

[श्री टी० पांडे]

सनातन धर्म है। "कामये दुःख तप्तानाम प्राणिनाम आतिनाशनम्।"

श्री चन्द्र शेखर : महोदय, इतने अच्छे शब्द पांडेजी ने कह दिये। दूसरी बात हिन्दू धर्म में यह लिखी है कि जो राजा गो और ब्राह्मण की रक्षा करता है वही आदर्श राज्य है और उसकी मैं कामना करता हूँ। मैं उसकी कामना नहीं करता क्योंकि ब्राह्मणों ने शोषण किया है, उस शोषण का बदला उन्हें भुगतना पड़ेगा; आप चाहें न चाहें लेकिन समाज को बदलिये, नहीं समाज के इतिहास के रथ के चक्कर में आपका सिर नीचे आ रहा है, दुनिया की कोई ताकत उस रथ को हमारे सिर के ऊपर से जाने से नहीं रोक सकती। इसलिये मैं मंत्री महोदय से अनुरोध करूंगा कि जो एक प्रगतिशील कदम उठाया था राज्य सभा ने उसी का वे अनु-मोदन करें और लोक सभा के माननीय सदस्यों से कहें कि प्रगति के पथ पर अवरोध न बनें, अन्यथा इतिहास का रथ रुकने वाला नहीं है, वह हमारे और दूसरों के सिर से चला जाने वाला है यदि हम उसके मार्ग में अवरोध बनेंगे।

श्री عبدالغनी (हरनाथ) : महोदय

दीप्ति चहर मिन — यहाँ पर दो तेन पानिख खास णुवर आनी हौन - एक ये के राजे सेबा के कच्चे - चहाव दिया तहा जो बालकल लस सरकार के वजारों के साथे चलता तहा और सरकारी पार्षी के साथे सेक्युलरिजम की तरह ये सब सातेन हौन और दूसरी बात ये दिखले सेन आनी के आह हन्दो लफ्ते से कोनी नेवत पैदा होती है या फुत्ते परस्ती की हो आनी है - सेन, महोदय, साब णुवर से केला चाहता हौन के बीरबल ने लस लै

واعظم کی بات سان لی تھی جب اکبر اعظم نے پوچھا بیبرل بہلکن کھسا ہے تب اس نے کہا شہام لا رنگ، زمرہ کی بٹھان، گول متول بھولا بھالا اور کہا رات کھایا تھا مجھے کچھ پریشانی ہوئی تو کہا چھپرہ پر لعلت پرستی ہے - تو مقدم دیتی چھر مہن - یہ جتلے یہاں بھولے مہن انہوں نے وردت غصہ الدین کے ساتھ کرنا ہے - مہن راج نرائن سے کہنا چاہتا ہوں اور اپنے باقی جو دوسرے مہن جی مہن ملکا گوند دیتی اور دوسرے بھی مہن کہ لوک سبھا کے ممبروں کو دو مہلے کے بعد الیکشن لڑنا ہے اور راجہ سبھا والے تو مزہ سے بہتے دھلکے کوئی چھ سال تک بہتھا رہے گا، کوئی پانچ سال تک بہتھا رہے گا، کوئی چار سال تک بہتھا رہے گا - انہوں بھلک کو فہم کرنا نہیں ہے چلہوں بھلک کو فہم کرنا ہے - وہ لوک سبھا کے ممبر ہوں اور انہوں نے یہ کچھ کہا ہے وہ ایک ہوا بدھیان بن کر کہا ہے ارد مہن سےجھتا ہوں کہ اس مہن خفا نہیں ہونا چاہئے ہماری اپوزیشن والوں کو، اور جب تک وہ ایتھے نہیں ہوتے تب تک کانگریس کی جھمک نہ لی چاہئے - ہندو لفظ کے استعمال نے باجپٹی جی کی جے بول دی ہے - ہندی - ہندو اور ہندوستان یہ کہنا کوئی ہرج کی بات نہیں ہے - ہندو دھرم ایک ایسا دھرم ہے ہندو ایک ایسا وشال دھرم ہے چاہے وہ سناتن دھرم کے

मानنے والے ہوں چاہے وہ بد مذہب کے
 ماننے والے ہوں جو ہندوستانی ہوں
 اس سے وہ ہندو کہلانے جاتے ہوں اور
 ان میں کوئی فرق نہیں ہے - آج تک
 اور نام تک کے خیال رکھنے والے برادری
 سے الگ نہیں کئے جاتے - کہلے دل سے
 مذہب کے ماننے والوں کو جوتے
 دیکھتے اور لوگ سمجھتے جو اسلمت
 پاس کہہ رہے وہ تفہیم کیا ہے - تاکہ
 وہ بے چارے الٹے جیت کر آئیں -
 تھلک ہو -

†[**श्री अब्दुल हनी (हरियाणा) :**
 मैडम डिप्टी चेयरमैन, यहां पर दो तीन बातें
 खास तौर पर आई हैं। एक यह कि राज्य सभा
 ने कुछ सुझाव दिया था जो बिल्कुल इस
 सरकार के विचारों के साथ चलता था और
 सरकारी पार्टी के साथ सैक्यूलरिज्म की तरह
 यह सब बातें हैं और दूसरी बात यह देखने में
 आई कि आया हिन्दू लफ्ज से कोई नफरत
 पैदा होती है या फिरका परस्ती की बू आती
 है। मैं मैडम, साफ तौर से कहना चाहता हूँ
 कि बीरबल ने इसलिए अकबर-ए-आजिम
 की बात मान ली थी, जब अकबर-ए-आजिम
 ने पूछा बीरबल बैंगन कैसा है तो उसने कहा
 श्याम का रंग, जमरूद की पत्तियाँ, गोल
 मटोल, भोला भाला। और कहा, रात
 खाया था मुझे कुछ परेशानी हुई। तो कहा,
 चेहरे पर लानत बरस्ती है। तो मैडम डिप्टी
 चेयरमैन, यह जितने यहां भोले हैं उन्होंने
 वोट फखरुद्दीन के साथ करना है। मैं राज
 नारायण से कहना चाहता हूँ और अपने
 बाकी जो दोस्त हैं जिनमें मुल्क गोविन्द रेड्डी
 और दूसरे भी हैं कि लोक सभा के मेम्बरों को
 दो महीने के बाद इलेक्शन लड़ना है और
 राज्य सभा वाले तो मजे से बैठे रहेंगे, कोई

†[] Hindi transliteration.

6 साल तक बैठा रहेगा कोई पांच साल तक
 बैठा रहेगा, कोई चार साल तक बैठा रहेगा।
 उन्हें पब्लिक को फेंस करना नहीं, जिन्हें
 पब्लिक को फेंस करना है वह लोक सभा के
 मेम्बर हैं और उन्होंने जो कुछ किया है वह
 एक बड़ा बुद्धिमान बनकर किया है और
 मैं समझता हूँ कि इसमें खफा नहीं होना
 चाहिए हमारी अपोजिशन वालों को और
 जब तक वह इकट्ठे नहीं होते तब तक कांग्रेस
 की जीत होनी चाहिए। हिन्दू लफ्ज के
 इस्तेमाल ने वाजपेयीजी की जय बोल दी है।
 हिन्दी, हिन्दू और हिन्दुस्तान यह कहना कोई
 हर्ष की बात नहीं है। हिन्दू धर्म एक ऐसा
 धर्म है, हिन्दू धर्म एक ऐसा विशाल धर्म है,
 चाहे वह सनातन धर्म के मानने वाले हों,
 चाहे वैदिक धर्म के मानने वाले हों जो बुनियादी
 बात है उसी से वह हिन्दू कहलाए जाते हैं और
 उनमें कोई फर्क नहीं है। आस्तिक और
 नास्तिक के रूपाल रखने वाले विरादरी से
 अलग नहीं किए जाते। खुले दिल से मजहब
 के मानने वालों को जीतने दीजिए और
 लोक सभा ने जो एमेंडमेंट पास किया है वह
 ठीक किया है। ताकि वह बेचारे इलेक्शन
 जीत कर आएँ। थैंक-यू।]

श्री जगत नारायण (हरियाणा) :
 मैडम डिप्टी चेयरमैन, जो संशोधन लोक सभा
 ने करके भेजा है, मैं उसका अनुमोदन करता
 हूँ। आपको स्मरण होगा कि जब यह बिल
 पहले यहां पर पेश हुआ था तो उस वक्त
 मैंने और चौरङ्गिया जी ने यह कहा था कि
 इसका नाम "बनारस हिन्दू यूनीवर्सिटी"
 रखा जाना चाहिये। मैं हैरान हूँ कि हिन्दू
 लफ्ज से इतनी चिढ़ क्यों है। मैं साउथ
 कोरिया, जापान, हांगकांग, वैंकाक और
 फारमूसा होकर आया हूँ और वहां पर
 हिन्दुस्तानियों को "हिन्दू" ही कहते हैं।
 "हिन्दू" का मतलब "इन्डियन" से होता है,
 चाहे वह हिन्दू हो, मुसलमान हो, सिख हो,
 इसाई हो। जब उन लोगों का मतलब
 हिन्दू कहकर इंडियन होता है तो फिर

[श्री जगत नारायण]

आपको इस हिन्दू लफ्ज से इतनी चिढ़ क्यों है ? हिन्दू लफ्ज यहां पर बार-बार क्यों आ रहा है ? क्या यह हिन्दू लफ्ज कम्प्यूनल है ? इस तरह की बात कहना बिल्कुल गलत है क्योंकि दुनिया में इन्डियन्स को हिन्दू कहते हैं। जब हिन्दुस्तान डिवाइड नहीं हुआ था तो अमेरिका में जो मुसलमान गये हुए थे उनको भी हिन्दू कहा जाता था, उनको मुसलमान नहीं कहा जाता था। इसलिए यह लफ्ज हिन्दू इंडियनों के लिए वहां पर इस्तेमाल होता है और यह जरूरी है और इस पर आपको घबराना नहीं चाहिये। मैंने पिछली बार कहा था कि आप नाम क्यों बदलते हैं, आपको नाम नहीं बदलना चाहिये। अभी-अभी मेरे भाई ने बतलाया और उन्होंने ताम्र पत्र दिखाया कि उसमें एक ओर तो हिन्दी में "काशी विश्वविद्यालय" लिखा हुआ था, और दूसरी ओर अंग्रेजी में "बनारस हिन्दू यूनिवर्सिटी" लिखा हुआ था। (Interruption) मैं यह तो नहीं कह रहा हूं कि हिन्दी में ताम्र पत्र में काशी विश्वविद्यालय नहीं लिखा है। मैं तो यह कह रहा हूं कि एक तरफ उसके "काशी विश्वविद्यालय" लिखा है और दूसरी तरफ अंग्रेजी में "बनारस हिन्दू यूनिवर्सिटी" लिखा हुआ है। मेरे कहने का मतलब यह है कि जिस समय यह बात उस ताम्र पत्र में लिखी गई थी, उस समय पं० मदन मोहन मालवीय जी मौजूद थे और उनके सामने यह नाम लिया गया था। इसलिए यह कहना कि पं० मदन मोहन मालवीय केवल "काशी विश्वविद्यालय" ही चाहते हैं और "बनारस हिन्दू यूनिवर्सिटी" नहीं चाहते थे, मुनासिब बात नहीं है। वे इतने मजहबी थे, इतने दिलेर थे कि उनकी इस तरह की धार्मिक भावनाएं होते हुए भी जब इस यूनिवर्सिटी के लिए कानून बना तो उस समय भी काशी विश्वविद्यालय की जगह बनारस हिन्दू यूनिवर्सिटी का नाम भी अंग्रेजी में रखा गया और यह उनकी मर्जी से लिखा गया। अब यह कहना कि पं० मदन मोहन

मालवीय इस नाम को नहीं चाहते थे, यह गलत बात है।

एक बात यहां पर यह भी कही गई है कि अगर हिन्दू लफ्ज नहीं काटा तो पाकिस्तान में भी इसकी प्रतिक्रिया होगी। मैं समझता हूं कि इससे उल्टी प्रतिक्रिया होगी। आप पूछ सकते हैं किस तरह ? तो मैं आपको बतलाना चाहता हूं कि अगर आप किसी तरह से लाहोर चले जायें तो आपको अब भी वहां पर संतनगर मालवीय नगर और इस तरह के कई हिन्दू नाम मिलेंगे। उन्होंने हिन्दुओं के नाम की जगह कोई मुसलमान नाम नहीं रखा है। इसी तरह से वहां पर जो गंगा राम अस्पताल है, उसका नाम भी वही रखा हुआ है "गंगा राम अस्पताल"। इसलिए मैं यह अर्ज करना चाहता हूं कि अगर आपने यहां पर नाम बदल दिये तो वहां पर भी प्रतिक्रिया होगी और वे भी नाम बदल देंगे। वे लोग कहेंगे कि हिन्दुस्तान में जब लोग हिन्दू नाम को बदलते नहीं करते तो हम यहां पर कृष्ण नगर, संत नगर, मालवीय नगर, गंगा राम अस्पताल, इस तरह के नामों को क्यों बदलते करें और इन नामों को क्यों रखें ?

मैं आप से यह भी अर्ज करना चाहता हूं कि आप पंजाब में चले जायें, वहां पर आपको बहुत से स्कूल और कालेज मिलेंगे जिनके नाम हिन्दू लफ्जों से शुरू होते हैं। जैसे डी० ए० बी० कालेज, सनातन धर्म कालेज। इसी तरह से कई प्राइवेट स्कूल और कालेज हैं और वे इसी तरह के नामों से चल रहे हैं। इस तरह की हालत सारे पंजाब और हरियाणा में है। अगर आप इस तरह की बात करेंगे तो आप के दिल में यह जो लफ्ज हिन्दू है वह कम्प्यूनल की हैसियत से है। आप सारे देश को सिक्योलर बनाना चाहते हैं और इस तरह के लफ्ज पर आप यह भावना रखते हैं तो यह एक गलत बात है। इस तरह की बात पर आपको नहीं चलना चाहिये। जो

चीज आज करीब 40 सालों से चली आ रही है, उसको आपको बदलना नहीं चाहिये। जिस वक्त अंग्रेजी को यहां से बिल्कुल उड़ा दिया जायेगा तो उस वक्त यह नाम भी खुद ब खुद हट जायेगा। जैसा श्री राजनारायण जी कहते हैं कि जब अंग्रेजी यहां पर नहीं रहेगी तो यह नाम भी नहीं रहना चाहिये। यह नाम बहुत पुराना चला आता है और सिर्फ लफ्ज "हिन्दू" के आप खिलाफ है और इसको आप कम्युनल नाम कहते हैं। लेकिन मैं आप से अर्ज करना चाहता हूं कि दुनिया में "इन्डियन्स" को हिन्दू कहा जाता है। अमेरिका में मुसलमानों को भी हिन्दू ही कहा जाता है और उसमें कोई ट्राई महसूस नहीं होती है और न ही यह नाम कम्युनल महसूस होता है। आज फिर यह नाम क्यों कम्युनल महसूस हो गया इसलिए मैं बड़े अदब के साथ यह कहूंगा अपने हाउस के मेम्बरों से कि वह इस बात को मंजूर करें। अगर उन्होंने कोई गलती की है।

यहां पर यह भी कहा गया है कि राज्य सभा तो सिर्फ रज्जर स्टैम्प के लिए ही है। लेकिन मैं यह अर्ज करना चाहता हूं कि यह हाउस रज्जर स्टैम्प के लिए नहीं है। क्या यह मुमकिन नहीं है कि इस हाउस के मेम्बर गलती नहीं कर सकते हैं। किसी से एक बार गलती हो जाती है तो उस गलती को बर्दाश्त किया जाना चाहिये। लोक सभा के मेम्बर हमें रज्जर स्टैम्प करने वाले नहीं समझते हैं। लोक सभा वाले भी गलती कर सकते हैं तो हम भी किसी समय गलती कर सकते हैं। इसलिए मैं बड़े अदब के साथ यह अर्ज करूंगा कि लोक सभा ने जो संशोधन करके यह बिल भेजा है, उसका पूरी तरह से अनुमोदन करना चाहिये और इसके हक में वोट देने चाहिये।

श्री राजनारायण : मैं एक स्पष्टीकरण चाहता हूं। उन्होंने जो भाव व्यक्त किये हैं वे भाव दूसरे हैं, लोक सभा के वे भाव नहीं हैं। लोक सभा ने विधेयक में संशोधन करके

इस विश्वविद्यालय का नाम "काशी विश्व-विद्यालय" नहीं रखा है बल्कि इसका नाम "बनारस हिन्दू यूनीवर्सिटी" हो जायेगा अगर हम लोक सभा के इस संशोधन को मान लेंगे तो जितने भी ताम्र पत्र हैं पुस्तकें हैं, शिलालेख हैं, जिनमें "काशी विश्वविद्यालय" लिखा हुआ है, उनमें "बनारस हिन्दू यूनी-वर्सिटी" लिखा जायेगा। इसलिए मैं श्री जगत नारायण जी से यह सफाई करने के लिए कहना चाहता हूं।

[THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) in the Chair.]

SHRI M. C. CHAGLA: Sir, may I in the first instance, disabuse the House of one idea which has been prevalent and when has been voiced by several Members, and that is that there is an attempt to pressurise this House or an attempt to see that the Lok Sabha rides roughshod over the views and feelings of this House. I will be the last person to face such a situation. I want you to consider this motion or the amendments on their merits, not because the other House has passed them and they are dragging us into accepting them. We must maintain our own dignity and the importance of this House. After all Parliament consists of two Houses. We represent the States and with great respect to that House, in the scheme of our Constitution we have as important a role to play as the Lok Sabha.

With these preliminary remarks let me come to the question. I beg of the House to remember what is important in this Bill. Let us not throw away the substance for the shadow. The importance of this measure when it was introduced was to do away with an emergency legislation under which the Banaras Hindu University had functioned for eight long years, with a nominated Executive Council and originally this Parliament passed an act with no tenure laid down for the members of the Executive Council and they have gone on for eight years. We cannot change them, we cannot

[Shri M. C. Chagla.]

remove them, we cannot replace them. It is a nominated court and as I said in the beginning, we have a new Vice-Chancellor who naturally wants to have a new Executive Council, a properly elected Executive Council, a properly elected Court. I see the importance attached to the name. I have expressed my personal view.

SHRI M. C. CHAGLA: I am surprised that Mr. Rajnarain is talking of an Ordinance. When an Ordinance is passed, he always attacks us but let me go on. I see the importance that is being attached to the name. Let us not forget that the Banaras Hindu University has functioned under this name for the last 50 years. My friend Shri Rajnarain gave us the ancient history of how this University was founded, what Malaviyaji's views were, how he wanted it to be called Xhe Kashi Vishwa-Vidyalaya. I respect that but how is it that for 50 years, it has gone on like this? We passed an amending Act in 1951 when we changed the clause by which religious instruction was compulsor/. Nobody then said that the name should be changed. So it was continued without a change in the name, but it may be said that we have advanced and we should accept advanced views but the balance is this. Is the name of the University in the present context so important that in order to retain it, we should throw away the substance of the measure and that all that it meant should be thrown away or thrown away at least for a long time? People have talked about a Joint Session. Let us see how it can help us. Suppose you adopt one of the amendments and make it Kashi Viswa-Vidyalaya or as my friend said, just Banaras University, it will have to go to that House. It can not be taken up in this Session. They will adjourn on Friday and they have so many important matters that I do not know how they are going to carry through

We cannot put it in the lame duck session because it is an unwritten law or a convention that no controversial measure is ever taken up in a lame duck session. The reason is obvious. The Members that constitute the Lok Sabha, the majority of them, may not come back and some of them might have been defeated in the elections and it is not right that a controversial measure should be passed by a Session of the Lok Sabha which has ceased to have a mandate from the country. Therefore the result will be that this Bill will lapse. There is no doubt about it under the Constitution. The Joint Session cannot be held and a Joint Session can only be held after this amendment has been considered by the Lok Sabha. What will be the fate of that lapsing? In May we will have the Budget Session and you know about it. I do not know when the Bill will be introduced. It will have again to go through a Joint Select Committee. I know the days we spent in taking evidence and in getting through this Bill. Are we going to throw all this work because we are not agreed as to the name? Assuming there is a Joint Session, after all the Lok Sabha is in a preponderating majority and the chances are that they would override our views. That is the Constitution . . .

SHRI MULKA GOVINDA REDDY: The next Lok Sabha may turn down the proposal . . .

SHRI M. C. CHAGLA: The next Lok Sabha will not need a Joint Session because it will be a new Lok Sabha. You will have to introduce it. Suppose for some reason they take it up in the lame duck session and reject it and a Joint Session is not called, what happens? Therefore I appeal to this House, I beg of this House to look at the substance. It is a very fine measure. Keeping the name aside, we have introduced many new ideas. We want, as I said before, the University to function in a very efficient and effective manner. Do not throw away all this because we have

sentiments attached either to the present name or to a more secular name, I will put it that way. I appreciate the sentiments of the Members. I appreciate the importance even of the name but as I said, politics is the art of the science of the feasible and the practicable. We are not living in an idealistic world. If we were, I would agree with some of the sentiments expressed by Members but looking at the situation to-day, looking at the situation in which the Parliament is placed, looking at the situation in which the Banaras Hindu University is placed and taking everything into consideration, I would beg of the House not to produce a situation whereby there would be a conflict between the two Houses. My friend Br Saprú rightly said that it is on rare occasions that the two Houses should go for a battle. It is on rare occasions that there should be a conflict between the two Houses. Ask yourself the Question—Is this a cause on which the two Houses should come into collision?

AN HON. MEMBER: Yes.

SHRI M. C. CHAGLA: As I said—I said this there—I would look into it because I cannot bind my successor in the Ministry, that we might consider the question, we will go into it regarding a comprehensive Bill which might deal with the question of the denominational names of the Central Universities and institutions which are functioning under the Centre. All that I am saying is, what are we doing? We are not changing anything. I only appeal for the *status quo* and for no change in the name which has continued for 50 years. Cannot it continue for another 2 or 3 years?

SHRI MULKA GOVINDA REDDY: But it is a reversal of the Rajya Sabha decision.

SHRI M. C. CHAGLA: That is why I said.

SHRI A. D. MANI: The British Government continued it for 50 years and 1327 RSD—7.

we got into the status *quo* at that time.

SHRI M. C. CHAGLA: As I said, when it continued for 50 years, two or three more years in the history of the Banaras Hindu University will not bring about such a calamity. With a 'first-class Vice-Chancellor, who is very secular, who is very able, who has contacts with the students, I am sure that he will be able to run this institution in an efficient manner.

There are just one or two points I want to deal with. I think that Shri Bhargava drew my attention to the question of the Faculty of Law and said that there will not be a possibility of rotation. That is not quite so because—I will not go into the details now—under the Act and Statutes it is not necessary that the senior-most professor should be the Head of the Department. It is open to the Executive Council to appoint any professor and by changing the Head of the Department, they may be able to change the Dean of the Faculty but otherwise the Statutes could be changed because the Act provides that the Statutes can be changed by the Executive Council with the previous consent of the Visitor and we have also a section in the Act—Section 24—which deals with the removal of difficulties. If there are any difficulties in the working of the Act, the Visitor can take action under that section. Sir, after all the only amendment here is the amendment with regard to the name and I have said all that I had to say in my opening speech, and late in the evening I do not want to repeat it, and I would appeal to the House to take a practical view of the situation. Please think of the Banaras University. Let us not think of our sentiments. Let us not think of the broader cause of secularism in which I wholeheartedly believe, but let us take a narrow view and ask ourselves what is the best that we can do today for the Banaras University.

Thank you.

[THE DEPUTY CHAIRMAN in the Chair.]

THE DEPUTY CHAIRMAN: The question is:

"That the following amendments made by the Lok Sabha in the Banaras Hindu University (Amendment) Bill, 1965, be taken into consideration:

ENACTING FORMULA

1. That at page 1, line 1, for "Sixteenth" substitute "Seventeenth".

CLAUSE 1

2. That at page 1, line 4, for "1965" substitute "1966".

CLAUSE 2

3. Clause 2 not adopted.

CLAUSE 3

4. That at page 2, line 13, for "principal Act" substitute—"Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act)."

5. That at page 3,—for line 1 to 6, substitute—" (j) 'University' means the Banaras Hindu University".

6. That at page 3, lines 13 and 14,—for "Madan Mohan Malaviya Kashi Vishwavidyalaya" substitute—"Banaras Hindu University".

CLAUSE 5

7. Clause 5 not adopted.

CLAUSE 16

8. That at page 11, line 33,—for "1965" substitute "1966".

CLAUSE 17

9. That at page 12, line 13,—for "1965" substitute—"1966".

CLAUSE 20

10. That at page 14, line 24,—for "1965" substitute—"1966".

CLAUSE 25

11. That at page 18, lines 18 and 19,—omit "the Vice-Chancellor,"

THE SCHEDULE

12. That at page 19, line 9,—for "Kashi Vishwavidyalaya" substitute—"Banaras Hindu University"

13. That at page 25,—after line 38, add—"From the Faculty of Law1".

14. That at page 32, line 33,—for "Madan Mohan Malaviya Kashi Vishwavidyalaya" substitute—"Banaras Hindu University".

15. That at page 37, line 5,—for "1965" substitute—"1966".

16. That at page 44, line 14,—for "1965" substitute—"1966".

17. That at page 44, line 27, for "1965" substitute—"1966".

18. That at page 45, lines 5 and 6, for "Banaras Hindu University or the Madan Mohan Malaviya Kashi Vishwavidyalaya" substitute "University".

19. That at page 48, line 24, for "Madan Mohan Malaviya Kashi Vishwavidyalaya" substitute "Banaras Hindu University".

20. That at page 49, lines 7 and 8, for "Madan Mohan Malaviya Kashi Vishwavidyalaya" substitute "Banaras Hindu University".

21. That at page 50, line 26, for "1965" substitute "1965".

22. That at page 53, lines 3 and 4, for "Madan Mohan Malaviya Kashi Vishwavidyalaya" substitute "Banaras Hindu University".

23. That at page 53, after line 21, insert—

16. Department of Sociology
17. Department of Library Science"

24. That at page 54, for line 31, substitute—

1. Department of Vocal Music,
2. Department of Instrumental Music,
3. Department of Musicology

4. Department of Painting
5. Department of Plastic Arts
6. Department of Applied Arts." Arts."

The House divided.

THE DEPUTY CHAIRMAN: Ayes—33; Noes—12.

AYES—33

Anis Kidwai, Shrimati.
 Ansari, Shri Hayatullah.
 Antani, Dr. B. N.
 Bhargava, Shri M. P.
 Bhuwarka, Shri R. K.
 Chagla, Shri M. C.
 Chaman Lall, Diwan.
 Dass, Shri Mahabir.
 Devaki Gopidas, Shrimati.
 Doogar, Shri R. S.
 Jagat Narain, Shri.
 Jairamdas Daulatram, Shri.
 Khaitan, Shri R. P.
 Lalitha (Rajagopalan), Shrimati.
 Mahanti, Shri B. K.
 Mallikarjunudu, Shri K. P.
 Mishra, Shri S. N.
 Momin, Shri G. H. Valimohmed.
 Pahadia, Shri Jagannath Prasad.
 Puttappa, Shri Patil.
 Sahai, Shri Ram.
 Sapru, Shri P. N.
 Savnekar, Shri B. S.
 Sesta Yudhvair, Shrimati.
 Shah, Shri M. C.
 Sherkhani, Shri
 Singh, Shri Santokh.
 Sinha, Shri Awadheshwar Prasad.
 Supakar, Shri S.
 Tapase, Shri G. D.
 Varma, Shri C. L.
 Varma, Shri Niranjana.
 Yajee, Shri Shesl Bhadra.

NOES—12

Bhadram, Shri M. V.
 Kumaran, Shri P. K.
 Mani, Shri A. D.
 Nair, Shri M. N. Govindan.
 Narayan, Shri M. D.
 Purkayastha, Shri M.
 Rajnarain, Shri
 Reddy, Shri Mulka Govinda.
 Reddy, Shri Yella
 Shakuntala Paranjpye, Shrimati.
 Sinha, Shri B. K. P.
 Tankha, Pandit S. S. N.

The motion was adopted.

SHRI M. C. CHAGLA: Sir, I move:

"That the amendments made by the Lok Sabha in the Bill be agreed to."

The question was proposed.

CLAUSE 2

The amendment made by the Lok Sabha to delete Clause 2 was adopted.

CLAUSE 3

THE DEPUTY CHAIRMAN: There are three amendments to the amendments made by the Lok Sabha to this clause. These may be now moved.

PANDIT S. S. N. TANKHA: I move:

1. "That in the List of Amendments dated the 23rd November, 1966, in amendment No. 4, for the words 'Banaras Hindu University Act, 1915' the words 'Banaras University Act, 1915' be substituted."

2. "That in the List of Amendments dated the 23rd November, 1966, in amendment No. 5, for the words 'Banaras Hindu University' the words 'Banaras University' be substituted."

(The amendments also stood in the name of Shri P. K. Kumaran)

SHRI RAJNARAIN: I move:

3. "That in the List of Amendments dated the 23rd November, 1966, in amendment No. 5, for the words 'Banaras Hindu University' the words TCashi Vishwavidyalaya' be substituted."

The questions were proposed.

SHRI MULKA GOVINDA REDDY: Now it is 5.30. This may be taken up tomorrow. There is Half-an-Hour Discussion.

THE DEPUTY CHAIRMAN: We have got the Half-an-Hour Discussion now no doubt, but if the House desires, we can finish this and then take it up.

SHRI M. C. CHAGLA: If ^{my} hon. friends will only permit it, I for my part shall finish this in five minutes.

SHRI AWADHESHWAR PRASAD SINHA: If the House agrees, we can finish this in five minutes.

THE DEPUTY CHAIRMAN: But [h • House wants to take up the Half-an-Hour Discussion at 5.30, that is; now.

SHRI LOKANATH MISRA: Yes, Madam.

THE DEPUTY CHAIRMAN: All right, it can be continued later. We now come to the Half-an-Hour Discussion and it will be raised by Mr. Lokanath Misra.

**HALF-AN-HOUR DISCUSSION ON
POINTS ARISING OUT OF ANSWERS
TO STARRED QUESTION NO. 78 ON
9TH NOVEMBER, 1966. RE INCOME-
TAX INVESTIGATIONS INTO
AFFAIRS OF KALINGA TRUST AND
OTHER CONCERNS**

SHRI LOKANATH MISRA (Orissa): Madam Deputy Chairman, I am happy that the hon. Finance Minister himself is here today to reply to the debate. I very much wanted him to be present on some occasion When Mr. Biju Patnaik's affairs were

taken up. All the time it was unfortunate that Mr. Bhagat, the Minister of State, was dealing with this matter. My impression all the time has been that the Minister of State has been a little lenient towards Mr. Biju Patnaik.

Now, Madam, I would indicate to the Finance Minister that it was as late as 1962 that Mr. Biju Patnaik himself publicly declared after being the Chief Minister that he had become master of Rs. 10 crores within ten years. He said he was a pauper ten years ago and "From being a pauper I have now become master of Rs. 10 crores". That was brought to the notice of the then Finance Minister. I had written a letter and sent it along with the relevant newspaper cutting. That did not act. Therefore we had to bring in this matter to the floor of the House. After it was taken up so many times in this House and in the other House, the Finance Minister gave some attention. But having paid some attention nothing yet has been done. I will indicate how nothing has been done as yet.

The predecessor of the present Finance Minister, Shri T. T. Krishna-machari, assured me on the floor of this House that he would set up a Special Directorate in Calcutta to look into the affairs of Mr. Biju Patnaik and investigate into his income-tax affairs. It is more than one year and a half since he assured this House that things would be mended. After one and a half years I saw a reply to my question put in this House that investigations had been over and that other proceedings are following. I do not know what these other proceedings are. But I would indicate to the hon. Finance Minister that Mr. Biju Patnaik has been an assessee, an income-tax assessee, for the last so many years. As an assessee, Madam, he would have been furnishing his income-tax returns annually. If there has been any return furnished which indicates a lower rate of income than the actual, then he becomes liable for criminal action, They say that sub^

sequently they have found out that he has to be further taxed. I v/ill come to that again. But if after investigation it has been found out that he is still assessable, then whatever returns he had furnished were false ones and for having furnished false returns he is liable to criminal action. Has any criminal action been taken against him? Or because he is wanted by the Congress in the forthcoming elections in Orissa, no action is being taken against him?

While making this investigation many of his concerns have not been taken into account. The Report of the Public Accounts Committee gives a clear picture, Madam, as to how the Kalinga Airlines is one of the concerns which have swindled the Government to a tune of lakhs and crores. But this has not come in this account. There are many others. He owns a house in Delhi which he purchased for Rs. 18 lakhs. He has another house in Madras. He owns a house in Bhubaneswar. None of these urban properties has been taken into account while assessing this fresh income-tax on him.

SHRI MULKA GOVINDA REDDY (Mysore): Was he assessed for wealth-tax?

SHRI LOKANATH MISRA: No. Also there is the case of Shri S. L. Kapur, 3-Lord Siraha Road, where Rs. 42 lakhs worth of *hundis* belonging to Shri Biju Patnaik, were unearthed. That has not been taken into account also.

In the present assessment it stands at Rs. 42 lakhs in the name of Sri Biju Patnaik and is Rs. 27 lakhs on Kalinga Foundation Trust, as tax payable in respect of three years only, i.e., 1959-60, 1960-61 and 1961-62. Neither the previous years before 1959 have been investigated nor the years after 1962. What was the reason for asking the Income-tax Officers not to investigate either the previous years or the years after? In the case of Mala Sinha, Madam, you

will remember or you would have read in the papers, that the Income-tax authorities had unearthed Rs. 20 lakhs and a sum of about Rs. 18 lakhs was recovered from that Rs. 20 lakhs in the shape of fine and tax. Here, there is a glaring instance of as much as Rs. 85 lakhs of tax evasion in respect of the Kalinga Foundation Trust. How can the tax be only Rs. 27 lakhs? In the case of Mala Sinha there is a separate rate of assessment while in the case of Mr. Biju Patnaik there is another rate of assessment?

Madam, Mr. Ranganathan, the Auditor-General, has sent a very adverse report against the guarantees given to Mr. Biju Patnaik in respect of all his concerns. It is a fifty-page note. If the hon. Finance Minister has the courage. I hope he will rebut me and controvert what I say, that this report has not been sent to the Government of Orissa. If he says that I will try my best to present a copy to the House and lay a copy on the Table of the House. This particular report of Mr. Ranganathan is very much adverse against all the transactions that Mr. Biju Patnaik had carried on with the Government of Orissa or with the Government of India. It says that guarantees have been provided to his companies which were without assets. His complaint is that without assets all these guarantees by the Government of Orissa and the Government of India have been provided. Whatever little assets he has, now he is alienating them. I have definite information that he has already—and the hon. Minister will contradict me if I am wrong—between the 10th and 15th of January, this year, with Arniinchand Pyarelal entered into an agreement for selling all the properties of Kalinga Tubes and Kalinga Mines.

THE MINISTER OF STATE IN THE DEPARTMENTS OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI JAGANNATH RAO): What is wrong in it?