muslim University has given two different things to different people. And you had only to listen to the speeches of the Jan Sangh representatives and the Muslim League representatives to realise how differently two persons can look at the same institution in the country. And when you look back, one saw nothing but wrong in it and one saw nothing but right. The fact is that this is an old institution *o'i* this country and it was founded over a hundred years ago. As was mentioned, Madani, Sir Syed Ahmad Khan felt in 1870 that the Muslim community must take advantage of modern knowledge, modern liberal education, education in science, technology and so on, and also have an opportunity to study the Muslim theology, Islamic character, civilization, etc. And it was this idea that led to the Mohammedan Anglo-Oriental Fund Committee and subsequently the Mohammedan Anglo-Oriental College being founded. This was the beginning. Some other friends referred to it and I need not go into it because the rest is history.

Now the important point to remember today is to take your mind back to 1870 and to understand what led Sir Syed Ahmad Khan to found the University. It was to provide the Muslim youth with the advantages of modern education so that the community could advance. Now that broadly is the vision which inspired him. And that is relevant even to the conventions of today also. I would say that even today there are complaints that the Muslims are backward in education; even today it is relevant to say that the modern education in science, technology, engineering, medicine and so on is relevant to the advancement of the community today as it was then. And it is a matter of history that this institution has come to occupy an important place in the country, and a special place in the affection of the Muslim community. This is a

point which we should accept. And it is only because I accept this point that I can understand the sentiment and the feeling with which my hon. friend, Mr. Madani, spoke. I may not agree with much of what he said. But I can understand his sentiment because this sentiment is visible.

Some people said that the Aligarh Muslim University produced persons who were in favour of the partition. Some pointed out that it produced people like Raft Sahib and Dr. Zakir Hus-sain and so on. So these arguments go on perpetually. But the important point is that it is one of the important institutions of high learning in this country and it is an institution which, as I said, is regarded with special affection by the Muslims. But it is an institution of national importance for all sections of the community. For all, it has that national character today. As I said, its importance does not merely lie in its past but in its present and future also. The problems of the future have to be realised, and that is why the Prime Minister has been repeatedly saying that we will preserve the historical character of this University, but that does not mean that we will tigh this University to the past. That we will not do because that is not in the interest of the University; it is not in the interest of the students. The University must change with times and must change in such a manner that it is in the interests of the students themselves. That is the paramount consideration. Today very often it is said that Muslims do not get jobs, that they do not get as much employment as would justify their proportion in the population. This may be correct. And one of the factors is the quality of education. Therefore, even the Aligarh University boys should be provided with the best education. After all, conditions today have changed—as Shri Das pointed out—in the various universities of the country. In 1870 this was a single *unique* institution for the Muslim community. Today we want every single Muslim child. Hindu child. Sikh child. Christian child all over the country to take to education. We want compulsory education all over the country

— that is our aim. And it is in this context, this changed context that we have to regard the present situation. The Aligarh University still has an important place. But it has to be regarded against this broad canvas, and against this broad canvas we have to see that the quality of education imparted to the students of the Aligarh University is the best and it is in answer to the requirements of modern times— some job-oriented education—so that when they come out they can easily get employment and so on. So, unless we adopt this thinking then we may well condemn those students to get a kind of education which may not be relevant to their employment prospects and employment opportunities. So, all these changes have necessarily to come about as the times change.

My hon. friend, Shri Asad Madani, made two points. He said that there is discrimination in our society against the Muslims. This one Muslim institution that is there is also not being now developed as it should be and, therefore, he felt a little sorry. I would ask him, even if this argument is correct, is he does not find discrimination elsewhere. I would request him to ponder deeply whether an emphasis on the minority character of the Muslim University at Aligarh is going to help overcome discrimination in other places. We have to understand that this harping on the minority and majority character all the time tells on the minds of the different communities and that creates unnecessary walls. Therefore, we must move into the secular character and we must, while preserving the character of the University which we want to preserve, think in terms of bringing the University into this secular mainstream which is really what is being attempted in this Bill. It is not a loss of character. But it may mean that it is not regarded kind of institution which will engender resistance in others. This, I think, is something which in itself is most desirable. Then he said that there had been no attempt on the part of the Education Minister to listen to the points of view of those who are opposed to the Bill or some measures in the Bill. There again I would beg him to consider how



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many hours the Education Minister spent in the last few days in listening to the various people and in trying to arrive at a solution which would be satisfactory to the maximum number of persons taking into account the sentiments of the Muslim community—all sections of it—but without compromising on the fundamentals on which we are clear and which I shall also refer to briefly but which have already been referred to by the Education Minister.

SHRI MAHAVIR TYAGI : Did he take into consideration the Members of Parliament also—the Muslim Members — without the consideration of parties"

SHRI K. C. PANT : Yes; many of them. That is why I say that he did hold detailed discussions; I was a party to some of them. Therefore, I know and it would not be right to say that he was not considerable. It would not be right to say that no changes were made. In fact, much has been made of the fact that a large number of amendments were brought in yesterday in the Lower House. One of the reasons for that was that in an attempt to accommodate the various points of view the Education Minister and I were holding discussions with some friends right up to 12.30 yesterday or even beyond that. Therefore, some of the amendments which were the result of these discussions necessarily came in very late. This is one of the reasons.

Now I shall briefly refer to one aspect which seems to exercise the minds of some friends like Shri Madam, and that is with regard to the different Councils and the organisation of the University bodies. Madam, as the Minister of Education explained, this reorganisation, if you call it so, has been brought about in accordance with the recommendations of the Gajendragadkar Committee. Now the important point to remember here is that the Gajendragadkar Committee, based on its experience of the study and the result of the study of various Universities, came to the conclusion that the various bodies within the University should not act as rivals to one another, should not interfere in one another's

work but should work in harmony and should work towards common tasks. So instead of the present hierarchical system within the University, i.e., the Court, the Executive Council and the Academic Council, the Gajendragadkar Committee suggested that each of these bodies should have its own functions, that the arrangement should not be hierarchical and that each one of them should be left to perform its functions according to its own charter, so that there would not be a question of conflict, no question of the present situation where they seem to be rivals to each other and various avoidable conflicts arise. This is the genesis of the present arrangement and this seems to be the wise recommendation and I feel that the criticism of this recommendation is either because it has not been properly understood or because some people do not want to see any changes being brought about in the organisation of our Universities. Neither of these can be an acceptable proposition.

Then, Madam, some other points were raised by some hon. Members yesterday and with us during discussions. The following points were made.

Firstly, they said that the University should be democratised, should have democratic functioning. If democracy is taken as an exercise in harmony, certainly democratic functioning has been restored in the University. The provisions of the Bill are there and I do not want to say anything to elaborate those provisions which are very very clear.

The other demand that was made was that adequate representation should be given to the academic community of the University and the importance and influence of non-academic external forces should be reduced. Now those who have been concerned with the educational institutions know the importance of both these basic points and know how important it is in the life of the University not to come directly under the influence of the non-academic external forces. The academic community is the best body to look after the interests of the institution and to establish that institution although necessarily some eminent people from outside can also help

and guide. So in accordance with the broad framework, the provisions of this Bill have been framed in such a way that the academic community does have representation and the students. I am glad to say have representation in this Bill. This is, as some one said, a new experiment but it is an experiment which I for one heartily welcome.

Then there was another demand that the Aligarh Muslim University should be a residential University and here Dr. Mahavir took objection to that. I will deal with both the points. The Gajendragadkar Committee which went into this question recommended that the Aligarh Muslim University should be a residential University. It has its reasons and it gave its reasons. That recommendation we have accepted. Before I come to the criticism offered by Dr. Bhai Mahavir, what I have said above will show that most of the important points. I have been raised so far by Muslim opinion or by others who have been interested in the welfare of the University and I would like to say that those who have represented to me about the contents of this Bill were by no means all Muslims. Friends like Shri Triloki Singh and others were equally interested in every sense of the term in the welfare of the University. So it is not a question of Hindu or Muslims but those who were interested in the affairs of the University, the points which they broached, which they took up, well, we have accommodated them to the maximum extent. At this point I would like to say that the criticism of Dr. Mahavir that this should not be a residential University, that it should be an affiliating University, on this only two things I would like to say. First, is this is not the only residential University in the country. I have never heard Dr. Mahavir objecting to any other University. Why has he picked on this University alone?

BR. Z. A. AHMAD : It is obvious.

SHRI K. C. PANT : It is obvious. Secondly, I would like others also to consider that under the scheme of the Constitution, under Entry 63 in the Union List, education including University

education, is a State Subject. I therefore if a Central University has parallel power of affiliation of various colleges, would that not be overlapping in the State field.' This is a point certainly to be considered because the area within which the Centre has direct control over education is limited. It is confined to institutions of national importance. It is confined also to coordination of research or determining of standards in institution-, of higher learning. These are matters of national policy. Apart from those, the rest of Education is a State Subject. I think this step is altogether in the right direction apart from the fact that it was recommended by the Gajendragadkar Committee, a recommendation which we accepted. I hope the Aligarh Muslim University will profit from the fact that the non-academic external influences have been decreased and this will enable it to flower into a better centre of higher learning.

The problem is the criticism of the kind which Dr. Mahavir levelled was not so much that he did not put forward his point of view properly but the fact is that behind it is an approach and a psychology which peeps out of his sentiments and expressions. The problem is there is a feeling of distrust, there is perhaps an ambition to dominate and it is this distrust, this ambition to dominate that immediately provokes a reaction in the minority community. If it were not for this, the question of whether it should be an affiliating University or a residential University would not have acquired as much political importance as it is today and it is a reaction to this feeling of distrust, to this ambition to dominate that we have this request which is I think made by Shri Samad. I think his basic idea was that this University should be a minority institution. He did not say so but I think this is possibly what he means and here I would only like to say that while I can understand the feelings and sentiments of friends who talked about minority character of the institution, they must realise that there are two aspects to it. Shri Nawal Kishoreji mentioned the positive aspect, and also Dr. Mahavir referred to the

[Shri K. C. Pant.]

positive aspect of what a minority institution can do in the sense that Muslim theology can be taught, Islamic studies can be there. I would say the advancement of a minority community could also be an interest of this University. About all those things there is no quarrel. The problem is, one does not quarrel even with the objective which is one of the objectives of the Aligarh Muslim University and I quote:

\*"To promote Oriental and Islamic Studies and to give instructions in Muslim ideology and religion".

This is one of the objects, this has been one of the objects and this will continue to be one of the objects. With that there is no quarrel. I hope that the Muslim students will continue to take full advantage of the facilities offered in Aligarh Muslim University and I hope that the facilities offered will improve. I hope the Central Government will continue to give as much assistance as it has, if necessary more, to develop this institution.

श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश) :  
पौनःपुन्य से ज्यादा हो गया पन्त जी को  
बोलते हुए ।

श्री के० सी० पन्त : आप कहे तो बैठ  
जाऊँ ।

श्री नागेश्वर प्रसाद शाही : जी नहीं ।  
आप बोलिए ।

THE VICE-CHAIRMAN (SHRI-MATI  
PURABI MUKHOPADHYAY) : The  
Ministers have every right to inter-vene.

SHRI K. C. PANT : With all these things there can be no quarrel. The only problem is this. Will Parliament abrogate its right to legislate for the Aligarh Muslim University? That is the essence of the problem. If you talk of a minority institution what you are really saying is that Parliament should

not have the right to legislate for the University. Parliament gives the money for the University also Parliament is interested in the welfare of the University. Now if by saying that it is a minority institution we are going to prevent Parliament from legislating for that University I think that is a proposition which no one in this House will accept and if you do not mean that then I do not understand the insistence of the minority character of the University. This is the crux of the problem. If my hon. friends accept this position then also I have no quarrel with them and I think that it is perfectly possible to combine the special character of the University with its national character but this insistence on the minority character of the University, if it means that it is going to prevent Parliament from legislating for the University, will not be a right step and I do not think that step will benefit the Muslim community in the least.

Madam, we are today, all of us, subject to winds of change and this wind of change is sweeping the whole world. Even in countries like Pakistan and UAR we have seen vast changes brought about in their societies in the last few years and in this country also we have to see, all sections of the community, not merely Muslims. Hindus, Muslims, all of us, that obscurantism and the forces of dead tradition are defeated and that we move into the twentieth century in full steam. Therefore a special responsibility devolves on the leaders of the Muslim community at this time to see that this Bill is supported as a move in the right direction, as a move which will benefit not only this University, not only the students of this University, but will help in creating that kind of atmosphere which we want to see created in this country. After all we do not want uniformity; we want different communities and groups to have every right to preserve their cultural identities; we want to preserve full freedom of religion; all these things we want to preserve but I do not want to divide India into Hindu India and Muslim India. We want India to be one. Therefore any Bill, any measure that preserves the cultural

identity of the community while strengthening the national unity, the cultural unity of the nation, is the right Bill, is the proper Bill and that is why I support this measure and I hope that all sections of this House will give their unstinted support to this measure.

Thank you.

DR. Z. A. AHMAD : Madam Vice-Chairman, I think we should first of all offer Mr. Nurul Hasan congratulations for having brought this Bill before Parliament, before this House. That shows that as a real democrat he is quite sensitive and quite responsive to the opinion of Parliament Members. I am glad to speak on this Bill because I am an old boy of Aligarh and I am very closely associated with it not only during my younger days but subsequently also for the last 30 years or so. I think that this Bill is a Bill in the 3 P.M. right direction, a Bill which moves matters in the right direction although my group would like it to be handed over to a Joint Select Committee in due deference to the opinion, of many Members of the minority community, many of our Muslim friends in Parliament, in this House and in that House who want that enough time or scope should be given for considering all their specific suggestions. Therefore we said there is no harm in referring it to a Joint Select Committee. And our group still takes that position. But that does not mean that we disagree in any fundamental sense or in any basic sense from the contents of this Bill. Now what are we seeking to do through this Bill? We are really trying to put the University back on a proper footing and to give the University a democratic content and a direction in regard to its functioning by creating the sanctions for its future development as a centre of learning. Now let us recognise straightway that Aligarh Muslim University is a national asset and that it has played a big part in spreading education and enlightenment in this great sub-continent of India during the last, well, about 30 or 40 or 50 years, and here we must pay a tribute and I want to pay a tribute—to that old man Sir Syed Ahmed who at that time saw the need for

bringing Muslims into the current of modern education. You know that Sir Syed Ahmed was opposed at that time. He was denounced as an atheist. He was denounced as a man who believes in nature and not in religion, and the orthodox sections of the Muslim community refused to cooperate with him. And yet he said it was necessary, it Muslims thought of their development as an integral part of the Indian people, that in the context of modern life Muslims must receive modern education in Arts, in Physical Sciences, in Social Sciences, in learning generally speaking. Therefore, this old man gave a correct direction to the Muslims in the teeth of opposition from the orthodox and reactionary Muslim elements existing at that time. And there is no doubt that Aligarh University has produced worthy sons of our motherland, not in tens but in hundreds and thousands—I won't mention their names. You know the big people in our Indian political life and in all walks of life produced by Aligarh. That fact has to be recognised. (*Interruptions*) I take it that I am also one of those good men produced by Aligarh. I won't accept your definition of good.

SHRf PITAMBER DAS : Are all those good like you?

DR. Z. A. AHMAD : So this must be recognised because Dr. Bhai Maha-vir and some of our friends of the Jan Sangh still paint it as a centre of anti-national activities as a dark spot in our life and all that sort of things. Aligarh has made a very valuable contribution. Sons and daughters produced by Aligarh have taken a leading part. What about Mr. Mohnmmad Ali? What about Dr. Zakir Husain? What about so many? I need not mention all the name? but it is obvious that their contribution is there and it is a very valuable contribution. Sir. Aligarh has a history—it is an institution—and that history is related to the changing co-relation of forces or co-relations between the two great communities, religious communities, existing in India, in this sub-continent. The Hindus and Muslims have been linked up. That is why it has a history. I say unfortunately that his-

[Dr. Z. A. Ahmad.]

tory definitely is of a controversial nature. Now, a big controversy has arisen around Aligarh. What should be its character, what should be its form, content and so on? Well, it is very easy to put an end to controversy by saying, let us put an end to Banaras and let us put an end to Aligarh. I personally would not mind that if we could make a sudden break from the past. Let us put an end to it. Remove the word 'Muslim' from the Aligarh Muslim University and remove the » word 'Hindu' from the Banarasa Hindu University. Give them an absolutely secular character. Let them develop along secular lines. If I say so, unfortunately it will be a voice in the wilderness. Neither my friends here, nor my friends there will accept it. You will remember that a few years ago this suggestion was almost on the point of being accepted in that House. It was almost on that point and I would submit that the Aligarh people had accepted it. Yes, they were prepared, but the authorities of the Banaras University and the people associated with it said: "No, we are not doing it." There the matter stayed. Now, who is going to convince whom, I do not understand. As far as I am and my party are concerned, we would like to have a divorce of education from religion. Let there be a religious institution to impart religious instructions and let there be a modern educational institution apart from that. We can help the religious institutions by giving them grants. But this does not seem to be possible. India is a religious-minded country and it will take some time before we really come to that stage. Those who talk of secularism, those who talk so much about democracy combined with secularism, combined with socialism, scratch them a little and you will find each one of them to be deeply communal, not only religious but also communal. One cannot be religious without being communal, but that is the reality of Indian life. Therefore, that controversy cannot be put an end to by this drastic solution at present, but the day will come, the time will come when this step will have to be taken.

SHRI MAN SINGH VARMA : Being religious does not mean communal.

DR. Z. A. AHMAD : I do not know whether a religious person will be communal but the base of communalism is undoubtedly one's religious attitude and religious faith. I am prepared to enter into that controversy later on, but at present we are a communal-minded people. Howsoever we may indulge in talks about secularism. So, the day must come when religion must be separated from education. Modern education, scientific education should prepare people develop modern thought and scientific thought. Religious institutions will look after themselves. That day will come soon. I have no doubt that ultimately that day will come.

Now, in this controversy, since it is a controversy, there are two poles. I would submit my opinion, the opinion of my group and of my party in regard to the positions taken by these two poles. One pole is represented here by Dr. Bhai Mahavir, who represents a certain outlook, who represents a certain political formula, who represents a party, who represents an opinion. In the country, particularly in northern India the orthodox Hindu way, on the political plane, is reflected prominently by the Jan Sangh. What is their contention? It is that the University, with its present character, should be wiped out. They want that it should be completely wiped out. That history should be negated, that it is a source of evil, that it represents a foreign culture, that it represents an anti-national culture and therefore it should be wiped out and the simple device that they suggest is that all the local colleges which are dominated by people of that opinion and with a large number of students should be affiliated to that institution so that within a year or two the institution is completely wiped out and it goes out of existence. Now, behind this, there is an ideology, an outlook. What is that outlook? The outlook is that the Muslim culture in India is an alien culture. That there is an Indo-Muslim culture you cannot deny. The Muslim culture in Arab countries differs from the Muslim culture of any other country.

In Persia it is different, in Indonesia it is different. I call it Indo-Muslim culture, a culture that has developed on the Indian soil as a result of the fusion of certain traditions of Islam coupled with the traditions or the culture of the great majority of the people who are Hindus. So, a peculiar pattern of culture has developed and I think it is a big gain in our national life. And it is not only confined to the Muslims. That Indo-Muslim culture has had its impact on the Hindu community of the north also.

AN HON. MEMBER : It is a composite culture.

DR. Z. A. AHMAD : It is in certain parts of the south also, but not in the whole of the south. And we must recognise the fact that in India this specific culture has developed. In India, in this great land, we are all sons of such a culture and we have all found occasion to flower it up. Indo-Muslim culture is a heritage that must be preserved and guarded; it must be helped to develop and flourish.

Therefore, the outlook of Dr. Bhai Mahavir and of the Jan Sangh has to go, it has to be rejected outright. It is a disruptive outlook, an outlook which is the negation of national unity which is the negation of national integration.

Now, the outlook of the Jan Sangh was very well represented when they gave a slogan, "Indianise the Muslims of India". Indianise the Muslims of India? Are not Muslims Indians? They mean "Hinduise the Muslims of India". I repeat, this is a disruptive, anti-national slogan that was given by the stark reactionaries of India who want to create discord in India who want to split up our unity and who are the representatives of the vested interests, internal vested interests, external vested interests, imperialist interests, who want that India should go into bits, who want that our national unity should be disrupted.

Now, that is one angle and we reject it, that is one pole which we reject. And I come to the other pole. Dr. Bhai Mahavir has always said, "You want

to walk in between; you want to have a balance in between." Yes, it is necessary that Indian unity must be preserved.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : For one pole you have taken 15 minutes. How many minutes would you take for the other pole?

DR. Z. A. AHMAD : I have taken not for one pole, I have taken for the whole, 12 minutes. The hon. Minister spoke for 45 minutes.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : All right. Five minutes more.

[MR. DEPUTY CHAIRMAN in the Chair.]

DR. Z. A. AHMAD : The second pole is, the Muslims want the Aligarh Muslim University to be a close preserve and enclave, and as somebody says, they want to bring it to the status of almost a ghetto. They want that the Muslims should dominate, the Muslims should manage. the Muslim should man all the top committees. And I will say later on. Their conception of Muslim culture does not fit in with the growing secular democratic life. What do you say? How is this Muslims character to be maintained? I have listened to the arguments given for one representation to Wakf Board and one representation to religious organisations. Then they want representation to be given to so many organisations, Muslim M.L.As. Muslim M.Ps. In which world are you living? I want the Aligarh Muslim University to flourish. I want that specific character of the Aligarh Muslim University to be safeguarded, but not by creating a ghetto, to safeguard Indo-Muslim culture not by creating preserves. Artificial preserves will lead to tensions and suspicions, and what you want to achieve will not be achieved. Therefore, I would submit. Sir, that the Indo-Muslim culture of India is itself undergoing change and should undergo a change.

DR. BHAI MAHAVIR : What is that Indo-Muslim culture?

DR. Z. A. AHMAD : I have explained it when you were not here. You are out of tune with everything. It is a scientific concept.

DR. BHAI MAHAVIR : Whatever you say is scientific.

DR. Z. A. AHMAD : I do not want to waste my time. It is very simple, straight thinking. I cannot accept this fact that those who come as representatives of Wakf Boards. . . (Interruption by Dr. Bhai Mahavir.) Please ask him not to interrupt.

DR. BHAI MAHAVIR : I want to learn.

DR. Z. A. AHMED: I cannot understand except that just because a man represents Wakf Board in a State or the Central Wakf Board he is the custodian and representative of Muslim culture. I as a communist can as well define Muslim culture. He can define Muslim culture. You can define Muslim culture. You are clear in your mind and you are a progressive.

SHRI B. V. ABDULLA KOYA: God save us.

DR. Z. A. AHMAD : This section is striving the Muslims to have deepseated religious, communal outlook, and that, unfortunately, has been the bane of the University during the last so many years. People who are out of tune in the society, people who have reactionary outlook, socially reactionary, though they call themselves nationalists in the sense that they want freedom of the country, these elements have dominated the University for quite a long time. We want to put an end to that situation. We want that the Muslim community of India should have a centre but it should be a progressive centre. It should reflect the growing urges of the Muslim people in India, the urge to develop, to learn, to jump to the democratic secular life. And that you will not get by getting on the University a Wakf Board representative, a Muslim M.L.A. and so on. (Interruption by Shri Hamid Ali

*Schammad*) Indo-Muslim culture has been retained in this University. At least that much you have to admit. You are a Muslim and I am a Muslim. You are a Malayalee Muslim and I am a Muslim from north India. But I cannot talk to you. You cannot talk to me. Your food is different from mine. So there are certain broad categories. That we will have to accept. So I personally think that this University cannot be handed over to a group of people who talk of preserving its Islamic character. They represent some of the most reactionary, conservative, obscurantist elements in the Muslim society. That is to be properly safeguarded. That is the only way of safeguarding it, by giving it a democratic content. You are out of tune as much as Dr. Bhai Mahavir. These are the two poles. Therefore, a democratic content has to be given. Modern scientific thought has to be developed, modern social thought has to be promoted among the Muslim youth. We should not take them back to those preserves and ghettos, to the separatism which has been observed as a great value of life. Separatism is treated as a great value of life. No, Sir. In India, Hindus and Muslims will develop a common life, a common life on the basis of certain values of democracy and secularism. The contribution that the Muslims are making is distinct in culture, tradition, food, way of life and so on. That will have to be preserved along with the traditions and the way of life of the majority. In that sense, Sir, we want the Aligarh Muslim University to undergo a change. We want it to be liberated from certain shackles which were imposed on it. We want it to become a part of the broad democratic life of India and the secular life of India. I think if we take proper steps, we can ensure it.

In the end, I would certainly request the hon. Education Minister and the Government of India that they should see that a conscious effort is made so that there is no discrimination and no unnecessary hurting of the minority communities. We have to safeguard our minority communities. We cannot hurt them. We have to help them. They are backward. I recognise that they are

backward. The minority communities are comparatively backward. Some help has to be given. The proper type of help in the proper direction to make it more and more a part of the secular educational system of India should be given. Thank you.

DR. K. MATHEW KURIAN (Kerala): Mr. Deputy Chairman, Sir, while broadly supporting some of the major directions in which this Bill has been brought forward, I would like to criticise many of the loopholes and undemocratic elements which are still retained in this Bill. Sir, you are aware that the world over, there is a continuous process of change away from obscurantist, com-munalist and unscientific attitudes and value systems to a more and more democratic, scientific and rational system of education and culture. But in India, through the educational policy of the Government of India, we still retain in our educational system the traditional, conservative and obscurantist values.

Sir, the Education Minister wants to reform the Aligarh Muslim University. While agreeing with the purpose with which he has brought this Bill, I fail to understand the dichotomy between his professions about the overall educational policy on the one hand, and the reality of the educational system, retaining feudal values in the syllabuses and retaining undemocratic elements in the university statutes.

Sir, there is a lot of talk about the minority character of the Aligarh Muslim University. The Muslim communal elements are opposed to this Bill on the ground that it seeks to nullify the essential Muslim character of the university. On the other hand, we have communal elements from the majority community who look at the problem again from the communal angle, trying to undermine even the limited democratic elements in this Bill. What is Jacking is a forthright policy declaration from the Government of India that they will, through a re-structuring of the educational policy and programme, cultivate an outlook of secularism, democracy and socialism in the real sense. Even to-day, after 25 years of talking about socialism by the ruling party, we

have syllabuses in the primary schools, in the secondary schools and at the higher education level, which still contain feudal values, communal values and obscurantist, conservative ideas. Praise of communal values and idealistic philosophies, praise of religious obscurantism, all these are still very much in the syllabuses approved and perpetuated by the educational system in India. So long as these overall policies are maintained, any attempt to reform one sector of higher education is bound to fail, even if it brings marginal results. It is true to say that the Aligarh University has played a historical role in certain specific respects, in understanding an aspect of the Indian culture, in understanding the history of India, of a section of the people. All that has been a historical role played by the Aligarh Muslim University. But in the name of the historical role played by the University, communal elements not only in the University, but also outside th,\$ University, want to perpetuate the same system which has been in existence for long. I would argue that this reform Bill was due long ago. Passing of this Bill will not eradicate the communalism. In a real sense communalism both in the Aligarh University and elsewhere of both the minority community and the majority community can be eradicated only by a national policy on education, particularly democratisation of the university structure, running of educational institutions with precisely those people who support democratic and scientific values.

If you go through this Bill, in Clause 4 of the Bill, there is a very specific mention— Clause 4(b)—and it says, "To promote the study of the religions, civilisation and culture of India". I fail 'o understand why, if the Government is particularly anxious to promote democratic and scientific values, why this oarticular word "religions" is being included in the statute. Religions can be studied in any university as an aspect of knowledge. We do study philosophy, idealistic ph'losophy, religious philosophy. But to say that in a Muslim University the objective of studying religion is a fundamental premise again of communalism.



[Dr. K. Mathew Kurian.]

This Bill has been hurried through and that we oppose. We are not opposing the direction in which the Bill has been moved, but the manner in which it has been hurried. As a result of the hurrying up of this Bill in a rash manner, we find that a large number of obscurities, many loopholes and inconsistencies and undemocratic elements are still retained in this Bill. Particularly I refer to Clauses 32, 33 and 34 which broadly are undemocratic in character. We have also moved a number of amendments and they show how these Clauses can be retrieved and more democratic content introduced into this. I would also like to argue that despite these defects, despite these obscurities, loopholes and inconsistencies of undemocratic elements in the Bill, the Bill exhibits to a certain extent, a kind of elegance. But this elegance is highly misleading. The Ministers, the bureaucrats and the so-called educational experts are very efficient in producing elegant legislative Bills and reports which are bulky. But on a crucial matter we have failed miserably; that is, we have failed in evolving the *modus operandi* of implementing even the meagre provisions of the bill platitudes and the highly charged objectives inbuilt in this Bill.

I would bring to the notice of the Minister two specific instances. The Minister in charge of educational policy should specifically make a note of this. In the Aligarh University itself there was an incident about which the honourable Minister knows, an incident in which a member of the administrative staff threatened and attempted to assault two professors. Inquiries were made. And the inquiries, conclusively proved that the administrative staff member who threatened and tried to assault the professors, was guilty. But after that attempts have been made by communal elements in the University to protect the person who was guilty. And I have the lurking suspicion that of high-ups in the Government, in the University, are trying to protect the person who is guilty precisely because of the pressure from communal elements. I am only giving this instance where the existence

i of communal power structure in the Aligarh University is trying to thwart even the existing democratic elements. Even the freedom given to the university teachers to organise and to express themselves freely is being scuttled by the power structures in the University.

I would also like to give another instance only to prove that while the Minister brings forward reform measures, he is incapable of changing the power structures in educational institutions and other autonomous organisations under his Ministry. The example I am now giving is slightly far away, but that example is extremely important to prove my contention. I refer to the Nehru Memorial Museum. It was registered as a society six years ago and started functioning. It is an autonomous organisation. The Education Ministry is directly concerned with it. I have a very grave charge against the Nehru Memorial Museum. There are no service rules worth the name although six years have elapsed. The plea is that all Government rules are applicable to the Museum staff. But we find that a senior academic person who had two years of service in the Museum was sacked on a fine morning. The Education Ministry is incapable of changing the power structure in the Museum. It is supposed to be an educational institution which is to perpetuate the memory of Pandit Nehru. But in that organisation controlled by the Education Ministry we see the power structure remains without any change. I would like to produce before you another instance where we find that Shri V. C. Joshi, Head of the Archives Division of the, . .

SHRI DEV DATT PURI (Haryana) : We are already about three quarters of an hour behind schedule. I would request the hon. Member not to bring in. . .

DR. K. MATHEW KURIAN : The hon. Member also can refer to anything he likes. Sir, I am trying to prove that with all these reform measures of the Government, they are not prepared to upset the power structure in the so-called autonomous agencies including the Aligarh Muslim University. The Head

of the Archives Division in the Nehru Memorial Museum is one Shri V. C. Joshi. He has by fraudulent methods deprived the Nehru Museum of Rs. 486.50 by allowing his daughter to get certain enlarged photo reproductions without any bills being charged. . .

MR. DEPUTY CHAIRMAN: What has that got to do with this Bill?

DR. K. MATHEW KURIAN: This is the photostat copy. . .

MR. DEPUTY CHAIRMAN: You kindly speak on the Bill. Otherwise I will have to curtail the time of all the hon. Members, not only yours.

DR. K. MATHEW KURIAN: This is the type of reproductions made illegally by the Head of the Archives Division. Eighty-one enlargements were made. I referred to this instance to show that in an institution controlled by the Education Ministry, it is the people who have money and who are nearer to bureaucracy and communal elements that control the affairs and educational people with qualifications are thrown out. A person with P.Hd. qualification has been thrown out and the Education Minister or his Ministry has not been able to do anything.

I will refer to Aligarh Muslim University itself. In the university itself, people who are democratic and people who want to promote progressive values against communalism and violence cannot survive because of the continuing existence of the communal elements.

In the Bill clauses 32, 33 and 34 which I referred to early are essentially undemocratic. Aligarh Muslim University Students Union has a very democratic constitution and therefore it should not be changed, as is being attempted. The Gajendragadker Committee thought of Union Councils in vast federal universities. It is unnecessary in a unitary university like the Aligarh Muslim University. If any change is to be made, that change should be made by the students themselves and not by an ordinance of the Executive Council.

Similarly, I suggest that Clause 33 should be reconsidered seriously. Sir, there is a well-established Aligarh Muslim Teaching Staff Association with its own Articles of Association and it is also a registered body and I see no reason why this should be scrapped in the name of a reform that has been now suggested.

There is we have a provision regarding students' participation. Sir, Prof. Ruthnaswamy, the hon. Member from the Swatantra party, had referred to this problem of student participation. He could not find any justification for the participation of the students in the academic council. He said that we should make their views known through another organisation which he calls the Students' Representative Council. Sir, even in the Bill, as I see it, student representation has been reduced to a frill. It is true that the Gajendragadkar Committee has suggested that 12 to 15 students should be represented in the academic council. But the representation of the students normally in the academic bodies is not the solution itself. It is only a frill. In the name of participation we have only a few representatives in the managing committees where the real powers are with the management. As long as the power structure remains intact, even if we increase the student participation from 15 to 20, it will be of no use and the power structure will be intact. We talk about student participation without being sincere about the whole affair. We are not prepared to give adequate powers to the students to participate in the whole educational process as such. Education is still authoritarian, teaching methods are authoritarian. University teaching continues to be authoritarian in character and no fundamental change suggested by the Gajendragadkar Committee. If the Education Ministry thinks that it can take shelter behind the Gajendragadkar Committee Report. I think they are mistaken. That Report should be ruthlessly examined to see to what extent they are part of the system which has been perpetuated so far.

Sir, the Gajendragadkar Committee Report has a lot of favourable element\* in it. But the Report does not introduce

[Dr. K. Mathew Kurian.] a new system of education which is radical or basically different from the present educational system. For the Education Minister to bring forward a reform measure like this under cover of the Gajendragadkar Committee recommendations, but, at the same time, not accepting the Report in certain other crucial aspects, is definitely not a straight forward method of bringing about any reform. I suggest that when we discuss the Aligarh Muslim University Bill, we should reconsider the basic tenets of the educational policy itself and reconsider whether the Government has the real ability to make a dent in the power structure in the Universities and other educational institutions which are controlled by the Government. Unless these two reviews are made fundamentally, I do not think that this reform measure will do much good. Definitely all marginal measures are welcome, but they will not be of any use unless they make any substantial change in the power structure of the Universities. Thank you. Sir.

DR. V. B. SINGH (Uttar Pradesh) : Mr. Deputy Chairman, Sir, it seems that the time has now come for a proper discussion of the Bill. Obviously, the Aligarh Muslim University (Amendment) Bill of 1972, under discussion before the House, has been promptly brought forward by the Education Minister on account of the situation created by the students' strike in the University and the demand made in this House. Therefore, I am surprised to see when the Members from the Opposition say that the Bill is brought forward in such a hurry. Actually, it was their demand a few days back. Left to himself, the Education Minister would have perhaps liked to introduce a more comprehensive Bill covering all the Central Universities. With the passage of this Bill, however, the case for introducing the Banaras Hindu University Bill in the next session of Parliament has become an urgent necessity as the academic community in the BHU, especially the students, will clamour for a democratic set-up. In fact, this amending Bill has some, but only some progressive and forward-looking measures which should be immediately

introduced in other Central and State Universities. Otherwise, the students might start an agitation for their own representation in their own Universities. For these measures, the Education Minister can call for a meeting of the State Education Ministers and should request the Prime Minister to impress upon the Chief Ministers to introduce amending Bills incorporating the recommendations of the Gajendragadkar Committee on the governance of the universities and colleges. If there is delay in introducing such Bills, the contemplated educational reforms may be introduced through ordinances. This is the only course open so long as Education is not put in the Union List or the Concurrent List.

The most striking feature of this Bill is that it restores the unitary and residential character of the Aligarh Muslim University and it has not been treated a minority but a national institution. It is so because the University has been created by an Act of Central Legislature and its finances are being provided by the Government through taxing all communities of the country. Yet the University is not being created in vacuum. It has a history and the continuity of this history, within the current of national life, is being allowed. It is a distortion of the Indian history by those who swear by Indian culture when it is said that the Aligarh Muslim University has spread nothing but communalism. I recall with pride the students and teachers who have struggled for independence, secularism and socialism in that University. The Prime Minister has rightly pointed out that there is a growing opinion in the Muslim community itself that education for the Muslim masses should be in tune with the education available for others in the country. After all, the University of Aligarh has only 8000 students on its roll whereas there are many times more Muslim students studying in other Universities and colleges in the country. A university consists of teachers and students and not of Treasurers and donors whose representation has been sought by an hon. Member in this House. The teachers and the students are being adequately represented.

Against this background I may be permitted to focus attention on some of the important changes that are being introduced through this amending Bill. Section 5 of the principal Act has been enlarged so as to enable the University to impart instructions to a larger number of private candidates through the method of correspondence courses or any other method.

Besides these features, the University has been empowered to appoint the academic staff of other Universities as teachers of the Aligarh University on a part-time basis to strengthen its academic staff. By amending section 16 of the principal Act, the most discredited office of the Treasurer has been abolished and that of a whole-time Finance Officer, who shall be an employee of the University, has been introduced. The moment such a reform is introduced in other Universities, most of them will be emancipated from the tutelage of the local political bosses and their henchmen. The Chancellor will now be appointed by the Visitor instead of being appointed by the Court under section 17 of the principal Act. It is difficult to say whether replacement of election by nomination is a democratic act, but the fact is that the office of the Chancellor now becomes a decorative one. His only function is to preside over the convocation.

By amending sections 19 and 21 of the principal Act, a change, as recommended by the Gajendragadkar Committee Report, is being introduced in the mode of appointment, tenure and powers of the Vice-Chancellor and the Pro Vice-Chancellor.

By amending section 22 of the principal Act, a Student Council is being introduced as a part of the authorities of the University and an amendment to section 23 renders the University Court a purely 'deliberative body' and not the 'supreme authority'. Here I may be permitted to point out the healthy implications of both these reforms. The Student Council is being introduced for the first time in this country with the

functions to recommend to the academic and executive councils matters affecting the academic work of the students, such as the structure of courses, pattern of instructions etc. as well as in respect of rules affecting discipline, welfare, sports, literary, departmental and hostel unions and student homes, health centres, etc. The students have also been given representation on the Court of the University. The student representatives have been categorised under the following heads: (1) Elected representatives, namely, the President and Secretary of the Students' Union and the Secretary of the Students' Council. (2) Two elected representatives of the Students' Council. (3) Five representatives to be elected by the electoral college consisting of meritorious students. (4) An equal number to be elected by the electoral college consisting of the University sports, cultural and social service organisations. This three-tier representation of academically good students and those here continued to University corporate life through extra-curricular activities should complete the list of all shades of student population. The student representatives will, however, participate only in academic and welfare areas and not in executives. The danger of student leaders dominating the scene has also been eliminated by putting virtually an age limit. This is a most healthy feature of the Bill.

While the students are rightly being represented on the Court the representation of the teachers is being reduced. Five teachers representing each of the three categories of university teachers—Professors, Readers and Lecturers—by rotation in order of seniority from each Faculty shall be on the University Court. Although Lecturers roughly constitute about 60% of the teaching staff yet they have been allowed to send only one-third of the teachers' representatives. This is a regressive reform. It is good that the Gajendragadkar Committee has made the Court only a deliberative body. But the Committee should have realised that this is a legacy of the colonial rule. There is no corresponding body in the Western universities and the best way is to abolish the Court in general.

{Dr. V. B. Singh.]

The composition of the University Executive Council shall now reflect the dominance of the academics. This is an overdue reform. But to empower it "to regulate and enforce discipline among members of the teaching staff" not only assumes that the academic staff is indisciplined and requires regulation but it also creates a dangerous situation as the Council is empowered to dismiss a teacher merely on the allegation of "misconduct" which is a beautifully vague term. Nothing less than proved and not alleged cases of moral turpitude and professional misconduct should be the ground for the dismissal of a University teacher. He is again exposed to insecurity when the statute authorises the University to terminate his service during the probationary period by giving two months' notice without assigning any reason. The days of 'hire and fire' are over; so are the days of master and servant doctrine. When a teacher has been appointed on the recommendation of a competent selection committee, such a provision is unthinkable. It is preposterous to authorise the Registrar to take action against university employees in general—which includes the teaching community. (*Time bell rings*) Just two or three minutes, Sir. I am dealing with the Bill proper.

MR. DEPUTY CHAIRMAN: But there is no time left.

DR. V. B. SINGH: For discussing the Bill proper, Sir?

It is well known that a most eminent economist had to leave the University of Gujarat because of a clique in the Executive Council and, therefore, to empower the Executive Council with such vast powers is not a wise step. Therefore, there is a growing demand, and in fact, some South Indian universities have already made the Registrar's post transferable, so that in a changing academic community he is not the centre of stagnation and bad traditions.

The introduction of department committees and the Board of Studies are the most welcome features of this Bill, subject to two important qualifications. First, in the Western universities faculty means a subject-faculty. In our coun-

try it is an amalgamation of subjects. Each subject should have its faculty and each member of the Department, (whether it has more or less than 20 members; should be associated with its functioning. When the number is large, the Department Committee can better function through Standing Committees. When this august House, having about 200 honourable members, can legislate for a big nation, what harm shall there be if 20 or more teachers sit and plan teaching and research in a University Department? Representation through rotation, when the number is large, has no meaning—a point conceded by the Gajendragadkar Committee itself. The best way is to extend the principle of election by the system of proportional representation through single transferable vote, so that each section of the teachers may get representation. It is on this principle that teachers other than *ex officio* members should be represented on Academic Council and the Faculty. If democracy is good for the country, it cannot be bad for the University.

The rotation of Headships is a most welcome reform that is being introduced. The introduction of an appellate authority to settle educational disputes and unrest is also a welcome feature. And so is the elimination of non-academics from the Selection Committees. But for the known phrase "experts in the subject", the innovation of the phrase "For their special knowledge of, or interest in, the subject. . ." leaves room open for smuggling in generalists instead of experts. For example, a journalist specialising in space science is surely interested in the subject, but he should not be appointed as expert for the selection of teachers in space science. The statute 33(2) provides for the constitution and functioning of Teachers' Associations through ordinances. This is highly undemocratic. It is for the Association to decide what constitution it will have and what functions it shall discharge. The University cannot dictate such things through ordinances. It can only say that it will recognize an Association and may devise its own methods of recognition, but cannot float organizations parallel to what are called "Company Unions". . .

(Time bell rings). The general rise in longevity of the population should be reflected in the age of retirement— which should be fixed at 65.

I welcome the spirit of the Bill and stand to support it, which contains progressive measures for the University.

श्री सीताराम सिंह (बिहार) : श्रीमन्, एक व्यवस्था का सवाल है। अभी अलीगढ़ मुस्लिम युनिवर्सिटी बिल की जो प्रतियां बांटी हैं मात्र अंग्रेजी में बांटी हैं, हिन्दी या भारतीय किसी अन्य भाषा में नहीं। यह संविधान के साथ बिल्कुल ही है, भारतीय जनता का अपमान है और हम भारतीय केवल जीभ और जवान से अंग्रेजी भाषा में राजकाज चला कर अपने मुल्क को और राष्ट्र को सबल नहीं बना सकते हैं। पूज्य महात्मा गांधी की भाषा के सम्बन्ध में जो इच्छा थी उसके प्रतिकूल यह सरकार चल रही है जो राष्ट्र के लिए घातक होगी। यही मेरा कहना है।

MR. DEPUTY CHAIRMAN : Mr. Chandrasekharan.

SHRI K. CHANDRASEKHARAN (Kerala) : Mr. Deputy Chairman, Sir, I may first state that even though, by and large, this House has been in agreement with the fundamental principles contained in the Bill, and I am also fairly in agreement with many of the provisions contained in the Bill, it was very wrong on the part of the Government to have rushed a very serious legislation of this nature in the course of a few hours in this House. It is true, Sir, that we were given copies of the Bill as introduced in the Lok Sabha a few days earlier. But as the hon. Minister himself pointed out, a large number of amendments were accepted in the Lok Sabha, and the Bill as amended by the Lok Sabha and passed, has been given into our hands at 9 o'clock this morning. Within the last one hour I have with me a series of amendments running to serial No. 77 and it is impossible that we will be able to seriously

go through those amendments and discuss them on (the floor of this House. The happenings of 1965 have contributed to a rethinking on the part of the Government so far as the University Administration of Aligarh was concerned and in 1970 an Amendment Bill was introduced and that has been withdrawn yesterday and at the fag end of the session when we have not even the time to go through the amendments that have been placed in regard to this Bill, the Government appear to be in a mood in which they find that they have to pass this Bill before the end of the day. The Minister was very fair when he stated that in deference to the wishes of the Members of the other House large numbers of amendments were accepted yesterday but I only remind him respectfully that that fairness ought to be shown to this House also so that the amendments, if any, sponsored on the floor of this House could be seriously considered and discussed. It is just not possible and these things would have been possible if the Government had been prepared to send Bill to a Joint Select Committee. I am of the view that this Bill ought to have been sent to a Joint Select Committee of both Houses of Parliament and with power to investigate into the provisions of the parent enactment of 1920 itself because it is not as if when one goes through the 1920 enactment that further amendments are not required. The Minister relied, if I may say, so, wholly on the recommendations of the Gajendragadkar Committee so far as sustenance of Government are concerned in regard to the provisions of this Bill. The Committee had gone into the governance of Universities and colleges throughout the country and it is not for me to remind the Minister as to the nature of the contents of that report because on reading page 4 of this report it will be seen that the entire draft report and the discussions that were held by the Committee on the basis of that draft report, had been handed over to none else than the Minister himself in a different capacity at that time—to a small Committee of three—to make the fair report and the fair report as is stated in page 4 of the report itself has been prepared by the Minister at that time in a different

[Shri K. Chandrasekharan.]

capacity. On going through the Committee report it will be seen that that report is mainly and generally on the governance of Universities and colleges and I have been able to place my finger only on a very few pages of the report where there is any direct connection or linking with the Aligarh Muslim University.

4 P.M.

Most of the recommendations contained in most of the chapters of this Report—I have no time to quote them and I need not quote them so far as the hon. Minister is concerned in any case—are general in nature about the universities and colleges in the country without any specific reference to the Aligarh Muslim University, its particular character and traditions, its historic background, and the nature of the particular university sought to be preserved by the provisions of this amending Bill itself. I submit that this Report by and large has absolutely no reference to the Aligarh Muslim University and it is the general conclusions and the general recommendations that have been made by this Committee so far as the governance of the universities and colleges in this country is concerned that are being relied on rather very strongly by the hon. Minister for the purpose of sustaining this Bill before this hon. House I submit, Sir, that that is not a very proper method that has been adopted; that is not a very fair or correct method that has been adopted. I would have thought that the hon. Minister would have in his preliminary remarks before this hon. House sustained the provisions of this Bill independently of the general conclusions contained in this Report. That the hon. Minister has no other argument except this general conclusions and recommendations contained in this Report is a factor, if I may say so, without attributing any motive which I would like to take into account and which I would request this hon. House to take into account to suggest that the hon. Minister has no particular reasons at all to tell this House as to why the various provisions of this amending Bill should be sustained.

Another aspect that I would like to deal with in this general discussion of the entire Bill as a whole is on the controversial question of sustenance of the minority character of this great and historic institution. Sir, I have not been able to understand particularly the stand of the Government in this regard. I have gone through the Press reports of the speech made by the hon. Minister in reply to the discussion yesterday in the Lok Sabha and even though the hon. Minister had initially stated that Government's view was that this institution should continue to have a national character I found him stating at least at the far end of the discussion that attempts have been made in the course of the provisions of this Bill and in the course of the provisions of the parent enactment itself which are not touched upon by this Bill that the interests of the minority community would also be looked into. I submit, Sir, that this is a contradictory process, contradictory thinking. As has been pointed out by some at least of the hon. Members from the Muslim League Party the name Aligarh Muslim University is still there. I am not sure whether I am particularly happy about it; I would not go into that aspect now but I can certainly tell you that I am certainly not happy about the word 'Hindu' in the Banaras Hindu University. It is not absolutely irrelevant because that is also another Central University. For the Banaras University to have an appendage of the majority community to its name is something which cannot be sustained, if I may say so, by the provisions of the Constitution themselves after the Constitution but so far as the minority communities are concerned the position is slightly different. There are particular provisions in the Constitution which enable the minority communities to run particular educational institutions and which give rights to the minority communities in so far as their educational, social and cultural activities are concerned. And I submit, Sir, that this particular Bill, coupled with the parent enactment, so far as I could see, does in a large measure give the minority community the Muslim community in this case, an assurance of protection of the historical factors that had been there

in this University because I find that the particular stress on Arabic and Islamic studies, the particular stress on Urdu, the particular stress on Unani and Tibbia surgery in the field of medicine, all these are going to be continued. The difficulty probably has arisen only on account of the fact that the Court and other administrative bodies in charge of the University and other various bodies are going to be constituted in a particular fashion but I do not entertain any apprehension just because of a reconstitution of the board of management and administration of this University and the different bodies is going to be done, and that is particularly because there have been certain events and there has been continuous trouble in the University in the last about ten years. This feature has got to be removed and peace has got to be restored to this University and this University should be able to impart education and the students should be able to receive that education. I should think, Sir, that it is only in the best interests of the University itself that these provisions have been thought of. But again, Sir, my difficulty is only that, if time had been given and if the matter had gone to a Joint Select Committee, the apprehension that has been expressed by no less a body than the Muslim League, which is really the representative body concerning the Muslims community in this country....

SHRI DEV DATT PURI : Question.

SHRI K. CHANDRASEKHARAN :  
I am not saying, Sir, that there are no Muslims in any other political party. There are Muslims in other political party. There are Muslims in my party. But the fact remains that, so far as at least my State is concerned and probably the State of Tamil Nadu is concerned, the Muslim League is the most powerful organisation representative of the Muslim community in Kerala and in Tamil Nadu, and it is only on that factor that I say that the apprehensions genuinely expressed by the leader of this party in this hon. House could have been erased if time had been granted, if mutual discussions had been

allowed and there would have been a Joint Select Committee to go into this matter, and better support would have been available from practically all sections of this House and the other House for the provisions of this Bill.

I am concluding, Sir. The only two things that I would like to particularly notice in the provisions of this Bill are these. One is the continuation of this University as a Residential University. I really extend my best wishes and my entire support to the provisions now contained in this amending Bill that this University will continue to be a Residential University. I have no time to go into the various aspects but, looked at from any aspect, according to me it is necessary that this University should continue as a Residential University. The other thing is the formation of the Students' Council. No doubt in the course of the speeches certain objections have been made but, by and large, I am sure, Sir, that the constitution of the Students' Council would certainly resolve most of the troubles in this great University and would lead to a better understanding between the staff and the students of the University.

Thank you, Sir.

श्री नागेश्वर प्रसाद शाही : उपसभापति महोदय, इसमें कोई शक नहीं कि इस विधेयक में कुछ अच्छी व्यवस्थाएँ हैं लेकिन मूलभूत बात यह है कि इस विधेयक में भी सत्ता-कांग्रेस-पार्टी की वही नीति सामने आती है जो और विधेयकों में आती है। एक जानवर आप लोग देखें होंगे, कछुवा, जो मूड़ी निकालता है और फिर घूसा लेता है, ठीक वही नीति सत्ता-कांग्रेस पार्टी की है। यह सेकुलरिज्म तो चाहते हैं लेकिन देश के अन्दर की कम्युनल फोर्सों का मुकाबिला करने और उन्हें दबाने की यह हिम्मत नहीं करते हैं। इन्हें शंका यह रहती है, मुसलमान नाराज हो जायगा वोट नहीं देगा, हिन्दू नाराज हो जायगा वोट नहीं देगा। इस भावना से यह सारे फैसले और सारे निर्णय करते हैं। इनकी नीति कछुवे



[श्री नागेश्वर प्रसाद शाही]  
की नीति है। कोई ईमानदारी का उमूल यह चलाते ही नहीं हैं। शुद्ध अपने स्वार्थ कुर्सी में बने रहने की नीति चलाते हैं। इस विधेयक से भी यही सिद्ध होता है कि यह कतई-कतई देश के अन्दर की साम्प्रदायिक शक्तियों का मुकाबला करने के लिये तैयार नहीं हैं।

आज जो मदनी साहब ने कहा और मुस्लिम लीग पार्टी के नेता ने कहा उससे बातें बहुत कुछ साफ हो जाती हैं। मदनी साहब ने कहा कि इसका कैरेक्टर ऐसा बने रहना चाहिए कुछ दिन और क्योंकि इस समय देश में मुसलमानों के साथ इन्साफ नहीं हो रहा है। इसका कांग्रेस पार्टी को जवाब देना चाहिए।

श्री एन० सी० बरगोहेन (आसाम) :  
सबको जवाब देना चाहिए।

श्री नागेश्वर प्रसाद शाही : देखिये, सब को नहीं, जो पार्टी सत्ता में होती है उसकी जिम्मेदारी होती है, इसका जवाब कांग्रेस पार्टी को देना चाहिये कि आज देश में अल्पमत के साथ इन्साफ क्यों नहीं हो रहा है ?

श्री ओम् प्रकाश त्यागी : शासन आपके हाथ में है और जवाब हम दें।

श्री नागेश्वर प्रसाद शाही : श्रीमन्, अगर सचमुच मैं सेकुलरिज्म की बात होती तो एक विधेयक लाते। पन्त जी ने कहा कि शिक्षा तो स्टेट सबजेक्ट है कांस्टिट्यूशन में। इसलिये हम उसके दायरे में नहीं जा सकते, हम तो चन्द एक दो जो ऐसी राष्ट्रीय संस्थायें हैं, राष्ट्रीय महत्व की संस्थायें हैं, केवल उन्हीं के बारे में कानून बनाते हैं और उन्हीं को बनाये रखते हैं। लेकिन मैं कहना चाहता हूँ, श्रीमन्, कि अगर इनके अन्दर सेकुलरिज्म की बात होती और यह अपने स्वार्थ-हित में देश में आज भी साम्प्रदायिकता कायम रखने के लिए तुले न होते तो बनारस हिन्दू

विश्वविद्यालय के लिए और अलीगढ़ मुस्लिम युनिवर्सिटी के लिए विधेयक ले आते। जरा भी ईमानदारी इनके अन्दर होती, एक प्रतिशत भी ईमानदारी इनके अन्दर होती और सेकुलरिज्म के प्रति वफादारी होती तो एक विधेयक ले आते यह और फिर मैं देखता कौन खिलापत करता है उस विधेयक का।

काशी हिन्दू विश्वविद्यालय का नाम काशी विश्वविद्यालय है, हिन्दू विश्व-विद्यालय नहीं है। बाद में पण्डितों ने हिन्दू शब्द जोड़ दिया। उसका नाम काशी विश्व-विद्यालय है। उस विश्वविद्यालय की एक-एक ईंट इस बात की सबूत है।

श्रीमन्, मैं इस अलीगढ़ मुस्लिम युनिवर्सिटी के बारे में कहना चाहता हूँ। किस वातावरण में इसका निर्माण हुआ ? कुछ लोगों को बुरा मालूम हो, मगर डा० अहमद साहब ऐसे लोगों को याद रखना चाहिए कि देश के विभाजन के वह भी समर्थक थे और देश के विभाजन के वह भी जिम्मेदार हैं, उनकी पार्टी भी देश के विभाजन की समर्थक थी, जो इस बात को जानते हैं वह यह भूले नहीं उनके भाषण को सुनते समय। 1857 में उस समय की घटना को याद करें और इतिहास को न भूलें कि अंग्रेजों ने इस देश की सत्ता मुसलमानों के हाथ से छीनी थी, मुसलमान बादशाहों के हाथ से छीनी थी और यहां जब वे अपनी सत्ता कायम किये उन्हें सब से बड़ा खोफ मुसलमानों से था, इसलिए वे उस समय हिन्दुओं में राय बहादुर और राय साहब बनाते थे और हिन्दुओं की पीठ पर हाथ रखते थे। जब कांग्रेस का प्रादुर्भाव हुआ और बीसवीं शताब्दी का युग आया, देश में राष्ट्रीयता बल पकड़ने लगी, तो अंग्रेज सत्ता इस निष्कर्ष पर आई की भारत से उन्हें जाने का समय आ गया है, राष्ट्रीय शक्ति से वे धवराए और समझ गए कि अब हमारे लिए भारी खतरा पैदा हो गया है। गांधी जी का आंदोलन

सामने था, उस समय उनके सम्मुख और कोई चारा नहीं था सिवाय इसके कि इस देश के लोगों में दुर्भाव की ये भावना पैदा करते, साम्प्रदायिक भावना पैदा करते और इसके लिए इस देश के हिन्दू और मुसलमानों को लड़ाने की तैयारी करें। अंग्रेज ने इसी हिसाब से, इस देश के हिन्दूओं और मुसलमानों को लड़ाने के खयाल से, देश में ऐसी संस्थाओं को, ऐसे दलों को बल देना शुरू कर दिया, उन्हें पैदा करना शुरू किया, उन्हें खड़ा करना शुरू किया जो देश में साम्प्रदायिकता ला सकें, देश में हिन्दू और मुसलमानों को कतार में बांट सकें, देश के लोगों को वर्ण और जाती के आधार पर बांट सकें। ऐसे वातावरण में इस विश्वविद्यालय का निर्माण हुआ था। मैं कहना चाहता हूँ, इतिहास को देखें। इस विश्वविद्यालय का निर्माण ऐसे वायुमण्डल में हुआ था और सर सैयद अहमद खां जो दोस्त थे अंग्रेज गवर्नर के, जो दोस्त थे अंग्रेज कन्सल्टेंट के, उनको अच्छा योग्य व्यक्ति समझ कर अंग्रेजों ने पसन्द किया और उस वायु मण्डल में विश्वविद्यालय का निर्माण हुआ। मैं श्रीमन्, यह कहना चाहता हूँ, मुझे किसी विश्वविद्यालय से या किसी संस्था से कोई द्वेष नहीं है। मैं अपने को न हिन्दू मानता न मुसलमान मानता, बल्कि मैं अपने को भारतीय मानता हूँ। (Time bell rings) लेकिन मेरे दिमाग के सामने, मेरे सामने जो घटनाएं हुई हैं, जो नज्जारे गुजरे हैं, मैं उन्हें भुला नहीं सकता। श्रीमन्, मैं भी कांग्रेस का वालंटियर था, उत्तर प्रदेश कांग्रेस के यूथ सेक्शन का इंचार्ज था, उत्तर प्रदेश स्टूडेन्ट्स कांग्रेसका जनरल सेक्रेटरी था, आल इंडिया कांग्रेस में भी था। हम लोग सारे देश में घूमते थे अपनी संस्था को बल देने के लिए। अलीगढ़ विश्वविद्यालय में भी जाते थे। अलीगढ़ विश्वविद्यालय में जो विद्यार्थी राष्ट्रीय विचार के थे, जिनके यहां हम लोग जाकर के ठहरते थे, रात को उनके होस्टल में उनके कमरे में

पाखानों की बाल्टियां डाल दी जाती थीं। किसी राष्ट्रीय विचार के मुसलमान के लिए होस्टल में आराम से निश्चित ठेकर रहना सम्भव नहीं था। ऐसी हालत में आप यह बात मुनिये कि 1946 में मौलाना आजाद कांग्रेस के प्रेसीडेंट थे। वे शिमला से दिल्ली होते हुए कलकत्ता जा रहे थे। हम इलाहाबाद यूनिवर्सिटी के विद्यार्थी हजारों की तादाद में स्टेशन में उनके स्वागत के लिए खड़े थे। आजाद साहब की ट्रेन शाम को आने वाली थी और हम सब लोग इन्तजार में थे कि जब वे आवें तो उनका स्वागत किया जाय। गाड़ी एक घंटा, दो घंटा, तीन घंटा लेट हो गई और आखिरी में मालूम हुआ कि आजाद साहब की गाड़ी को अलीगढ़ यूनिवर्सिटी के लड़कों ने रोक लिया है और उनके डिब्बे में घुस कर उन्हें जूतियां और थप्पड़ से बेहाल कर दिया और उनकी दाड़ी नोच ली। उस समय हमारे विद्यार्थियों ने दूसरी गाड़ी से अलीगढ़ जाने का फैसला किया ताकि अलीगढ़ के विद्यार्थियों से मुकाबला किया जा सके। लेकिन कांग्रेस के विद्यार्थियों ने फैसला किया कि हम लोगों को साम्प्रदायिक झगड़ों में पड़ना नहीं चाहिए।

श्रीमन्, उसके बाद आप देखिए 1947 के वर्ष को जब पंजाब और सीमान्त प्रदेश में इस बात का फैसला होना था कि ये सूबे पाकिस्तान के साथ जाएंगे या हिन्दुस्तान के साथ रहेंगे। सीमान्त प्रदेश के एक-एक गांव में अलीगढ़ यूनिवर्सिटी के विद्यार्थी पहुंच गए गये थे और किसी भी मुस्लिम की यह हिम्मत नहीं थी कि वह यह कहे कि वह पाकिस्तान के साथ नहीं रहेगा। खुदाई खिलमतगारों को उनके घरों में बन्द कर दिया गया था और खान अब्दुल गफार खां के कार्यकर्ताओं को घर से बाहर निकलने की इजाजत नहीं दी गई थी। इस इतिहास के साथ आप गौर करें और यह भी गौर करें कि जिस साम्प्रदायिकता

[श्री नागेश्वर प्रसाद शाही]

ने इस देश का नाश कर दिया है, जिस साम्प्रदायिकता ने देश का बंटवारा कर दिया, चाहे हिन्दू साम्प्रदायिकता हो, चाहे मुस्लिम साम्प्रदायिकता हो या चाहे कोई भी साम्प्रदायिकता हो, आज उसी साम्प्रदायिकता ने 30 लाख बंगालियों की हत्या कर दी है।

मूझे शिक्षा मंत्री जी के साथ सहानुभूति है, लेकिन मैं यह निवेदन करना चाहता हूँ कि इस साम्प्रदायिकता के साथ किसी तरह की कोई रियायत नहीं होनी चाहिए। मैं मंत्री जी से कहना चाहता हूँ कि उन्हें विद्यार्थियों की इस मांग को कभी नहीं मानना चाहिए था कि इम्तिहान को स्थगित कर दिया जाय। अगर आप इस तरह से झुक जाते हैं, तो फिर साम्प्रदायिकता इस देश में कभी भी समाप्त नहीं हो सकती है। अगर आपको इस देश में एकता कायम रखनी है, इस देश की जनता में आपस में प्रेम रखना है, तो आपको इन साम्प्रदायिक तत्वों का मुकाबला करना होगा, चाहे वे किसी भी शकल में या किसी भी फोरम में आपके सामने आयें।

इसलिए मैं कहना चाहता हूँ श्री नूरुल हसन साहब से जिन्हें इस विश्व विद्यालय के बारे में ज्यादा जानकारी है, वे जानते हैं कि किस-किस कौने में और कहाँ कहाँ कौन-कौन से तत्व विद्यमान हैं। इन तत्वों को जो राष्ट्र हित के लिए अहितकर है, किस प्रकार से समाप्त किया जाय। मैं अदब के साथ कहना चाहता हूँ कि आज भी वहाँ किसी न किसी रूप में साम्प्रदायिकता विद्यमान है और उसको समाप्त करना अतिआवश्यक है (Time ball rings) श्रीमन्, मैं एक दो बात कह कर खत्म कर दूंगा।

श्री उप सभापति : काफी बक्त हो गया है।

श्री नागेश्वर प्रसाद शाही : मैं एक दो मिनट में समाप्त कर दूंगा। श्रीमन्, इस विल में नामिनेशन के बारे में कहा गया है। अभी हमारे दोस्त डेमोक्रेटाइजेशन के बारे में एक लम्बा चौड़ा अंग्रेजी में भाषण पढ़ दिया। वे विदेशी भाषा लच्छेदार शब्दों में कह रहे थे। तो मैं कहना चाहता हूँ कि इसमें डेमोक्रेटाइजेशन की बात नहीं है। श्री नूरुल हसन साहब ने नामिनेशन की जो घोषणा की है वह बहुत ही होशियारी के साथ की है, जिसके द्वारा वे विभिन्न कमेटियों में जाकर बैठ जाएंगे और उनके माध्यम से डोरी को खींचते रहेंगे और कंट्रोल करते रहेंगे।

श्री उप सभापति : अब आप समाप्त कीजिये।

श्री नागेश्वर प्रसाद शाही : मैं दो तीन मिनट में खत्म करता हूँ। आपने डोनर्स की कैटेगरी को खत्म किया, लेकिन ओल्ड व्यायज एसोसिएशन को आपने 15 की संख्या दे दी आर्गनाइजेशन में। आप देश की किसी भी युनिवर्सिटी के कोर्ट के कम्पोजीशन को देख लें, आप पायेंगे कि ऐसा कहीं नहीं है। उसी तरह से आपने 20 ले लिया अपने हाथ में जिन को विजिटर नामिनेट करेगा और आपने लिख दिया कि वे स्पेशल इंटरैस्ट को रेप्रिजेंट करेंगे। अब सेक्शन 16 को देखिए। इसमें आपने यह किया है कि आपने एक्जिक्युटिव में चार नामिनेशन घुसेड दिये हैं। किसी युनिवर्सिटी में भी इतने नहीं हैं। कहीं पर दो हैं, कहीं पर तीन हैं, लेकिन चार कहीं नहीं है। इसी प्रकार जैसे जैसे आप युनिवर्सिटी विषयक को ला रहे हैं वैसे-वैसे आप इसमें नामिनेशन बढ़ाते जा रहे हैं। इसके बाद भी कहा जाता है कि डेमोक्रेटाइजेशन हो रहा है।

श्रीमती सविता बहिन : ज्यादा लोगों को रेप्रिजेंटेशन देते हैं।

श्री नागेश्वर प्रसाद शाही : सविता बहिन जी को वहाँ भोज दिया जाय तो वहाँ की फ़िजा बदलेगी।

इन शब्दों के साथ मैं अपनी बात को खत्म करता हूँ और यह माँग करता हूँ कि अगर सरकार सचमुच इमानदार है अपने उलूखों के प्रति और वह सेक्युलैरिज्म को कायम करना चाहती है और साम्प्रदायिकता को समाप्त करना चाहती है तो उसको चाहिये कि वह बनारस हिन्दू यूनिवर्सिटी में से "हिन्दू" शब्द निकाल दे और अलौगढ़ यूनिवर्सिटी में से "मुस्लिम" शब्द निकाल दीजिये।

SHRI GULAM NABI UNTOO (Jammu and Kashmir): Mr. Deputy Chairman, Sir, while welcoming this Bill, it is appropriate that we should pay tributes to two great men of our country, who are responsible for bringing modernism, the late Ram Mohan Roy and Sir Syed Ahmed Khan. It is unfortunate that words have fallen from the mouth of a socialist bracketing Sir Syed as a friend of the Britishers and that because he was a friend of the Britishers, he has established this institution. It is most unfortunate that these words should have been uttered. Sir, there were two other speeches also, one painful, by Dr. Bhai Mahavir, and another unfortunate, by Mr. Samad. They were speaking from two opposite poles; this is well understood.

While welcoming this Bill, I think the Bill as such is a sincere effort on the part of the Minister of Education to allow those who are a rarely responsible, who are working on the spot I mean teachers, students and other staff of the university, to be responsible. And they could not have been made responsible unless they had been vested with powers. It is the right way that we are going in, to make the universities functions as the present day circumstances demand. The present-day circumstances demand that those in the universities, particularly the students, must participate, must be involved, in the day-to-day

functions of the university, so that the teacher-student relationship grows and develops in order that the university functions in a harmonious way.

Sir, I congratulate the Education Minister on deleting section 12A. But at the same time, he has to take much more care in avoiding those elements which are responsible for disruption and which may be working in the institution. I have the experience — not of Jan Sartgh or SSP because in my State there is none — of Jamait-e-Islamia. These people are born intolerant, who never listen to reason, who are against everything that is reasonable. Therefore, in this context I would request the honourable Minister of Education that in this great institution he has to take care of and he should be concerned about those elements and it will be a great service on his part not only to the institution, but to this community, this minority community, and to the country as a whole, so that an atmosphere of integration of cultures develops or grows in that institution, which will in the coming years prove to be the correct line, the correct trend, which our education should follow. This institution has its own history. It is a historical fact that it was established by the Muslims of India. But under what circumstances? The reason was that this Muslim community of India was lagging behind times. This had developed an apathy towards all that was called westernisation or modernisation, particularly modern education. Therefore, the founder of the University rightly sensed it that unless we established an institution where this community, which is educationally backward, economically backward, finds a place congenial to its culture and language, it is not possible for him to wean away that community from absurdism and backward thinking. His idea was to impart and instruct modern education, scientific education and develop in the community a scientific bent of mind: "Once it was asked of him by a gentleman, "Well you are giving education to the Muslim community. The Muslim community should take Arabic as its medium of instruction and Hindus should take Sanskrit as their

[Shri Gulam Nabi Untoo.]

medium of instruction". The reply was, "Do you mean that I should produce Mullahs and Pandits in this country?" See that modernism in that man. He never meant that this institution should be a religious institution. It was never his intention and it was never the practice of the institution. What he meant was that modern education should be imparted to the community and this would be open to all other communities of India too. It is for this that we have this institution. Many things were said about demolition of the minority character. I wonder what actually is the minority character. What does a common Muslim in India understand by 'minority character'? He should have facilities to go and study there.

By minority character, he never means that after studying in this institution he would come out as a great Muslim scholar who has been instructed in religious education. That is never his idea. He means that a student should have the facility to study in this institution. That is his only purpose and aim. By minority character, we should not mean, therefore, that it should be an institution for Muslims alone and Muslims alone should control it. . .

SHRI HAMID ALI SCHAMNAD : Without interrupting you, may I ask you a question for clarification? We read in the paper that the Muslim Education Society had held a meeting in Bombay in which the hon. Member also was present. They passed a resolution asking the Government to retain the minority character of Aligarh Muslim University. The hon. Member was also present at the meeting.

SHRI GULAM NABI UNTOO : There was a resolution and various views were expressed and there was a demand made to the Government that they should take due regard of the minority. It was not that the minority character should be maintained.

SHRI HAMID ALI SCHAMNAD : The paper said otherwise.

SHRI GULAM NABI UNTOO : It was demanded that due regard should

be paid to Aligarh Muslim University because minorities in the country have a great attraction and affection for this institution. Therefore, while drafting the Bill the Government should take due regard of that fact. It was for this reason that the late Sayed sensed it that unless we move with the time, we cannot befriend time. Only if we move with time, time can be our friend and if we move away from the time, it will be our enemy. That should be the idea and that should be the thinking that the minority should have. If we move away from time it would not be helpful and advantageous to us. The fact is that a substantial majority of the people of this community is still economically backward and educationally backward. Therefore, it is the bounden duty of the majority community that they should come out and find out ways and means as to how they can be facilitated to come nearer and closer to the majority community. I think it is only in the field of education they can have this co-operation. They should provide facilities and they should give protection with respect to scholarship, aid and other financial help. Then only it will be possible for the minority to be at par with the majority and then alone it will be possible for various cultures and languages of the country to develop and interact with each other and to enrich that great trend that is developing in this country which is known as Indo-Muslim Cultural Trend.

श्री बनारसी दास : उपसभापति महोदय, इस विधेयक के साथ इसमें कोई शक नहीं देश के करोड़ों मुसलमानों का भावनायें जुड़ी हुई हैं। माननीय मंत्री महोदय ने कहा कि जब अलीगढ़ विश्वविद्यालय के संबंध में कालिग अटेशन मोशन पेश किया गया तो सदन के सदस्यों ने यह स्वाहिसा जाहिर की कि यह बिल यहां आये तो उसकी मंशा यह थी की उस बिल पर गौर करने का मौका मिले और मुस्लिम युनिवर्सिटी के लोगों और दूसरे लोगों को भी इस पर गौर करने का मौका मिले। अगर यह बिल जल्दी से पास किया जायगा और

लोगों को इससे संतोष नहीं होगा तो इस बिल का मकसद अपने आप खत्म हो जायगा।

श्रीमन्, अलीगढ़ युनिवर्सिटी का यह तीसरा बिल है। सन् 1920 में, उसके बाद सन् 1951 में, 1970 में आपने पेश किया लेकिन वापस ले लिया, अब यह तीसरा विधेयक है। जैसा कि यहाँ कहा गया है कि अलीगढ़ मुस्लिम युनिवर्सिटी मसलमानों के प्रयत्नों का नतीजा था और सन् 1950 में नए संविधान के बाद में प्रिन्सिपल ऐक्ट की धारा 8 को बदल कर यह कहा गया कि अब इसके कोर्ट, एक्जीक्यूटिव्ह और स्टूडेंट्स के अंदर सब लोगों को दाखिला मिलेगा। आज सवाल यह है कि जिसको आज मुस्लिम माइनारिटी करेक्टर कहते हैं, आपने भी जिसको कहा, उसमें कोई तब्-दोली नहीं होगी, आखिर उसके बारे में ये सवाल क्यों पैदा की जा रही हैं और मेरे दोस्त मिस्टर समद ने क्यों यह कहा कि यह हमारे क्लबर पर, हमारे ट्रेडीशन्स पर, हमारी युनिवर्सिटी पर एक हमला है? उसकी सबसे बड़ी वजह आपके तरीके में है। इस तरह से आपने इस बिल को पेश किया है जैसे एक ही चीज को कहा जाए खाइए, और उसी को इस तरह कहा जाए ठूसिए। बड़ी खूबसूरती से कोई बात कही जा सकती है। एक मां है जिसकी इज्जत करते—हैं एक लड़का कहता है पूजनीय माता है और दूसरा लड़का कहता है मेरे बाप की ओरत है। तो दोनों में कितना फर्क है! बाप की ओरत कहना बाप की बे-इज्जती करना है। ऐसे ही यदि इस बिल को सेलेक्ट कमेटी में भेज दिया जाये तो सरकार को हानि नहीं होगी। इसमें कोई दुबहा नहीं, आपका बहुत बड़ा बहुमत है, इस सभा में और लोक सभा के अंदर, और आप चाहते तो आप ऐसा भी कह सकते थे जैसा हिटलर ने कहा—जेन्टलमन, नाऊ यू कैन गो होम। ऐसा भी

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कह सकते हैं, जैसा फ्रांस में नेपोलियन ने कहा था। विजनेस एडवाइजरी कमेटी के पास जाने की जरूरत नहीं, इसमें कोई संशोधन की जरूरत नहीं, किसी राय की जरूरत नहीं, हाथ उठा कर एक साथ पांच मिनट के अंदर बिल पास कर दिए जाए और लोक सभा, राज्य सभा को तीन चार महीने के अंदर बुलाने की कोई जरूरत नहीं है। सवाल यह है कि क्या माइनारिटी करेक्टर है? यानी, इसके बारे में सबसे बड़ा एप्रोहेन्शन यह है कि सन् 1960 में जी० सी० चटर्जी की अध्यक्षता में जो कमेटी म्करर की गई उसमें विटनेसेज ने कहा :

तो श्रीमन्, यह शहादत थी उन मुसलिम विटनेसेज की जिनका कि हिन्दुस्तान को आजादी के अन्दर योगदान था, यह उन लोगों का नहीं था जिनको हम कम्युनलिस्ट कह कर एक साथ हटा सकते हैं। आखिर क्यों कहा? 25 साल में, इसमें कोई शक नहीं, पुलिस में, मिलिटरी में, एज्युकेशन में, प्रोफेशनल इन्स्टीट्यूशनस के अन्दर मुसलमानों को तरक्की की वे सुविधाएं नहीं हैं जो कि और दूसरे लोगों को हैं। क्या वजह है कि ग्रेड्यूएल्ड कास्ट वालों को शिकायत है उनको वह परसेन्टेज नहीं मिलता है जो कि और कम्युनिटीज के अन्दर है? अगर आज, इस स्थिति के अन्दर, मुसलमानों को युनिवर्सिटीज में अपनी आबादी के अनुपात में दाखिला मिलता तो शायद मिस्टर

"We are greatly perturbed by the statements made before us by highly esteemed Muslim witnesses, about whose active support to the cause of India's freedom and the preservation of its unity there cannot be the slightest doubt, that their community was being discriminated against in the matter of higher education in the various fields and in the universities."

[श्री बनारसी दास]

समय को आज यह कहने की जरूरत नहीं पड़ती। तो आज जो बार-बार कहा जाता है—ये कहते हैं—साहब, माइनारिटी कैरेक्टर क्या है, जैसा कुछ मैंने अमेन्डमेंट्स में देखा, हमारे जो कांस्टिट्यूशन के निर्माता थे उन्होंने साफ तौर से इस बात को स्वीकार किया, जसा कि कविंदर रवीन्द्रनाथ ठाकुर ने कहा—हिन्दुस्तान का कल्चर समुद्र की तरह से है, शक हूण इत्यादि कितनी जातियां यहां आई थीं, रक्त बहाती आई, निनाद करती आई, सब समुद्र में मिल गई और एक कम्पोजिट भारतीय कल्चर को जन्म दिया। अभी मेरे एक दोस्त कहते थे, मुस्लिम नाम हटा दिया जाय। आपके दिल के अन्दर कम्पोजिटिज्म है और आप कहते हैं सिर्फ नाम मिट जाने से कम्पोजिटिज्म मिट जाएगा। मैं कहना चाहता हूँ, यह ऐसी ही चीज है—डिस्आर्मामेंट कांफरेन्स में हमारे प्रतिनिधि श्रीमती सरोजनी नायडू थीं, उन्होंने कहा लोग कहते हैं डिस्आर्मामेंट किया जाए, मैं कहती हूँ आप अपनी मनोवृत्ति को पहले डिस्आर्म कर दीजिए, अहिंसक बन जाइए, डिस्आर्मामेंट अपने आप हो जाएगा। हथियार प्रदर्शनी में exhibit आपका आर्मामेंट बन जाएगा। बन कर रह जायेंगे और हमारी भावो संतति कहेंगे कि हमारे पूर्वज कितने खौफनाक थे। सारे हथियारों को आप समुद्र में फेंक दीजिए और हमारी जहनियत नहीं बदली तो लोग पत्थर और नाखूनों से लड़ेंगे। यहां पर कई जातियों के नाम पर कालेज कायम हुए, डोनेशन्स मिले, उनका भी उपयोग हुआ, उनके बिना हमारा शिक्षा का प्रसार इतनी तेजी से नहीं हो सकता था। ये जो ब्राह्मण कालेज, क्षत्रिय कालेज, जाट कालेज जैन कालेज—अलग-अलग जातियों के नाम से जो कालेज बने—नेवा-गवर्नमेंट अपने से इनको बना सकती थी? असल सवाल यह नहीं है कि नाम बदलने से राष्ट्रीयता आ जायेंगी। उसके लिए आपको एक राष्ट्रीय डिजिटिज्म

"No citizen shall be denied admission into an educational institution maintained by the State, or receiving aid' out of State funds, 'on grounds only of religion, race, caste, language, or any of them."

श्रीमन्, इस आर्टिकल के मुताबिक 1951 में, सन् 1920 का जो अलीगढ़ यूनिवर्सिटी ऐक्ट था उसके अन्दर संशोधन किया गया ताकि हर क्लास, हर कम्प्युनिटी के लड़के बिला लिहाज सैक्स, बिला लिहाज कास्ट, बिला लिहाज कम्प्युनिटी, इसमें पढ़ सकें। आज मैं नहीं समझता हूँ कि 1972 में कोई आदमी कहेगा कि आर्टिकल 29(2) के खिलाफ इस बात का प्रतिबन्ध लगाया जाय कि कोई भी नानमुसलमान लड़का दाखिल न हो, जैसा कि हमारे दोस्त समद ने कहा कि जो पहला लड़का ग्रेजुएट हुआ वह हिन्दू था। आर्टिकल 30 में संविधान में कहा गया है :

"All minorities, whether based on religion or language, shall have the right to set up and administer educational institutions of their choice."

हमारे कांस्टिट्यूशन के निर्माताओं ने हमारे राज नेता पंडित जवाहरलाल नेहरू ने, हिन्दुस्तान के आर्किटेक्ट भरदार पटेल ने इस आर्टिकल को इसलिए रखा था ताकि हिन्दुस्तान के अन्दर भिन्न-भिन्न जातियां हैं, भिन्न-भिन्न कल्चर हैं। वे अपनी संस्थाएं बना सकती हैं। जसा विनोबा भावे जी कहते हैं कि आज की लड़ाई क्या है? सत्ता, सम्पत्ति और संस्कृति के साम्राज्य की स्थापना के लिए लड़ाई हो रही है। सत्ता और सम्पत्ति की लड़ाई इतनी खतरनाक नहीं होती है जितनी संस्कृति और कल्चर की लड़ाई होती है। आज मैं इस तरह में नहीं जाऊंगा कि मुस्लिम लोग ने क्या किया। मैं कह सकता हूँ कि यह हम सब लोगों के गुनाहों का नतीजा है। इस देश

की यह ट्रेजीडो है कि जिन्ना जो सबसे बड़े नेशनलिस्ट थे, जिन्होंने युनिटो कांफ्रेंस के अन्दर कहा था—गांधी जो जेल में थे—हम लोग सशक्त थे, हमारे नेता हमारे बीच में आये; हमारी शंकाएं दूर हो गई इसी दिल्ली के अन्दर। यहीं जामा मस्जिद में ख्वाजा निजामी ने गांधी जी से कहा कि गांधी जो आप बैठकर बोलिए। आपने 30 करोड़ हिन्दुओं को खड़ा कर दिया है। गांधी जो ने कहा कि मैं बनिया हूँ और मेरे लालच को इन्तहा नहीं है। 30 करोड़ क्यों, 7 करोड़ मुसलमान क्यों नहीं? मैं कहना चाहता हूँ कि आप किसी चीज को किसी के ऊपर थोपना चाहेंगे या मुसलमानों को गांधी जी की तरह अपने साथ लेंगे?

यह ठीक है कि हिन्दुस्थान को ट्रेजीडो पार्टिशन से हुई, लेकिन पार्टिशन की जिम्मेदारी किम की थी? मैं भी 1937 में कांग्रेस का एक सदस्य था और हमने मुस्लिम लीग के टिकट पर लोगों को खड़ा किया था। हमने, जो पहले कांग्रेस के डिक्टेटर रह चुके थे, उनकी लीग के टिकट पर खड़ा करने की मजबूर किया, चुनाव के बाद हमने मुस्लिम लीग के लोगों को कांग्रेस में करने की मांग की। उस समय जिन्ना ने कहा था, यू मॉन टु डिक्टेट, डिफेक्शन चाहते हैं। उसके बाद इतिहास बदला और मुस्लिम लीग का रोल भी बदला।

**श्री उपसभापति:** अब आप खत्म कीजिये।

**श्री बनारसी दास:** हमारी पार्टी ने तो बहुत कम समय लिया है और मैं जल्दी ही खत्म कर दूंगा।

**श्री उपसभापति:** आपको पार्टी को काफी समय दिया जा चुका है और अब आप समाप्त कीजिये।

**श्री बनारसी दास:** श्रीमन्, मैं दो मिनट में खत्म कर दूंगा। श्रीमन्, मैं यह अर्ज करना चाहता हूँ कि जहाँ तक इस बिल के मैरिट

का सवाल है, इसमें बहुत सी चीजें मनासिव हैं, जैसे एफिलिएशन खत्म किया गया है, यह मनासिव है ताकि इसका रेजिडेंसियल करक्टर रखा जा सके और वहाँ के मुसलमान लड़कों को मौका मिल सके।

असल सवाल तो यह है कि इस बिल के अन्दर सारी की सारी ताकत का खोत विजोटर को बनाया गया है और इलेक्शन कहीं पर है नहीं। एलफाबेटिकल आर्डर पर वाइस चान्सलर के नामों का पैनल होगा और विजोटर का भी एक जो नुमाम्यन्दा होगा जो बीसी का पैनल भोजन में शरीक होगा। विजोटर के माने होंगे एज्यूकेशन मिनिस्टर। आज मैं जानता हूँ जो मंत्री हैं वे जतरस हैं जूडिशियस हैं नूबल हसन साहब। पता नहीं पोलिटिक्स के अन्दर इस्साफ क्या कहता है। मैंने यहाँ पर बड़े जिम्मेदार मिनिस्टर से यह कहते सुना है कि दो प्लस दो पांच होता है। तो जब ऐसे मिनिस्टर भी हो सकते हैं। (Interruption) मैंने यह देखा और जब नन्दा जो होम मिनिस्टर थे तो उन्होंने मुझसे कहा दो प्लस दो बराबर पांच हो सकता है। वे यहाँ सदाचार समिति के नेता थे। इसलिए मैं आपके द्वारा निवेदन करना चाहता हूँ कि आप अपनी मेजारिटी के बल पर, बूट मेजारिटी के बल पर इस बिल को रण थ्रू न कीजिए। आप यह बात साफ कहिये कि हमें मासिव मूडेट मिली है और हमें आपकी राय की जरूरत नहीं है। अबल की जो मोनोपली है वह हमारे पास है और हमको आपकी राय की जरूरत नहीं है। आप यह बात कहिए। आपकी जो इस तरह की मनोवृत्ति है, वह एक डिक्टेटर की तरह है और यह जो आपका रण थ्रू का तरीका है वह भी एक डिक्टेटर की तरह है। आखिर आप बिना सदन के नेताओं को कांफिडेंस में लिए बगैर यह जो आप इस तरह का तरीका अपना रहे हैं, वह डेमोक्रेसी की कब्र खोदने वाला है।



[श्री बनारसी दास]

यह तरीका मैं आपसे अर्ज करना चाहता हूँ कि हिन्दुस्तान के कम्पोजिट कल्चर के खिलाफ है। यह तरीका जो आपकी डेमोक्रेटिक अंडरस्टैंडिंग है और जो डेमोक्रेसी के लिए गांधी जी ने कहा था :

"Go straight into the mind of the opponent."

उन डेमोक्रेसी की स्पिरिट के खिलाफ जा रहा है। डेमोक्रेसी केवल इन कुर्सियों पर बैठ कर नहीं चलती है। इसलिए मैं आपसे कहना चाहता हूँ कि आप डेमोक्रेसी की हत्या कर रहे हैं। इसमें कोई आसमान नहीं गिर पड़ेगा अगर इस बिल को आप सिलेक्ट कमेटी में भेज दें। वहाँ एक टेबिल पर बैठ कर लोगों की मिसगिर्विम्स दूर की जा सकेंगी। माइनारिटीज को अपने विश्वास में लाने का मौका होगा। यह हमारे देश की यूनिटी के हक में है, कम्पोजिट कल्चर के हक में है कि माइनारिटीज के अन्दर कांफिडेंस पैदा किया जाय। इसलिए मैं फिर आपसे निवेदन करूंगा कि इस विधेयक को इस तरह से रण शुरू करने के बजाय आप इसको सिलेक्ट कमेटी के सुपुर्द कौजिये और इस प्रकार डेमोक्रेसी को हत्या न कौजिये।

SHRI JOACHIM ALVA (Nominated) : Sir, I beg to support the Bill ably moved by the hon. Minister and also supported by the hon. Minister of State for House Affairs. When my Muslim League friends interrupted me, my mind went back. . .

SHRI B. V. ABDULLA KOYA : It was you who interrupted.

SHRI JOACHIM ALVA : All right. I only said that India cannot be divided. We had enough of this subject. I said so because I have seen with my own eyes the division of India. I met Mohammed Ali Jinnah six times in Simla when Mahatma Gandhi's son, the late Devadas Gandhi wanted me to see him. I have seen too much of the division of India which you have not seen. And we are proud that the corridor which was going to be made by

the Muslim students in the Aligarh University — that demand for the corridor — has been buried by Bangla "Desh to day by the spirited lead of Sheikh Mujibur Rahman and our great Prime Minister by leading our armies in the light for independence. Let us not forget about it.

Let me go back to the debate in the Lok Sabha in 1953. Perhaps in 1953, Sir, I posed a question to then Minister of Education hon. Maulana Azad — it is in the record of Parliament. I had asked him — it is for ever in my mind

— "Is it not true that the Aligarh Muslim University students are going to demand a corridor for Pakistan?" That was the question. Maulana Azad made his ears like this ... he stretched his ears a second time and said "I have not heard". But I am proud of the late Shri Mavlankar who was the greatest Speaker of the Indian Parliament and I am grateful to him for he put me on the first panel of Chairman of the Indian Parliament in 1950. and he, as the Speaker said loudly "Mr. Alva says: 'Are the students of the Aligarh Muslim-University going to demand a corridor for Pakistan'" I did not hear the answer — I was more concerned with my question. I have not yet seen the answer.

I want to tell my friends that I am a practising Roman Catholic. I have been to all the Muslim countries of the world. President Sadat, when he came as a Minister to India, came to my house at 16 Windsor place — I had entertained him at my house here. I am President Sadat's oldest friend in India. When I was in Nasik Jail there was a Muslim convict with ten convictions. His legs were thrust up and his head was down. I was the only man who reported it and in turn I was given three months' extra jail. I was removed from B class to C class. Why I am saying these is to show that I am impartial.

We had enough of these partitions. Even now we have not got over it.

Let me go back to Bangalore. I read about it last week in the newspapers— The Minister for Health Mr. Siddhavce-rappa said "We are going to take over

all the colleges." Which colleges? Medical colleges—in Manipal, Culbarga and Mysore. Then what about St. John's College asked an M.L.A.. St. John's College is the Medical College started by Cardinal Gracias and Mahatma's devotee the late Archbishop Thomas. The Minister declared, "No, no, I am not touching that college". What is the matter with the St. John's College? "That is a first-class institution; no money is taken; education there is first class; we are not going to touch it." Praise be unto the Chief Minister Shri VRS. I am proud, though I do not belong to the old reactionary sect in my own community; yet as a practising Roman Catholic I am proud of that compliment to St. John's Medical College and that we have an institution of that character. My Muslim League friend said Shrimati Indira Gandhi had not carried out her promises. It is far, far from the truth. Does he know that her Government has appointed a Muslim IAS as the General Manager of the JAC? Would Pakistan have done it. would any other Muslim country have done it—hand over the entire airline of the country, the second largest in the world internally? It is only India which has tremendous tolerance down the ages that could do it. India's great Test Captain V/jay Merchant wrote to me that the Cricket Club of India was removing President Bhutto from the life membership of the Club. I said, 'We shall not debar Mr. Bhutto from his membership just as it was not correct on the part of late Mr. K. M. Munshi and other top lawyers of the Bombay High Court in not permitting a condolence resolution when Mr. Mohammed Ali M. A. Jinnah died especially when he was once the Leader of the Bar there,' We stand for principles. When a question of marriage or death comes, we have no differences between Hindus and Muslims. Even if he is the worst enemy I have to go for marriages or deaths. These are the principles of this great country.

Now I am sorry I have to change my opinion about President Bhutto's membership of the CO because I now learn

that nearly hundred Pakistani Muslims are there as members of the Club who became members when they were Indians. We cannot allow this in the interest of security. We have been very tolerant. My friend the Minister and myself were fellow delegates in the UN. At the U.N. in 1957 he spoke eloquently on the Rights of Minorities before the Third Committee of the UN. I said "You have not mentioned one point. India is the largest country where the largest number of Muslim Haj pilgrims are sent out" and I was grateful to the Minister that he put it in his speech. Why I said it? It was because I was the only non-Muslim member of the Central Haj Committee for six years where I saw Muslims going for Haj. When the British were here they gave the rottenest and roughest of steamers. Our Government has built a first-class steamer for the Muslim pilgrims. I am talking of catholicity of the Indian Government. (*Interruptions.*) You said that Mrs. Indira Gandhi has not fulfilled her promises. These are great things. I went to Banaras Univei-it and got a gold Medal there. I also went to the Aligarh Muslim University. Myself, Dr. Mahtab and Prof. Hiren Mukherjee and I went there. There was a resolution at the debate there saying 'The Congress has carried out its promises'. My wife was also present. The meeting went on till midnight at the Aligarh University. The resolution was thrown out. It was a revelation to us—the then attitude of the Muslim students at the Aligarh Muslim University in 1952. The Muslim students who were in a majority threw it out. Are we to forget all this that happened in Aligarh in the past? I talked about it to various Members of Parliament. I also spoke to Late Dr. Shyama Prasad Moo-kerjee. who as you know, was the greatest orator of the Indian Parliament. I had great affection for him though I did not share his politics. Whenever he stood up. he was allowed to speak as long as he liked and he could sit down when he liked. He was listened to with rapt attention. One day I saw him going up to the Chair. He never did it because he could get up whenever he liked. I asked him why he went

[Shri Joachim Alva.]

and he said he told the speaker to allow Mr. Alva to be asked to speak about what he saw at Aligarh. Later I fixed up an appointment with the then Prime Minister, Pandit Nehru to narrate to him about the Aligarh happenings. Generally he saw anyone exclusively even if it was for 2 minutes only. But the only time he had somebody with him was on that day. I was shocked to find the late Maulana Azad who was then Education Minister sitting. Pandit Nehru had obviously called him to hear my story, and what I had seen at Aligarh but I was really very nervous on seeing the Maulana there. Why I mention this is we should see that these things do not happen in Aligarh under any circumstances. Believe me, I am a humble student of politics. When I went to Aligarh in those days, I felt that the Aligarh University would one day help in the creation of Pakistan and strengthen Pakistan by demanding a corridor. Now corridor is not an easy thing. Thank God, it is all gone 5 P.M. now thanks to the wise statesmanship of Prime Minister Mrs. Indira Gandhi and above all Sheikh Mujibur Rahman who has made that absolutely impossible. All those crooked dreams which those people had in their mind are all gone now for good.

Sir, I would not take much time. We all know how Maulana Azad was treated, how Nawab Ali Yavar Jung was treated. He was an illustrious man although I did not share many of his views. I forgot to tell you that on behalf of the Parliament of India I was a member for six of the Governing Body of the Indian Institute of Science Bangalore and I am happy that I had come to know the working of such institutions. My fears may be right, may be wrong, but it is the duty of all institutions to admit Muslim boys and girls in every University. We should develop an attitude that the Hindus should not touch the Muslims and the Muslims should not touch Hindus in violence and anger. Unless you build this country on these lines we cannot put things right. We want the Muslim boys to get good jobs; many of them are holding good jobs. But a new wave is coming along

with all young people clamouring for jobs. We have to give all of them jobs because without bread and butter they will become more fanatic and they will give more trouble. They may be my sons, your sons, anybody's sons, you have to provide all of them with jobs.

Then. Sir. I would like both the Hindu University of Banaras and the Muslim University of Aligarh to drop their communal nomenclature. We are now going to face the end of the century and it is time that such things are given up. Already it has taken too long and we should see to it that we do not encourage such things. I am surprised that some of my Muslim League friends are still not able to shed their old ideas which ultimately divided this country into two parts.

SHRI SHYAM LAL YADAV : Mr. Deputy Chairman, Sir. I rise to speak on the Bill with great surprise. We were given to understand that the Government was going to honour the sentiments and the feelings of the Muslim community of India—it so appeared in the news papers—but what I gather after reading the Bill is that the Government is not going to honour that understanding and the Bill seeks to change the entire character of the University. I have gone through the different clauses of the Bill and what I would like to submit is that most of the power has now been preserved for the Visitor. As Shri BanarsL. Das was just now mentioning I would like to stress that delegating like this all the powers is not making the University autonomous or the functioning of the University more easy. Everything has first to be approved by the Visitor. The Statute is to be approved by the Visitor; the Ordinance is to be first approved by the Visitor. The Chancellor, the pro-Chancellor, the Vice-Chancellor, everybody is to be appointed by the Visitor. And what does Visitor mean? Visitor means the Minister and mostly I think it is the Secretary of the Ministry of Education who will daily decide the things. Every time a question arises in the University it will be referred from Aligarh to Delhi and then it will go back from Delhi to Aligarh

and in this way things will be prolonged and no firm decision will be taken at any time. And it will hamper the progress and the functioning of the University. I think that Mr. Gajendra-gadkar, if he has directed this thing, it is not proper because everything has been handed over to the Government and I must say the higher authorities of the University will henceforth be under the supervision and control of the Minister concerned. I do not know whether we shall have such a good Minister of Education in future also on whom we can have full confidence.

Sir, as it was originally in the Bill, the Chancellor was to be elected by the Court. I do not see any reason why the Chancellor should not again be elected by the Court because the Chancellor is not an authority of the University who does some executive job, but what at best he can do is to preside over the Convocation. That is all. So, the Chancellor or the Pro-Chancellor can be appointed by the University Court, which is the supreme body of the University. No reason whatsoever has been assigned why this power is being given to the Visitor except that the Education Ministry wants to have this power of patronage in its hands to appoint any person as Chancellor.

Then, Sir, when the Vice-Chancellor has to be appointed a Committee has to be constituted. A member of this Committee will be nominated by the Government and the Chairman of this Committee will also be nominated by the Government, and the Government will decide who is to be appointed as Vice-Chancellor. Why not directly say that the Government may appoint any person as Vice-Chancellor instead of going through all this indirect and lengthy process?

Then^ Sir, what I would submit is that the constitution of the Court is defective and we have given some amendments that the constitution of the Court should be changed and it should have representative capacity. No doubt in this Bill some representation has been given, and it is welcome, but then other

authorities and institutions and organisations, which have contributed to the building up of this University, should also be given proper representation in the Court.

There is another section which I would like to emphasise and I would welcome that Section 12A has been deleted. That section gives power to the university to affiliate colleges. I may point out that the Central University, the Banaras Hindu University also, since long, has never exercised this power. It was in the very beginning that the university exercised this power of affiliation in respect of only four colleges in Banaras. Other colleges in Banaras are now affiliated either to the Agra University or to the Gorakhpur University or—there is one Kashi Vidyapeeth—to the Kashi Vidyapeeth University also. So, none of the new colleges has been affiliated to the Banaras University. But this thing has given rise to a controversy and so I welcome that this provision has been deleted.

Now, what else I would like to submit is this that there has been a great demand that the character of the University should be maintained. Now let us see. Three characters have now been defined. There is one minority character as it was suggested by the Beg Committee which, we were given to understand just in the morning. Sir, by Mr. Pant, was appointed by a Cabinet Sub-Committee at the instance of Mr. Fakhruddin Ali Ahmed. That Committee is composed of eminent jurists, educationists, scholars and executive officers. That Committee recommended, I would like to say that they proposed in the original Bill that under Section 1 subclause (2) should be added. In that they said :

"Notwithstanding any judgment, decree or order of any Court or Tribunal to the contrary, the Aligarh Muslim University shall be deemed to have been established by the Muslim minority of India as an educational institution of its choice, and shall be administered and managed as provided for in Articles 29 and 30 of the Constitution of India."

[Shri Shyam Lai Yadav.] Most of the speakers have admitted that this University was brought up by the donations, by the large-hearted-ness, of the Muslim minority of India and that is why this recommendation was made by the Beg Committee. I think the Government should have accepted that recommendation and there is no reason why that recommendation has been rejected now in this Bill. Sir, they say that their University should have a historic character. But Mr. Pant was saying that the University should now be separated from that historic character and that it should have only a future or present loyalty discarding that. You cannot do that. You still admit that it has got a historic character. I would not like to go into the details of this thing. My other friends have said so many things but I would like to emphasise that the character, culture, religion and language to which these minorities have a right under the Constitution—and we have given this Constitution. That right should be guaranteed. We should not do anything which may give them any doubt or they may have any apprehension. With these words I submit. Sir, that in our country also there are other universities also which are communal and I would like to refer to them. There is the Varanasi Sanskrit University in Banaras. There is the Darbhanga Sanskrit University in Darbhanga. These universities are manned by simply one caste and all the students and teachers belong to one caste. Such universities are being run at the cost of the Government and the public exchequer. Only the name is not there.

SHRI PITAMBER DAS . Why call it communal? Call it caste.

SHRI SHYAM LAL YADAV : It is caste. You are running caste universities. Your Congress Chief Ministers are running there. Why not abolish these universities altogether? Change the character of these universities which are meant for the caste people. No other caste persons, except Brahmins, are appointed in these two universities. There are hundreds of teachers who are not able to get Rs. 100 in the market, but they are getting Rs. 1,000 in these

universities. If a student takes four subjects, it is counted as four students. You tolerate this. You talk of secularism and democracy. It is all a false slogan to mislead the people. See the lavish life you are leading. In today's papers it is reported that in the AICC the Congress President and others had a lavish dinner. In the name of socialism and in the name of secularism you are serving twenty courses and that is your socialism. Whatever suits you is socialism and whatever does not suit you is not socialism. This is the simple definition. I think this Bill is going to do great harm to the people concerned. The Bill should not be rushed through and I support the amendment that the Bill be referred to a Select Committee.

SHRI UMASHANKER JOSHI (Nominated) : Mr. Deputy Chairman, Sir. I rise to speak as one having not a little to do with the setting up of the committee for the governance of universities, known as the Gajendragadkar Committee, at the Vice-Chancellors Conference which met in April 1969. It is not proper to suggest that it is the present Minister of State of Education who has put in his ideas into the Gajendragadkar Committee Report. The ideas that are found in the Gajendragadkar Committee Report are so popular in the academic world and among the universities of India that you have only to look at the other reports that have been produced. In Gujarat, for example, two years ago we had a Committee which had come forward with certain suggestions. The universities in Gujarat, including the university which I served, discussed these matters and all these ideas you will find in those reports. So, it is not something which has come out from Prof. Nurul Hasan's that like a hare. If he happens to be one of the drafters of the Report that was placed before the whole House, we should not suggest—because Members have the freedom of speech and can get away with it—that there are certain ideas in it which are not owned by the whole Committee. It is very unfair to suggest that the recommendations are not reflecting the general academic approach to the problem of governance of Universities in our country at the present day.

As a matter of fact, the Bills for the various universities in Gujarat are with us. We will be very lucky, and I wish the Minister in Gujarat would be as alert as the Union Minister. to get these Bills passed as early as possible. The universities have been functioning with organisational deficiencies and the present Bill seeks to put one of our premier universities in good shape. If it were not the Aligarh University, I think there would have been no such controversy. If he had come forward with such a Bill for any other university, which has nothing to do historically with a big community, perhaps we would have hailed the Bill. And some people behave as if the Aryans never set foot in this country and try to weed out Sanskrit words. There are others who want to pick up the thread of history from the 8th century as there are some to whom everything pre-8th century appears exotic. There are some, at least in my part of the country, who find it difficult to take cognizance of the fact that the British were in this country for two centuries. However, Indian life is a summation of various historical experiences. In India, through the ages, a most fascinating cultural fabric has been woven on the loom of history. Each one of us will be a better Indian by assimilating and cherishing all the various trends of India's composite culture. What can be more fallacious than the belief that only the members of the minority communities are to develop Indianness? I am afraid, it is no less incumbent and necessary for the members of the majority community also to assimilate the rich components of the composite culture, (the components which are the contributions of every section of the Indian society. If we look at the larger rhythms of human history, we find that confrontation tends to end in confluence, more so in the rapidly moving present-day society. If what happened during the past few days is any guide to any such matters, we see a hopeful inkling—even the two super-incompatibles—the USA and USSR—are struggling to move from confrontation to confluence. And I would venture to suggest, in spite of the very erratic and convulsive diplomacy of

the leader of the neighbouring country in the west, it is a very real embarrassment for any individual to keep on the confrontation. We in India have always opted for confluence, confluence of cultures, confluence of the different ways of living and belief. What I am concerned with is not so much the minority character and all that but the fact that it is after two centuries of Raja Ram Mohan Roy that we are shifting from the orthodox way of learning to a scientific way. It was he who urged upon the Britishers not to help the *pathashalas* and the *madarsas* but to give us science, modern subjects of study, now, we have under the compulsion of modernisation, woken up to this dire need of catching up with (the mainstream of science, developing a scientific approach to things, and it is but fair that this Bill should come at this stage of the development of our country's life. I would wish, in order to keep intact certain projects that might have been popular in the Aligarh Muslim University, that they set up scholarships and stipends for first-class scholars who would opt for Islamic studies and studies in the contribution of Indian Muslims to Indian culture. Unless and until we help such students, the present-day trend very rightly is for opting for scientific studies.

Sir, to come to the proposals that have been provided. I would say that it was wise that the Lok Sabha raised the number of the court members from 90 plus to 120 plus. If you look at the breakup you will find that the establishment—that is the office-holders, the big shots—has got about one-fourth of the seats. Thirty-five seats go to the professors, and it is only 15 seats which have been officially allotted to the students. The graduate constituency of 15 students was objected to. I should say that 15 is a very low figure. There are nine Faculties and there should be at least 18 post-graduate representatives. In my university there are a number of post-graduate representatives and that is how we have post-graduate students in the court, who can take part in the deliberations and decisions of the senate.

(Time bell rings.)

[Shri Umashanker Joshi.]

May I crave your indulgence for some time? Here you will get some more students from the graduate constituency. Their number may come to about one-fourth. The representatives of Parliament and 20 nominated members would make another one-fourth of the whole Court. When I looked at it, in the first impression it appeared to me that 20 nominations were on the higher side. But in a house of 250, as big as this House, at my Court I have 20 nominations. So there should be 20, I should say, because it is an all India national University and the people who will be nominated here will be from all over India. They will be representing the learned professions and certain interests as was suggested even if the donors are not there.

The Visitor, in his wisdom, may appoint one or two of them. No harm. I would make a suggestion here. The 15 representatives to be elected will have to be broken up faculty-wise. It has been mentioned. But while drafting the statute that can be looked into.

As far as the Executive is concerned, I make a suggestion. I feel happy about the composition of the Executive. But there is a lacuna in clause (vii). Five persons will be elected by the Court from among its members by the system of proportional representation. They should be non-academic, that is, non-teaching. The Executive also should reflect the cross-section of society. All others are officials of the University and teachers, and when you draft the statutes you can make it specifically clear.

According to (viii) four persons would be nominated by the Visitor. The Visitor, in his wisdom, may pick up persons from among the Court members.

As far as the Academic Council is concerned there is a small suggestion. The Academic Council and the Executive Council are to consult students before under-taking projects which touch the life of the students. I would very much wish that the students should have representation even at least on the Academic Council. Let them not be on the Executive Board. But here they should be because they know what they are

to be taught and all that. Even if it is the appointment of examiner it does not matter. The moment lopt for being a student of, say, Prof. Nurul Hasan, I have appointed him my Examiner. So there is no harm in students being associated even with the appointment of examiners in the Academic Council. What I would suggest is that the students should be elected from the electoral college consisting of students who showed their academic merit.

MR. DEPUTY CHAIRMAN : Please wind up.

SHRI UMASHANKER JOSHI : To wind up I may add that much will depend on the implementation and actual working. Let us have it for the best. It is a great step in the right direction.

Before closing I may add to a point made by Nawal Kishoreji about Readers being Heads of Department. Nowadays there is such a sense of self-respect on the part of teachers that they do not want to be bossed by Professors, and a Reader can be in his own right the departmental head. I know of a veteran Indian Vice-Chancellor who said that he was going back to his department where formerly he was the Head of the School, but now that he had himself introduced the directorship by rotation he would be working as a professor. I think it was a satisfactory arrangement.

Before I close, another point that was made was about the affiliation of colleges in the vicinity of Aligarh. The hon'ble House would be able to see the whole thing in a good perspective, if I talk of Gujarat. The Gujarat University was started as a regional University and then it was divided into Saurashtra University and South Gujarat University after I took over. I was a memoer of the Committee which framed the recommendations for these two Universities. We toyed with the idea of having only one examining University for the whole State and develop it at other places as advanced centres as a unitary University. The Baroda University, the Sardar Patel University have functioned very well. They are unitary universities. In our

country we make replicas and carbon copies and then go on further dividing. My last word is that it is wise to keep the unitary nature of the Aligarh Muslim University and I hope and pray that the Aligarh Muslim University will deal with what is perennial and fresh in Indian culture which all of us want to take into our dynamic consciousness.

DR. VIDYA PRAKASH DUTT (Nominated) : Mr. Deputy Chairman, at this time of the hour when the afternoon is fast melting into the evening and everybody is looking towards the clock, I know that the axe of time is going to fall heavily on all of us lumped in the category of all others. You know there are people belonging here, there and all others. I know the axe of time will fall heavily on all others and therefore I have to be very brief.

For a whole day we have been listening to political speeches. The Aligarh Muslim University Bill was not considered either in its academic context or in the educational milieu around the Aligarh Muslim University. For a whole day it was dragged into the political world. I can understand these reasons, why it was dragged into the political world. I can understand these reasons. But what I would try to do would be to mention three aspects of the problem that the Aligarh Muslim University is facing.

It may seem somewhat incongruous that I am taking the issue back to its academic context—back to a context where it should belong and back to the problem which really Aligarh Muslim University and other universities are facing. I think that this Bill should be reviewed in the context of what is happening not only in India, but all over the world and of course what has been happening in the Aligarh Muslim University itself. Today, Mr. Deputy Chairman, winds of change are blowing all over the world. The old order is changing, the old values are in the melting pot and old concepts are being discarded. And today educational institutions all over the world, in order to survive and in order to exist, have to rescue themselves, have to adapt themselves to the changing situation. They

have to meet the new challenges of modern times; they have to face new tasks and new problems. Today we are moving into, what I might call, the tech-notomic world — a world of huge increases and unlimited expansion in the educational scene as well as in other fields of activities. And if our universities have to meet this challenge, if they have to survive what they are facing today, then we have to change the old system. Today the teacher is trying to find his identity. Today the student is in search of his individuality. Today the whole system — I am not talking of Aligarh Muslim University or Banaras Hindu University or even Delhi University — all over the world seems to be too forbiddingly cold and too frighteningly unmoving and unresponsive. The question which I should like to pose before the hon. Members of this House is this : Shall we allow the whole system to collapse under its own weight ? Or, shall we allow the whole system to be violently struck down by a few people? Or, shall we make the necessary adjustments and allow fresh breeze to come in? There are, as I see it — I am open to correction — three elements in any university, whether it is here or in the Aligarh Muslim University or in any other university. There are three elements; the teachers, the students and the non-academic staff—in fact, I would say the students, the teachers and the non-academic staff. And if the universities have to be turned into the new situation, if they have to survive the new challenges that they are facing, then obviously this can be done only by involving all the three in the functioning of the University. And as I see it, the Aligarh Muslim University tries to do that, tries to involve the students, the teachers and the non-academic staff. After all, there can be honest differences of opinion about the manner in which they have to be involved, about the way in which the students should be there in the various academic bodies, the way in which the teachers should be represented. But I think anybody who has any knowledge of what is happening in the educational institutions would agree with me that unless we make these changes, unless we provide for the participation of these various



[Dr. Vidya Prakash Dutt.]

elements and sections of the university community, our universities will not be able to meet the challenges. As I said, there can be honest differences of opinion as to how this has to be done. The Gajendragadkar Committee report has made certain recommendations. I agree with many of them, I do not agree with some of them. And I think, may be, what is good for the Aligarh University may have to be modified for some other university. For instance, I would agree with my senior colleagues here, the Vice-Chancellor, that the students should be given — I would say the post-graduate students — representation in the various bodies of the university. We have, of course, to see that political pressure groups do not start controlling a university. We have to guard against that danger. But at the same time I do feel that the teachers have to be given due representation. And the students, particularly the post-graduate students, must be given responsibility, must be involved, in the functioning of the university.

Then I come to the problems that the Aligarh Muslim University has been facing. I regard all communalism as bad. And I make no bones about it that I regard the communalism of the majority community as more vicious, more dangerous, more insensate, more stultifying and more suffocating. Can anyone deny here that what we have been seeing in the Aligarh Muslim University is a manifestation of the majority communalism along with a manifestation of the minority communalism? All communalism is bad, whether it is majority communalism or minority communalism. What has been happening, in the Aligarh Muslim University is a tug-of-war between sections which want to exercise majority communalism and sections which want to exercise minority communalism. And at the same time there has also been a struggle between the progressive forces of the majority community and the minority community combined against the reactionary and retrograde forces of the majority community and the minority community in the Aligarh Muslim University. And this has been

going on for two decades at least, perhaps more. What have we done so far to strengthen the progressive forces in the University? This Bill now is the first step to strengthen the progressive forces belonging to the majority and the minority communities. Therefore, I welcome this Bill. This is only the first step in helping those forces which have been fighting against heavy odds; and as I said, those who have been conversant with the affairs of the Aligarh Muslim University know what the odds have been against the progressive forces. It is they who have been bearing the brunt of this struggle, and, today for the first time we are taking some steps in order to help them. I know that we have not lifted the pall of poverty and hunger and disease from the minority communities, from the Muslims, from the Harijans and from other weaker sections of the society. But poverty knows no bounds. Poverty is not confined to any particular community. Poverty is present in all the communities. And what is needed is a massive effort at removing poverty. But a minority community cannot be uplifted merely by having one institution named in a particular way. What we have to fight for on the battlefield of poverty is quite different from what we have to fight for in the educational field.

In the educational field, we have to fight for modernisation and for progressive education. I know the difficulties that the minority communities face. I know what hardships they have been undergoing. I know that we have not been able to ensure economic security and perhaps even physical security to the Muslims and Harijans in various places. But the answer to that is not retaining the name of one particular institution in one small part of the country. The answer to that is a massive attack against poverty which exists in a massive proportion in this country.

After all, what exactly is being done in his Bill? What is being done is to give a little more autonomy to the university, to increase the role of the teachers and students and to reduce the role of outsiders. Is there any objection to that? What is being done is a small dose of increasing the participa-

tory role of teachers and students. Some students will be given representation. Some more teachers will be given responsibility. The functions and powers of the Court are being changed so that there will be more internal participation in the Court and in the affairs of the university. The Executive Committee and the Academic Council, which will consist largely of teachers, are being given the responsibility of deciding the executive and academic affairs of the university. What exactly is wrong with that? In fact, I would say that the Government has not really gone far enough. It will have to move gradually farther and farther in this context, if they want to save the institution.

Let me tell those of my hon. friends who have not had intimate contact with the educational institutions that an institution is good not by the name that it takes but by the standards that it maintains, by the instruction that it gives and by the teaching that it imparts to the students. We have, for instance, an institution in Delhi which is supposed to be a minority institution, and all the students of the majority community try to flock to that institution. Why is that so? It is not because it is a minority institution. It is because the students feel that the teaching given there is superior and that the facilities given there are better. Therefore, they rush for that institution. (*Time bell ring.*) I would say that the Aligarh Muslim University has been a distinguished university of this country. It has made a valuable contribution. The question is : Shall we allow it to be choked under the deadweight of its own inertia? Shall we allow a fine university to be bled to death by lack of necessary changes and by annoying outsiders? Sir, I have something to do with education. (*Time bell rings.*) Only one point. I have also something to do unfortunately with educational administration. They say these days that one of the most unpleasant jobs is that of an educational administrator. And it has been my misfortune, or may be good fortune, to have experience of educational administration. Some of my hon. friends here asked, what was the hurry? I should like to

sound the opposite warning to the Minister. The hon. Minister may take it from me—well, he knows it better than I do; therefore, I do not have to tell him. But I would like to repeat for the benefit of the House that the universities today in India are sitting on the edge of a volcano. Therefore, I am sounding a note of warning against complacency. The universities are sitting on a powder keg. If they have to be saved, then responsibility, authority power, all must be decentralised and the various sections of the university must be gradually involved. It is not only the Aligarh Muslim University that has to be changed. I would say that probably the Minister will be forced to institute changes in various other universities, perhaps even without waiting for a debate in this House. (*Time bell rings.*) Therefore, in conclusion, I should like to say that, as I take it, this Bill is not going to remove all the problems of the Aligarh Muslim University.

It is not going to solve all the problems. This is the first good, progressive and necessary step that has to be taken in order to make the University remain active and make it the good institution that it has been and to bring it to the mainstream of national life. Thank you, Sir.

THE MINISTER OF EDUCATION,  
SOCIAL WELFARE AND CULTURE  
(PROF. NURUL HASAN) : Sir, I am  
deeply conscious of the fact...

श्री ओम प्रकाश त्यागी : आन ए प्वाइंट  
आफ आर्डर, सर। मैंने एक रेजोल्यूशन  
दिया था सिलेक्ट कमेटी के लिए...

श्री उपसभापति : वह बाद में आयगा।

श्री ओम प्रकाश त्यागी : श्रीमन्, वह  
रेजोल्यूशन था, अमोडेमेन्ट, नहीं था और  
रेजोल्यूशन सबसे पहले आना चाहिए।

(*Interruption*)

SHRI PITAMBER DAS : Sir, as soon as  
the Minister has finished his reply, we will  
come to voting. So, when shall we consider  
it?

MR. DEPUTY CHAIRMAN : You see, if a Member gives notice of an amendment for referring the Bill to a Select Committee, it does not necessarily mean that . . .

SHRI PITAMBER DAS : But when will he speak?

MR. DEPUTY CHAIRMAN : When he moves the amendment, he can take a minute or two and say what he wants to say.

SHRI PITAMBER DAS : Immediately after the Minister has finished, you will have voting. The motion for reference to the Select Committee you cannot take along with the other ones in the second reading. The moment you enter the second reading, you cannot <3> that. Therefore, if it is to come, it has to come earlier than the Minister's speech.

THE MINISTER OF STATE OF PARLIAMENTARY AFFAIRS AND IN THE MINISTRY OF TRANSPORT AND SHIPPING (SHRI OM MEHTA) :

After the Minister's speech. After the Minister has replied, then it can come.

SHRI PITAMBER DAS : Let us understand it clearly. If the Minister has replied, then you do not have any more speeches before the voting on the resolution. After that you enter the stage of second reading.

SHRI OM MEHTA: At that time, the motion for reference to the Select Committee is put to vote.

SHRI PITAMBER DAS : Before putting it to vote, would you not give an opportunity to the mover of Select Committee motion to speak? We do not want it first now itself. Whether you will give an opportunity or not, that is important. Whether it is now or five minutes later, that is immaterial. We must have an opportunity now or later. That is all.

MR. DEPUTY CHAIRMAN : All right. You can take just two minutes. Mr. Tyagi, because after the motion is put to vote, there should be no speech.

श्री ओम प्रकाश त्यागी : उपाध्यक्ष महोदय, मैं यह कहना चाहता हूँ कि जो बिल अभी सरकार ने विचारार्थ उपस्थित किया है आज इस सदन में, और उस के अलावा और दो बिल आने को हैं, जो आ चुके हैं लोक सभा से, वह सरकार की अस्थिर बुद्धि और नपुंसकता के प्रतीक हैं। एक और सांप्रदायिकता का पक्षपोषण हो रहा है और दूसरी ओर सरकार द्वारा उसका विरोध करने के बावजूद उसकी पालिसी ऐसी है कि उसका पोषण होता है। सरकार की पालिसी ऐसी है कि गाय भी दूध देती है और बैल भी दूध देता है। उसकी पालिसी का पता नहीं चलता। उपाध्यक्ष महोदय, मैं कहना चाहता हूँ कि यह जो बिल इस समय उपस्थित है यह जल्दबाजी में लाया गया है। चूंकि कांग्रेस का यहाँ भयंकर बहुमत है इस लिए उस को कोई पड़े या न पड़े, किसी का कोई अमेंडमेंट आये या न आये, आप उसे लेते चले जा रहे हैं। यह बात देश को तानाशाही की ओर ले जायेगी यह ठीक नहीं है। यह परंपरा ठीक नहीं है। इस लिए उपाध्यक्ष महोदय, मैं फिर प्रार्थना करता हूँ कि इस पर आप विचार करें। आज जितनी सिंकोचेज सूनीं उन सब में यही पाया कि इस से मुसलमानों का भला होगा, यह होगा, वह होगा। मैं आप से यह कहना चाहता हूँ कि इस बिल से मुसलमानों का फायदा नहीं होगा, इस से उन का अहित होगा। आप कोई भी बिल इस तरह का मत लाइये जिस से कि जातिवाद, प्रान्तवाद, भाषावाद या देश में छुआछूत बढ़े या उस को थोड़ा भी सहारा मिले। चाहिये तो यह था कि ऐसी किसी यूनिवर्सिटी या ऐसे किसी इंस्टीट्यूशन्स को आप सहायता न दें जो जातिवाद, भाषावाद या प्रान्तीयता पर खड़ा हो। आप की राष्ट्रीय संस्थाओं में आज ऐसी व्यवस्था होनी चाहिये कि जिनमें किसी कम्युनिटी का, किसी जाति या प्रान्त का आदमी समान भाव से आ कर खड़ा हो सके और ऐसा होने पर ही आप

ऐसा राष्ट्र तैयार कर सकेंगे कि जो जातिवाद, प्रान्तवाद, भाषावाद या छुआछूत से ऊपर हो। आज इस देश में धर्म और जाति के नाम पर शिक्षण संस्थाएं खड़ी हो रही हैं और खेद इस बात का है कि सरकार को ओर से उन को संरक्षण मिल रहा है। इस तरह का बिल आज सरकार की ओर से आ रहा है। उपाध्यक्ष महोदय, चाहिए तो यह कि इस समय देश में रूस की तरह राष्ट्रीय इन्स्टीट्यूशंस हों जिनमें जाति की भावना से परे रह कर सभी जातियों के बच्चे एक साथ पढ़ते और जिन में कोई भेदभाव न होता। लेकिन आज कहां है सांप्रदायिकता। कहां से मुसलमान सांप्रदायिकता को बढ़ावा मिल रहा है? उपाध्यक्ष महोदय, मैं एक ही बात कहना चाहता हूँ कि यह बात गवर्नमेंट जानती है कि स्पेशल करेक्टर अजोगढ़ मुस्लिम यूनिवर्सिटी का क्या है। वह उसकी रक्षा करेगी ऐसा नहीं है। उस का स्पेशल करेक्टर किसी से छुपा नहीं है। उपाध्यक्ष महोदय, चाहे सांप्रदायिकता अजोगढ़ विश्वविद्यालय में हो या बनारस हिन्दू यूनिवर्सिटी में हो, इन दोनों सांप्रदायिकताओं से देश को हानि पहुंचेगी और उस में गवर्नमेंट को कोई सहायता नहीं करनी चाहिए और गवर्नमेंट ने इसमें स्वीकार किया है कि चूंकि वहां से मांग आयी और दबाव आया इस लिए हमने इस को स्वीकार कर लिया है। मैं समझता हूँ कि इस सरकार को बड़े धर्म के साथ अपनी तमाम राष्ट्रीय यूनिवर्सिटीज के लिए एक बिल लाना चाहिए, जिन का सब जगह एक जैसा कांस्टीट्यूशन हो और उसमें किसी जाति, धर्म को प्रोटेक्शन देने का सवाल न हो। हमारे राष्ट्र में देश-भक्ति का भाव हो, सांप्रदायिकता उस पाम नहीं आनी चाहिए। इस तरह का बिल सरकार लाये। इस बिल को आप सेलेक्ट कमेटी को दे दीजिये ताकि इस को नान-कम्युनल और एक राष्ट्रीय बिल बनाया जा सके और ऐसा ही बिल चाहे वह हिन्दू

यूनिवर्सिटी हो या अजोगढ़ मुस्लिम यूनिवर्सिटी हो, सब के लिए समान रूप से लाया जाना चाहिए। तभी वह देश के हित में होगा। परन्तु दुर्भाग्य इस बात का है कि देश का हित किस बात में है यह बात किसी को दृष्टि में नहीं है। आज हालत यह है कि हर कोई यही सोचता है कि हमारा और हमारी पार्टी का हित किस बात में है, हमारे हाथ में कुर्सीयां कैसे रह सकेंगी। हम कुर्सीयों का हित सामने रख कर, अपना और अपनी पार्टी का हित सामने रख कर देश के हित की उपेक्षा कर देते हैं और नारा लगाते हैं सांप्रदायिकता के विरोध करने का, लेकिन आचरण में ठीक इसके विपरित सांप्रदायिकता का पक्षपोषण करते चले जा रहे हैं। इस बिल से सांप्रदायिकता को प्रथम मिलेगा। अभी समय है, मिनिस्टर महोदय इस सेलेक्ट कमेटी के प्रस्ताव को स्वीकार कर लें और इस को सेलेक्ट कमेटी को दें ताकि यह एक राष्ट्रीय नेशनल बिल बन सके।

MR. DEPUTY CHAIRMAN : The Minister.

PROF. S. NURUL HASAN : Sir, I realise that it is now very late and I can see from the expressions of the hon. Members the trend of having sat through a marathon debate. I will, therefore, do at least one favour, that is, not to give a long speech.

There are three main points to which I should like to make a reference. The first is what was the hurry; secondly, why is this hurry; and thirdly, why not refer it to a Select Committee? Sir, in this House it may be remembered.

(Interruption)

अगर आप इंटरप्ट करेंगे तो मुझे देर लगनी जवाब देने में।

श्री प्रीतान्बर दास : मैं बिल्कुल इंटरप्ट नहीं करूंगा, लेकिन आब्जेक्शन केवल यह नहीं है कि जल्दी में लाया गया, आब्जेक्शन यह भी है कि साल साल क्यों लगा दिये। दोनों आब्जेक्शंस हैं।

PROF. S. NURUL HASAN : Sir, in the debate that was held on the 24th of May in this House, questions were asked by my hon. friends, Shri Shamlal Yadav, Shri Nageshwar Prasad, Dr. Z. A. Ahmad, Shri Bhupesh Gupta and Shri Triloki Singh, as to why this matter was unduly delayed. I had stated, Sir, that I am very keen that the Bill for Aligarh Muslim University should be brought before the House as early as possible and passed. I had made this statement on the 24th. I had also said that on one point I can give a categorical assurance to the hon. Members and that is that the Government have accepted the recommendation of the Gajendragadkar Committee that the residential character of the Central Universities, apart from Delhi, should be accepted, and that the proposed Bill which will come before the House will see that the powers of affiliation are removed. I had also said on various other occasions that I was proposing to bring the Bill in accordance with the recommendations of the Gajendragadkar Committee. Sir, I need not seek protection under the recommendations of the Gajendragadkar Committee. The Government could have brought a measure on its own. We have always recognised and I have said so — this has been recognised by educational thinkers also — that there is no question of denying to the elected representatives of the people the right and authority to regulate the universities. But it is a decision of the Parliaments and of the legislatures in their wisdom to give autonomy to academic and research institutions and to respect opinions which have been given forward by expert committees. Sir, I do not know whether my hon. friend, Shri Na-wal Kishore, and one other Member meant it as a compliment or otherwise — I flatter myself into believing that it was intended to be a compliment — but it is factually not correct to say that this document represents my thinking. There are several portions which I had drafted which was not acceptable to the Committee, which was redrafted. There have been, if I remember rightly, ten drafts prepared and each time most of the drafting was done by me and it had

to be amended because we wanted a consensus, because we wanted educational opinion generally to accept. Even now, if my private opinion were to be ascertained it would be very different on some of the issues but I have deliberately chosen to respect what was an academic consensus and therefore, brought forward a Bill which, as the tenor of the debate during the whole day in this House has revealed, is generally acceptable to this House as it was generally acceptable to the other House.

Sir, it is possible always to disagree with individual provisions of any University Bill. Academic matters do not have a finality but one of the characteristic features of this Bill is that it gives flexibility and it gives a great deal of opportunity to the University itself to have a self-regulatory process so that as knowledge advances and as academic needs change the University is not bound by a rigid structure as a result of which everytime a change is needed the Minister has to come before the House and say "Pray, give me some time — there are very important matters which the Houses of Parliament have to deal with." But it is not desirable that everytime any individual change comes up, any individual subject is thought of, any broader line of discipline has to be developed, any individual approach has to be taken up. everytime some one should come — the Minister should come — before the House and take its time in changing the Act. Therefore, this self-regulatory procedure, this flexibility and elasticity which has been given by this Act to the University will enable the University to rectify what must be lacunae, loopholes to which reference has been made. I do not claim that all of us sitting together can foresee all the possible difficulties which the academics, which the teachers and the students are going to feel. We can do our best to anticipate those but then we must leave it to them to propose these changes and they must have the authority to bring about those changes. This Bill, therefore, seeks to ensure that and it is for this reason that I did not want that unnecessarily the controversy should continue. I have

soft corner towards the students of the Aligarh Muslim University; I have a great deal of personal attachment to many of them. Many of them have been the students of myself, many of them have been the classmates of the only two children that I have.

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

I do not want that they should be exploited by various sections of political opinion for political purposes. I want that these young people should have the opportunity to rise in the academic ladder and that they should distinguish themselves by service to the motherland, by contributing to the advance of society, by fighting for social justice and not by getting involved in various types of parochial politics. My second reason flows out of this. I am not willing to allow this great institution which has been making a great deal of effort to raise the standards, which has experimented with new academic ideas and theories, which has been able to introduce some of the most modern standards of evaluation and of instruction, which has rejected the old system of dictation of notes and of having final examination at the end of the year, with all these changes which this University has been making, we should bring about a situation which in the name of the character of the University, will put the teachers, on whom lies the responsibility for raising academic standards in a secondary place, or as some of the protagonists of the so called character of the University have said, that we do not want the teachers who are mere employees of the Universities to begin to control. It is a fight for certain basic values and tradition. The University is a corporate body which has to be run by the University community. I recognise the right of the Parliament to control it because the Parliament represents the people and people are supreme but the Parliament has chosen to recognise autonomy and the autonomy in the last resort means the authority of the teachers to teach and carry on their research and to make a contribution to knowledge and the other things to the students to learn not

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as a passive spectator but as an active participant in the process of learning and of making an advance to the total body of knowledge. Therefore I think that in the light of this it would be seen that the issue before a University is really the character of a University as an academic institution, as a place and a seat of learning and the third point is that every University has developed its own ethos, its own historical character. A University must try to be proud of its historical traditions because the sense of belonging can never come unless there is a sense of pride in one's *alma mater*. The sense of alien of which everyone is talking, particularly among the young people, that sense of alien can best be stopped by promoting a sense of belonging. I think that the students of Aligarh have a sense of belonging to their *alma mater*. I disagree with them, I have even been beaten by them in 1965 but I honour and respect them and I have affection for them. I treat them as young people fighting for a cause. I disagree with what many of them think to be the cause. But I am also conscious of the fact that in Aligarh from the very beginning there have been people who have been standing for basic human values, for basic Indianness, for social justice and for advancement. Therefore Aligarh must retain its historical character but it must simultaneously shed off all obscurantism and dirt and filth of obscurantism which seems to cloud the minds, and judgment of many of 6 P.M. <sup>our stua<ents</sup> Therefore I hope, Sir, that Aligarh will take the lead in moving towards the strengthening of our composite culture, towards the propagation of a scientific outlook on life and towards a sense of dedication to the motherland. With these words I commend this Bill to the House.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : I shall now put the motions of Shri Om Prakash Tyagi and Shri Banarsi Das to vote first.

The question is:

“मुस्लिम यूनिवर्सिटी (संशोधन)  
विद्ययक को राज्य सभा को प्रवर  
समिति जिसमें निम्नलिखित 10 सदस्य

[The Vice-chairman]

होंगे, के सुपुर्द किया जाये, इस आदेश के साथ कि अगले सन् के अंतिम दिन तक वह अपनी रिपोर्ट प्रस्तुत करे।

1. डा० भाई महावीर
2. श्री बनारसी दास
3. श्री नागेश्वर प्रसाद शाही
4. श्री लोक नाथ मिश्र
5. श्री श्याम लाल यादव
6. श्री एस० ए० खाजा मोहिदीन
7. श्री के० एस मल्ले गोडा
8. चौधरी ए० मोहम्मद
9. श्री हमीद अली शामनाड
10. श्री ओम प्रकाश त्यागी "

*The morion was negatived.*

THE VICE-CHAIRMAN (SHRI V B. RAIU) ; The question is:

"मुस्लिम यूनिवर्सिटी (संशोधन) विधेयक को राज्य सभा की प्रवर समिति जिसमें निम्नलिखित 10 सदस्य होंगे, के सुपुर्द किया जाए, इस आदेश के साथ कि अगले सत्र के पहल दिन तक अपनी रिपोर्ट प्रस्तुत करे :

1. डा० भाई महावीर
2. श्री नीरेन घोष
3. श्री लोकनाथ मिश्र
4. श्री नागेश्वर प्रसाद शाही
5. श्री बनारसी दास
6. श्री श्यामलाल यादव
7. श्री जी० ए० अप्पन
8. श्री एस० ए० खाजा मोहिदीन
9. चौधरी ए० मोहम्मद
10. श्री हमीद अली शामनाड"

*The motion was negatived.*

I THE VICE-CHAIRMAN (SHRI V. I B. RAJU) : The question is:

"That the Bill further to amend the Aligarh Muslim University Act, 1920, as passed by the Lok Sabha. be taken into consideration." *The motion was adopted.*

THE VICE-CHAIRMAN (SHRI V. B. RAIU) : We shall now take up clause by clause consideration of the Bill. *Clause 2—Substitution for new- section of section 2*

SHRI OM PRAKASH TYAGI : Sir, I move:

5. "That at page 2, for line 23, the following be substituted namely :-

'(/) "University" means the Aligarh University."

*The question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is :

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3 was added to the Bill.*

*Clause 4—Amendment of section 5*

DR. K. MATHEW KURIAN : Sir, I move:

7. "That at page 2, line 35, the word 'religions' be deleted."

12. "That at page 3, for lines 31-32, the following be substituted, namely :

'in clause (11B) to create- non-teaching posts and to . make appointments thereto:".

"SHRI A. K. A. ABDUL SAMAD .- Sir, I move:

8. "That at page 3, after line 3, the .- /following "l\*e " inserted, namely :—,' are teachers in educational in-; stftutibns or being women shall ha?e pursued a course, of .private

study under conditions laid down in the statutes or ordinances and shall have passed the examinations of the university under like conditions'."

9. "That at page 3, lines 12 to 16 be deleted."

13. "That at page 4, lines 1-2 be deleted."

SHRI OM PRAKASH TYAGI : Sir, I move:

10. "That at page 3, line 20, the word 'Mosque' be deleted."

11. "That at page 3, lines 24 to 30 be deleted."

30. "That at page 3, in lines 20 and 27, for the words 'University Mosque' the words "University Senate Hall" be substituted."

*The questions were put and the motions were negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is:

"That clause 4 stand part of the Bill."

*The motion was adopted.*

*Clause 4 was added to the Bill.*

*Clause 5—Amendment of Section 8*

SHRI A. K. A. ABDUL SAMAD : Sir, I move :

14. "That at page 4, line 3, after the words 'the principal Act' the words 'or to hold any office therein' be deleted."

*The question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is:

"That clause 5 stand part of the Bill."

*The motion was adopted.*

*Clause 5 was added to the Bill.*

*Clauses 6 and 1 were added to the Bill. 8-5 RSSI72*

*Clause 8—Amendment of Section 12*

SHRI OM PRAKASH TYAGI : Sir, I move:

15. "That at page 4, lines 18-19, the words 'either on its own or in co-operation or collaboration with any other institution' be deleted."

*The question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is:

"That clause 8 stand part of the Bill."

*The motion was adopted.*

*Clause 8 was added to the Bill.*

*Clause 9—Omission of Section 2A*

SHRI OM PRAKASH TYAGI : Sir, I move:

16. "That at page 4, clause 9 be deleted."

*The question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is:

"That clause 9 stand part of the Bill."

*The motion was adopted.*

*Clause 9 was added to the Bill.*

*Clause 10.—Amendment of Section 13*

SHRI A. K. A. ABDUL SAMAD : Sir, I move:

17. "That at page 5, lines 1 to 4 be deleted."

*The question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That clause 10 stand part of the Bill."

*The motion was adopted.*

*Clause 10 was added to the Bill.*

*Clause 11 was added to the Bill.*



Clause 12—Amendment of Section 16

SHRI SHYAM LAL YADAV : Sir, I move :

18. "That at page 5, line 13, for the words 'The Finance Officer' the words 'Honorary Treasurer' be substituted."

*The question was put and the motion was negated.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That clause 12 stand part of the Bill."

*The motion was adopted.*

*Clause 12 was added to the Bill.*

Clause 13—Substitution of new section for section 17.

SHRI A. K. A. ABDUL SAMAD : Sir, I move :

19. "That at page 5, for the lines 16-17, the following be substituted, namely : —

'17(1) the Chancellor of the University shall be elected by the court.'

SHRI OM PRAKASH TYAGI: Sir, I move :

20. "That at page 5, line 17, the words 'in such manner as may be prescribed by the statutes' be deleted."

*The questions were put and the motions were negated.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That clause 13 stand part of the Bill."

*The motion was adopted.*

*Clause 13 was added to the Bill.*

*Clauses 14 to 18 were added to the Bill.*

Clause 19—Substitution of the new section for section 23.

SHRI SHYAM LAL YADAV : Sir, I move :

21. "That at page 7, for lines 1 to 11, the following be substituted namely :-

'(2) The Court shall be supreme governing body of the University and shall exercise all the powers of the University not otherwise provided for by this Act, the Statutes, the Ordinances and the Regulations. It shall have powers to review the Act of executive and the Academic Council save where such councils have acted in accordance with the powers conferred on them under this Act the Statutes on the Ordinances.

(3) Subject to the provisions of this Act the Court shall exercise the following powers and perform the following duties, namely : —

(a) of making Statute and of amending or repealing the same;

(b) of considering ordinances;

(c) of considering and passing resolutions on the Annual Report, the Annual Accounts and the Financial estimates;

(d) of electing such persons to serve on authorities of the University and of appointing such officers as may be prescribed by this Act or the Statute; and

(e) of exercising such other powers and performing such other duties as may be conferred or imposed upon it by this Act or the Statutes.'

*The question was put and the motion was negated.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That clause 19 stand part of the Bill."

*The motion was adopted. Clause 19 was added to the Bill. Clause 20—Amendment of Section 24*

SHRI SHYAM LAL YADAV : Sir, I move :

23. "That at page 7, line 13, the word 'principal' be deleted."

*The question was put and the motion was negated.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That clause 20 stand part of the Bill."

*The motion was adopted.*

*Clause 20 was added to the Bill.*

*Clauses 21 to 23 were added to the Bill.*

*Clause 24—Substitution of new section for section 28*

DR. K. MATHEW KURIAN : Sir, I move:

26. "That at page 8, after line 42, the following proviso be inserted, namely :

—  
"Provided that if the Visitor does not signify his assent, or disapproval, or direct it to be returned for reconsideration within a period of three months, the said new Statute, or addition or amendment to, or repeal of, any Statute, shall be deemed to have the approval of the Visitor."

*The question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That clause 24 stand part of the Bill."

*The motion was adopted.*

*Clause 24 was added to the Bill.*

*Clauses 25 to 28 were added to the Bill.*

*Clause 29—Insertion of new sections 36/4 and 26B*

SHRI OM PRAKASH TYAGI : Sir, I move :

28. "That at pages 10 and 11, in lines 48 and 1, respectively, the words 'or reverse' be deleted."

*The question was put and the motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is:

"That clause 29 stand part of the Bill"

*The motion was adopted.*

*Clause 29 was added to the Bill.*

*Clauses 30 and 31 were added to the Bill.*

*Clause 32—Substitution of new Schedule for the Schedule*

SHRI OM PRAKASH TYAGI: Sir, I move :

32. "That at page 11, line 43, after the word 'Council' the words 'and if he is still not satisfied with the recommendation he may appoint a person of his own choice' be inserted."

34. "That at page 12, line 34, for the words 'sixty-five' the word 'sixty' be substituted."

36. "That at page 16, line 18, the word 'Muslim' be deleted."

38. "That at page 18, lines 2 and 3, for the words 'of each of the following colleges, namely, Women's College, Tibbia College and Polytechnic' the words 'of all the affiliated colleges' be substituted."

50. "That at page 20, for lines 24 to 27, the words 'One principal from each of the affiliated colleges by rotation according to seniority as principal' be substituted."

59. "That at page 22, after line 13, the following be inserted, namely:

'(xviii) to maintain and protect the secular and national status of the University'."

60. "That at page 22, line 20, for the words 'Heads of Institutions' the words 'Heads of all the affiliated Institutions' be substituted."

63. "That at page 23, line 17, after the word 'Ordinances' the words 'and the national on secular status of the University' be inserted."

64. "That at page 23, line 35, the word 'Muslim' be deleted."

69. "That at page 34, line 15, after the word 'involves' the words 'Communal and' be inserted."

70. "That at page 35, line 26, the word 'Muslim' be deleted."

[Shri OM Prakash Tyagi.J

71. "That at page 35, line 28. after the word 'Aligarh' the words 'and any of the affiliated Colleges' be inserted."

72. "That at page 33, line 35. the word 'Muslim' be deleted."

DR. K. MATHEW KURIAN : Sir. I move :

35. "That at page 16, for lines 11 to 13, the following be substituted, namely: —

"The Dean of a Faculty shall be appointed by the Vice Chancellor from amongst the Professors in the Faculty, and where there are no Professors, from amongst the Readers in the Faculty, by rotation according to seniority, for a period of two years'."

39. "That at page 18, for lines 14 to 16, the following be substituted, namely: —

'(xiii) (a) President and Secretary of the Aligarh Muslim University Staff Association, *Ex-officio*;

(b) eight teachers to be elected by teachers of the various Faculties forming an electoral college in the manner prescribed in the Ordinances'."

40. "That at page 18, after line 16, the following be inserted, namely:

*'Representatives of the Non-teaching Staff.—(xiii-a)* Ten employees of the University elected by all the non-teaching employess of the University forming a single electoral college, the detailed rules to be presented by the Ordinances'."

51. "That at page 20. line 28 be deleted."

52. "That at page 20. for lines 29 to 32, the following he substituted, namely: —

'(vi) three teachers of whom at least one shall be a lecturer to be elected by the teachers, elected representatives on the Academic Council'."

53. "That at page 20, after line 32, the following be inserted, namely:-

'(viA) two representatives of the non-teaching staff to be elected by the non-teaching employees forming a single electoral college, the detailed rules to be prescribed by the Ordinances, which may farther provide that election of the representatives of the non-teaching staff to the Court and the Executive Council may be held together'."

61. "That at page 22. for lines 24 to 26, the following be substituted, namely: —

'(ix-xi) Fifteen teachers, of whom at least two shall be Professors and thre: Readers, to be elected by all the teachers of the University forming a single electoral college, the detailed rules to be prescribed by the Ordinances'."

62. "That at page 22, lines 33 to 47 be deleted."

65. "That at page 25, for lines 22 to 28, the following be substituted, namely: —

'(i) All members of the Department *ex-officio*'."

66. "That at page 25, lines 45 to 47 be deleted."

67. "That at page 26 :—

fi) lines 1 to 12 be deleted;

(ii) in line 13, for the words 'Departmental Committee' the word 'DepartTient' be substituted."

68. "That at page 32, lines 12 to 30 be deleted."

73. "That at page 35 after line 39, insert :

'the present text of the Statutes 29 to 44, entitled 'Provident Fund', suitably renumbered, and the present text of the Statute 45, entitled 'General Provident Fund-cum-Pension-c«m-Gratuity, and Contributory Provident Fund-cum-Gratuity', renumbered, together with its Appendix (at present Appendix B

to the Statutes), entitled 'General Provident fund-cum-Pension-cum-Gratuity Scheme'."

SHRI A. K. A. ABDUL SAMAD :  
Sir, I move :

41. "That at page 18, after line 16. the following be inserted namely:—

'(xiiia) One Muslim member to be elected by the Muslim members of the Legislature of each State'."

42. "That at page 18, line 31, for the word 'fifteen' the word 'twenty-five' be substituted."

43. "That at page 18, for lines 34 to 37, the following be substituted, namely:—

'(xvi) Five Muslim representatives of Parliament are to be elected from the Lok Sabha and two from the Rajya Sabha by the Muslim members thereof respectively'."

45. "That at page 18,—

(i) line 39, for the word 'twenty' the word 'ten' be substituted;

(ii) lines 40 and 41, the words 'Trade Unions' be deleted:

(iii) line 41, for the words 'to be nominated by the Visitor', the words 'to be elected by Court' be substituted; and

(iv) after line 44, the following be added, namely:—

(xviiia) Five persons representing Muslim culture and learning to be elected by the Court be inserted'."

47. "That at page 18. after line 44. the following be inserted, namely:—

Yxviiia) Two representatives each from each of the following cultural and educational institutions of India:—

1. Darul uloom Deoband

2. Nadvatul Ulama Lucknow

3. Mazahirul Uloom Saharanpur

4. Jamia Darus Salem Omerabad

5. Baqutus Salihat—Vellore

6. Muslim Educational Association of South India—Madras

7. All India Muslim Education Conference, Aligarh

8. One member from each State Wakf Board

9. Two Members of Central Wakf Council, and

(xviiia) Every person who has made a donation of rupees one lakh or over'."

54. "That at page 20, line 33, for the word 'five' the word 'eight' be substituted."

57. "That at page 21,—

(i) line 1, after the word 'Council' the words 'subject to the Control of the Court' be inserted :

(ii) lines 5 and 6, after the words 'the Statutes and the Ordinances' the words 'and directions given by the Court' be inserted."

SHRI GANESHI LAL CHAUDHARY

(Uttar Pradesh) : Sir, I am moving my amendments Nos. 44 and 56. I move :

44. "That at page 18, after line 37, the following be inserted, namely:—

'Provided that in nominating Members from Lok Sabha and Rajya Sabha, the Speaker and the Chairman shall give due representation to the Members of Parliament, belonging to Scheduled Castes and Scheduled Tribes'."

56. "That at page 20, after line 38, the following be inserted, namely :—

'Provided that while nominating 4 persons to the Executive Council the Visitor shall nominate one person from the Scheduled Castes and Scheduled Tribes'."

*The questions were proposed.*

श्री गनेशी लाल चौधरी (उत्तर प्रदेश):  
उपाध्यक्ष महोदय, मेरा बहुत ही छोटा सा  
अमेंडमेंट है। जहाँ पर यह प्राविजन किया  
गया है कि कोर्ट में पार्लियामेंट के दस

[श्री मनेशी लाल चौधरी]

मेम्बरों को स्थान दिया जाय वहाँ पर मेरा एक छोटा सा अमेन्डमेंट है, प्राविजों है :

"Provided that in nominating Members from Lok Sabha and Rajya Sabha, the Speaker and the Chairman shall give due representation to the Members of Parliament, belonging to Scheduled Castes and Scheduled Tribes."

और इसी के साथ मेरा एक दूसरा अमेन्डमेंट है। मैं उसको भी पढ़े देता हूँ और दोनों पर साथ साथ कहूँगा। जहाँ पर विजिटर को चार आदमियों को नामिनेट करने की पावर है वहाँ मैं एक प्राविजन जोड़ना चाहता हूँ :

"Provided that while nominating 4 persons to the Executive Council, the Visitor shall nominate one person from the Scheduled Castes and Scheduled Tribes."

श्रीमन्, मैं इसलिए यह अमेन्डमेंट पेश करना चाहता हूँ कि जहाँ पर कांस्टीट्यूशन के अन्दर रिजर्वेशन है मन्विसेज बगैरह में वहाँ भी हमारा रिजर्वेशन पुराना नहीं हुआ इन 23 वर्षों में। मैं यही नहीं चाहता हूँ बल्कि मैं तो यह चाहूँगा कि जिस तरह से मुस्लिम यूनिवर्सिटी का कैंरेक्टर मेनटेन किया गया है उसी तरह से मेरा यह निवेदन है कि शेड्यूलड ट्राइब्ज और शेड्यूलड कास्ट के स्टूडेंट्स को भी यूनिवर्सिटीज में भर्ती नहीं मिलती है और गवर्नमेंट कहती है कि यूनिवर्सिटीज आर्टोनामस बाड़ीज है इसलिए हम कुछ कर नहीं सकते, आपका जो हक है वह यूनिवर्सिटीज में नहीं चलता है तो मैं गवर्नमेंट से मांग करूँगा कि शेड्यूलड ट्राइब्ज और शेड्यूलड कास्ट के लिये भी मुस्लिम यूनिवर्सिटी और हिन्दू यूनिवर्सिटी की तरह से एक यूनिवर्सिटी कायम की जाय ताकि इस देश का जो गिरा हुआ तबका है वह आगे चल करके इन लोगों के बराबर में आ सक ।

श्रीमन्, आज इतनी यूनिवर्सिटीज हो गई हैं लेकिन कोई भी आज तक हमारे लोगों में से गवर्नर नहीं पैदा कर सका। इतनी बड़ी तादाद में यूनिवर्सिटीज हो गई लेकिन कोई आज तक हमारा एक अम्बेसेडर नहीं पैदा कर सका। तो मैं माननीय मंत्री जी से कहूँगा कि वह हमारे शेड्यूलड कास्ट और शेड्यूलड ट्राइब्ज के लिये एक अलग यूनिवर्सिटी की स्थापना करे जिससे कि हमारे बच्चों को अच्छी एजुकेशन मिल सके और हमारे बच्चों को अच्छी तरह से एडमिशन मिल सके।

*The amendments Nos. 32, 34, 36, 38, 50, 59, 60, 63, 64, 69, 70, 71 and 72 were put to vote mid the motions were negatived.*

DR. K. MATHEW KURIAN : I want to make a submission on amendments Nos. 35, 39 and 40. They are not controversial in any political sense. Therefore I would request the hon. Minister even at this late hour to accept them. These amendments relate to the introduction of more democratic elements into the University.

PROF. S. NURUL HASAN : I am unable to accept them at this stage.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

35. "That at page 16, for lines 11 to 13, the following be substituted namely :—

'1, The Dean of a Faculty shall be appointed by the Vice-Chancellor from amongst the Professors in the Faculty, and where there are no Professors, from amongst the Readers in the Faculty, by rotation according to seniority, for a period of two years'."

*The motion was negatived.*

39. "That at page 18, for lines 14 to 16, the following be substituted, namely :—

(xiii) (a) President and Secretary of the Aligarh Muslim University Staff Association, ex-officio :

(b) eight teachers to be elected by teachers of the various Faculties, a single Faculty or a group of Faculties forming an electoral college in the manner prescribed in the Ordinances'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

40. "That at page 18, after line 16, the following be inserted, namely:—

*'Representatives of the Non-teaching staff.-* (xiti-a) Ten employees of the University elected by all the non-teaching employees of the University, forming a single electoral college, the detailed rules to be presented by the Ordinances'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

51. "That at page 20, line 28 be deleted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

52. "That at page 20, for lines 29 to 32, the following be substituted, namely:—

'(vi) three teachers of whom at least one shall be a lecturer to be elected by the teachers' elected representatives on the Academic Council'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

53. "That at page 20, after line 32, the following be inserted, namely:—

'(viA) two representatives of the non-teaching staff to be elected by the non-teaching employees forming a single electoral college, the detailed rules to be prescribed by the Ordinances, which may further provide that election of the representatives of the non-teaching staff to the Court and the Executive Council may be held together'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is:

61. "That at page 22, for lines 24 to 26, the following be substituted, namely:—

'(ix-xi) fifteen teachers, of whom at least two shall be Professors and three Readers, to be elected by all the teachers of the University forming a single electoral college, the detailed rules to be prescribed by the Ordinances'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

62. "That at page 22, lines 33 to 47, be deleted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

65. "That at page 25, for lines 22 to 28, the following be substituted, namely:—

'(i) All members of the Department ex-officio'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That at page 25, lines 45 to 47 be deleted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

67. "That at page 26,—

(i) lines 1 to 12 be deleted;

(ii) in line 13, for the words 'Departmental Committee' the word 'Department' be substituted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

68. "That at page 32, lines 12 to 30 be deleted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That at page 35 after line 39, insert :

"The present text of the Statutes 29 to 44, entitled "Provident Fund", suitably renumbered, and the present text of the Statute 45, entitled "General Provident Fund-cum-Pension-cum-Gratuity

and Contributory Provident Fund-cum-Gratuity", renumbered, together with its Appendix (at present Appendix B to the Statutes), entitled "General Provident Fund-cum-Pension-cum-Gratuity Scheme'."

*The motion was negatived.*

*The amendments Nos. 41, 42, 43, 45, 47, 54 and 57 were put to vote and the motions were negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Mr. Ganeshi Lai Chaudhury, are you pressing your amendments ?

श्री गनेशी लाल चौधरी : श्रीमन, मेरा तो मंत्री जी मंजूर करने जा रहे है। यह तो शेड्यूल कास्ट की बात है, माननीय मंत्री जी मंजूर करेंगे कि शेड्यूल कास्ट के आदमी एग्जिक्यूटिव कौंसिल में जाएं। इसके बारे में माननीय मंत्री जी को कोई एतराज नहीं होना चाहिये।

PROF. S. NURUL HASAN : I am unable to accept the amendment.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

44. "That at page 18, after line 37, the following be inserted, namely:—

'Provided that in nominating Members from Lok Sabha and Rajya Sabha, the Speaker and the Chairman shall give due representation to the Members of Parliament, belonging to Scheduled Castes and Scheduled Tribes'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is :

56. "That at page 20, after line 38, the following be inserted, namely:—

'Provided that while nominating 4 persons to the Executive Council, the Visitor shall nominate one person from the Scheduled Castes and Scheduled Tribes'."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The question is :

"That clause 32 stand part of the Bill."

*The motion was adopted.*

*Clause 32 was added to the Bill.*

*Clause 33 to 35 were added to the Bill.*

*Clause 1—Short Title and commencement.*

SHRI A. K. A. ABDUL SAMAD : Sir, I move :

3. "That at page 1, after line 6, the following be inserted, namely:—

'(3) Notwithstanding any judgment, decree or order of any court or tribunal to the contrary the Ali-garh Muslim University shall be deemed to have been established by the Muslim Minority Community as an educational institution of its choice, as provided in Article 30 of the Constitution of India'."

(The amendment also stood in the names of Sarvshri B. V. Abdulla Koya, S. A. Khaja Mohideen, A. K. Refaye, Hamid Ali Schannad and Shyam Lai Yadav.)

*The House divided.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU): Ayes : 10; Noes; 118.

AYES—10

Abdul Samad, Shri A.K.A. Banarsi Das, Shri Chaudhary, Shri Ganeshi Lai Koya, Shri B. V. Abdulla Misra, Shri S. D. Mohideen, Shri S. A. Khaja

Pate!, Shri T. K. Rcfaye, Shri A.  
 K. Schamnad, Shri Hamid AH  
 Yadav, Shri Shyam Lai  
 NOES—118  
 Abid, Shri Qasim Ali  
 Abu Abraham, Shri  
 Ahmad, Shri Syed  
 Ahmad, Dr. Z. A.  
 Alva, Shri Joachim  
 Amjad Ali, Sardar  
 Amla, Shri Tirath Ram  
 Anandam, Shri M.  
 Aril', Shri Mohammed Usman  
 Basar, Shri Todalc  
 Berwa, Shri Jamna Lai  
 Bhagwati, Shri B. C.  
 Bhardwaj, Shri Jagan Natb  
 Bhatt, Shri Nand Kiskort  
 Bisi, Shri P. N.  
 Bobdey, Shri S. B.  
 Burgohain, Shri N. C.  
 Chakrabarti, Dr. R. K.  
 Chandra Shekhar, Shri  
 Chattopadhyaya, Dr. Debiprasad  
 Chaudhari, Shri N. P.  
 Chettri, Shri K. B.  
 Das, Shri Balram  
 Das. Shri Bipinpal  
 Dass, Shri Mahabir  
 Deshmukh, Shri T. G.

Dikshit, Shri Umashankar  
 Dutt, Dr. Vidya Prakash  
 Gadgil, Shri Vithal  
 Guncsh Lai. Shri  
 Gujral, Shri I. K.  
 Hathi, Shri Jaisukhlal  
 Hi in mat Sinh, Shri  
 Hussain, Shri Syed  
 Jahanara Jaipal Singh, Shrimati  
 Jain, Shri A. P.  
 Joseph, Shri N.  
 Joshi, Shri Umashankar  
 Kalania, Shri I. K.  
 Kalyan Chand, Shri  
 Kapur, Shri Yashpal  
 Kemparaj, Shri B. T.  
 Kesri, Shri Sitaram  
 Khan, Shri Maqsood Ali  
 Kollur, Shri M. L.  
 Krishan Kant, Shri  
 Kulkarni, Shri B. T.  
 Lakshmi Kumari Chundawat,  
 Shrimati  
 Madani, Shri M. Asad  
 Mahida, Shri U. N.  
 Majhi. Shri C. P.  
 Malaviya, Shri Harsh Deo  
 Maragatham Chandrasekhar,  
 Shrimati  
 Mehta. Shri Om  
 Mirdha. Shri Ram Niwas  
 Mohan, Shri V. R.



Mukherjee, Shri Kali Mukherjee,	Satyavati Dang, Shrimati
Shri Praflab Krartar	Savita Behan, Shrimati
Mulla, Shri A. N.	Sen, Dr. Triguna
Munda, Shci B. R.	Shah, Shri Manubhai
Musulir, Shri Gurumukh Singh	Shastri, Shri Bhola Paswan
Nandini Satpathy, Shrinuiti	Shilla, Shri Showalcss K.
Narasiah, Shri H. S.	Shukla, Shri Chakrapani
Narayanappa, Shri Sanda	Shukla, Shri M. P.
Narayani Devi Manaklal Varma, Shrimati	Shyamkumari Devi, Shiimali
Nawal Kishorc, Shri	Singh, Shri Bhupinder
Nurul Hasan, Prof. S.	Singh, Shri Bindeshwari Pd.
Oberoi, Shri M. S.	Singh, Shri D. P.
Panda, Shri Brahmananda	Singh, Shri M. B.
Patil, Shri G. R. Patil, Shri P. S.	Singh, Shri Mohan
Prasad, Shri K. L. N.	Singh, Shri Ranbir
Pratibha Singh, Shrimati	Singh, Shri Sultan
Purabi Mukhopadhyay, Shrimati	Singh, Shri Triloki
Puri, Shri Dcv Datt	Singh, Dr. V. B.
Raha, Shri Sanat Kumar	Sinha, Shri Awadheshwar Prasad
Ramaswamy, Shri K. S.	Sisodia, Shri Swaisingh
Ramiah, Dr. K.	Sita Devi, Shrimati
Rathnabai Sreenivasa Rao. Shrimati	Sukhdev Prasad, Shri
Reddy, Shri Janardhana	Sumitra Gandhi Kulkarni, Shrimati
Reddy. Shri K. V. Raghunatha	Sushila Mansukhlal Desai, Miss
Reddy. Shri M. Srinivasa	Thakur, Shri Gunanand Tiwary, Pt.
Reddy, Shri Mulka Govinda	Bhawaniprasad Untoo. Shri Gulam
Roshan Lai, Shri	Nabi Venigalla Satyanarayan, Shri
Sangma. Shri E. M.	Vero, Shri M.
Saroj Purushottam Khaparde, Miss.	Vidyawati Chaturvedi, Shrimati
	Vyas, Dr. M. R. Wajd, Shri
	Sikandar Ali

SHRI A. K. A. ABDUL SAMAD :  
Sir, since the Government is not in a mood  
to accept any one of our amendments, as a  
mark of protest, without any disrespect to  
the Chair, we withdraw from the House.

*(At this stage, some hon. Members left the  
Chamber)*

THE VICE-CHAIRMAN The ques-  
tion is :

"That clause 1 stand part of the  
Bill."

*The question was put and the motion was  
adopted.*

*Clause 1 was added to the Bill.*

*The Enacting Formula and the Title  
were added to the Bill.*

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

"That the Bill be passed."

*The question was put and the motion was  
adopted.*

THE VICE-CHAIRMAN : The House  
stands adjourned till 11 A.M. tomorrow.

The House then adjourned at  
twenty-eight minutes past six of the  
clock till eleven of the clock on  
Saturday, the 3rd June, 1972.