

and Minerals (Regulation and Development) Act, 1957. [Placed in Library. See No. LT-5059/65].

**THE IRON AND STEEL (CONTROL)
AMENDMENT ORDER, 1965**

SHRI N. SANJIVA REDDY: I beg to lay on the Table a copy of the Ministry of Steel and Mines (Department of Iron and Steel) Notification S. O. No. 3147, dated the 1st October, 1965, publishing the Iron and Steel (Control) Amendment Order, 1965, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-5060/65].

**MINISTRY OF COMMERCE
NOTIFICATIONS**

THE MINISTER OF COMMERCE (SHRI MANUBHAI SHAH): I beg to lay on the Table, under sub-section (a) of section 17 of the Export (Quality Control and Inspection) Act, 1963, a copy each of ten Notifications of the Ministry of Commerce [Placed in Library. See No. LT-5061/65 to LT-5068/65].

**THE RESERVE AND AUXILIARY AIR FORCES
ACT (AMENDMENT) RULES, 1965**

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (DR. D. S. RAJU): I beg to lay on the Table, under sub-section (4) of section 34 of the Reserve and Auxiliary Air Forces Act, 1952, a copy of the Ministry of Defence Notification S.R.O. No. 314, dated the 18th September, 1965, publishing the Reserve and Auxiliary Air Forces Act (Amendment) Rules, 1965. [Placed in Library. See No. LT-5014/65].

**SUPPLEMENTARY DEMANDS FOR
GRANTS FOR EXPENDITURE OF
THE CENTRAL GOVERNMENT (EX-
CLUDING RAILWAYS) FOR THE
YEAR 1965-66**

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI RAMESHWAR SAHU): I beg to lay on the Table a statement showing the Supplementary Demands for Grants for expenditure of the Central

Government (excluding Railways) for the year 1965-66.

**THE BANARAS HINDU UNIVERSITY (AMENDMENT) BILL, 1964—
continued.**

श्री भगवत नारायण भार्गव (उत्तर प्रदेश) : सभापति महोदय, इस विश्वविद्यालय का नाम सारे संसार में विदित है। इसकी स्थापना जिन उद्देश्यों और आदर्शों के लिए की गई थी, हमारा कर्तव्य है कि इस अधिनियम के द्वारा हम उन्हें अक्षुण्ण रखें। साथ ही हम इस बात का ध्यान रखना चाहिए कि विश्व-विद्यालय के जो अधिकारी हैं, जो अध्यापक हैं और जो विद्यार्थी हैं, उनके हित को भी दृष्टि में रखा जाये। उनके साथ किसी प्रकार का अन्याय न हो सके, इस बात की हमें कड़ी दृष्टि रखनी है। प्रवर समिति ने इन कुछ बातों को किसी किसी अंश में श्रद्धा की दृष्टि से ओझल कर दिया है। मैं उनमें से कुछ बातों के ऊपर सदन का ध्यान आकर्षित करना चाहता हूँ।

प्रवर समिति ने सिफारिश की है कि जैसे ही यह अधिनियम पास हो, वैसे ही वाइस चांसलर और रजिस्ट्रार अपने पदों को छोड़ दें। मैं यह निवेदन करना चाहता हूँ कि यह इन दोनों अधिकारियों के प्रति बड़ा अन्याय है। रजिस्ट्रार की जब नियुक्ति हुई तो वह एक कान्ट्रेक्ट के अनुसार हुई। रजिस्ट्रार को यह कह दें कि जैसे ही कानून पास हो, तुम अपना पद छोड़ दो, यह तो बिल्कुल अन्धेर है। हम एक छोटे से छोटे क्लर्क को या चपरासी को अलग करना चाहें, तो हमारी सरकार को यह करना पड़ता है कि उनके ऊपर चार्जज लगाये, उनका जवाब ले। जवाब लेकर जब सन्तुष्ट हो तब उसको अलग कर सकती है। इसके अतिरिक्त उसको अपील करने का भी अधिकार होता है। तो जब छोटे से छोटे कर्मचारियों के लिए ऐसी व्यवस्था है तो समझ में नहीं आता कि इतने बड़े जिम्मेदार अधिकारी के लिए यह व्यवस्था क्यों की गई कि न उनसे कुछ पूछा

जाये, न उनसे कोई जवाब लिया जाये, न शिकायतों को बतलाया जाये, न उनको प्रवर समिति के सामने बुलाया जाये। यह कुछ न करके यह पास कर देना बड़ा अनुचित है। मैं तो समझता हूँ, अगर इस प्रकार की धारणा रही और यह कानून इस प्रकार से पास हुआ तो रजिस्ट्रार अदालत में दावा कर सकता है, इस बात के लिए और मैं निश्चय के साथ कह सकता हूँ कि उस दावे में वह विजयी होंगे और गवर्नमेंट के ऊपर डिग्री होगी और यह जो कानून बनाया गया है उसमें यह व्यवस्था रह करनी पड़ेगी। इस समय भी प्रवर समिति ने जो ऐक्ट पास किया है, उसके द्वारा 16/(बी) में अब भी यह कहा गया है कि :

"Every salaried officer and teacher of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the officer or teacher concerned."

इसमें आगे कोई झगड़ा शुरू हुआ तो ट्रिब्यूनल आफ आरबीट्रेशन में जाता है। जब इसकी व्यवस्था कर रहे हैं तो क्या कारण है कि जो पहले के कर्मचारी हैं उनके ऊपर जो पहले भी नियम है और अब भी बनाया गया है वह लागू न किया जाये? जहाँ तक वाइस चांसलर का सम्बन्ध है, यह तो ठीक है कि उनका कार्यकाल मार्च, 1966 में समाप्त होने वाला है, किन्तु उनके साथ भी यह अन्याय है; क्योंकि अब तक किसी भी अधिनियम में देख लीजिये वाइस चांसलर उस वक्त तक अपना कार्य करता रहता है जब तक कि दूसरा नियुक्त न कर दिया जाये और यहाँ यह कहा गया है कि चाहे नियुक्त किया जाये या न नियुक्त किया जाये। इन दोनों पर सदन को बड़ी गम्भीरता से विचार करना चाहिए।

दूसरी सिफारिश जो प्रवर समिति ने की है वह यह है कि प्रो-चांसलर के और रेक्टर के जो पद हैं वे अबालिश कर दिये जायें। प्रो-चांसलर और रेक्टर के जो पद हैं वे आनरेरी हैं, कोई वेतन नहीं दिया जाता। ये बड़े सम्मानित व्यक्ति होते हैं जो या तो शिक्षा के शास्त्री हों या जिन्होंने बड़ा योगदान इस विश्वविद्यालय में दिया हो। ऐसे लोग रखे जाते थे। उससे ये लोग सम्मानित नहीं बल्कि विश्वविद्यालय सम्मानित होता था। अब तक ऐसे लोग रहे हैं। रेक्टर गवर्नर यू० पी० होते थे। तो यह आवश्यक बात है और होनी चाहिए कि जिस प्रदेश में यह विश्वविद्यालय है और जिस प्रदेश की सरकार हर प्रकार से सहयोग देती है, आर्थिक सहायता देती है, उसका गवर्नर रेक्टर रहे। इसमें कोई अनौचित्य नहीं है; बल्कि यह आवश्यक है कि वह सम्मानित पद उनको दिया जाये। और प्रो-चांसलर, जैसा मैंने निवेदन किया, ऐसे बड़े व्यक्ति रहते हैं कि जिनके अनुभव से, जिनकी योग्यता से इस विश्वविद्यालय को लाभ होता रहा है और आगे लाभ होना चाहिए।

अगर यह आवश्यक है कि वाइस चांसलर की सहायता के लिए एक सेलरीड आफीसर रेक्टर के नाम से ही रहे तो रखा जाये, इसमें कोई हानि नहीं है। गवर्नर को चीफ रेक्टर रखा जाये और इनको रेक्टर रखा जाये। अब वाइस चांसलर के सम्बन्ध में यह निर्णय लिया गया है कि उनकी अवधि पांच साल हो और पांच साल के बाद फिर उनकी नियुक्ति नहीं हो सकती। यह भी एक बड़ी विचित्र बात है। ऐसा प्रावधान देखने को बहुत कम मिलेगा। इसी एक्ट में प्रवर समिति द्वारा जो संशोधन किये गये हैं, उसमें रेक्टर की भी अवधि पांच साल के लिए रखी गई है। फिर उसमें यह नियम रखा है कि पांच साल के बाद वह फिर भी नियुक्त हो सकता है, परन्तु वाइस चांसलर नियुक्त नहीं किया जा सकता। इसी प्रकार से चीफ प्रोक्टर नियुक्त होता है।

[श्री भगवत नारायण भार्गव]

जब चीफ प्रोक्टर की अवधि समाप्त हो जाये तो चीफ प्रोक्टर वही आदमी फिर नियुक्त हो सकता है। तो यह बात बुद्धि में आती नहीं है कि केवल व इस चांसलर के लिए यह एक प्रतिबन्ध रखा जाये कि वह दुबारा नियुक्त न हो सके। चीफ प्रोक्टर दुबारा नियुक्त हो सकता है, रेक्टर दुबारा नियुक्त हो सकता है, परन्तु केवल वाइस चांसलर नहीं हो सकता। मैं समझता हूँ कि यह शायद इसके लिए रखा गया कि वाइस चांसलर की नीति ठीक न रही हो। इसलिए उनको आगे समय नहीं देना चाहिए। अगर ऐसी धारणा है तो यह निश्चित है कि चाहे वह अधिकार विजिटर को हो, चाहे वह अधिकार कोर्ट को हो, अगर वाइस चांसलर की नीति विश्व-विद्यालय के हित में नहीं रही तो वह उनको नियुक्त नहीं करेगा, लेकिन यह प्रतिबन्ध लगा देना कि दुबारा न नियुक्त हो सकेंगे, न्यायोचित नहीं है। वाइस चांसलर की नियुक्ति के लिए यह रखा गया है कि एक समिति बनाई जायेगी जिसमें कोर्ट के नामजद किये हुए दो मेम्बर होंगे और एक विजिटर का नामजद किया हुआ होगा। बहुमत कोर्ट का रहा। उस समिति में जो तीन आदमियों का चुना हुआ पेनल है, कोर्ट का बहुमत रहेगा जब कोर्ट का बहुमत रहता है और कोर्ट को सेक्शन 9 में सुप्रीम अथॉरिटी माना है तो क्यों न ऐसी व्यवस्था की जाये कि वाइस चांसलर कोर्ट के द्वारा ही चुना जाये। ऐसा कर देने से कोई व्यवस्था बिगड़ती नहीं है। विजिटर के जो अधिकार हैं उनके अनुसार उनके पास वह एप्रूवल के लिए भेजा जा सकता है और उनकी उसमें राय ली जा सकती है। परन्तु बहुमत ऐक्ट स्वयं कोर्ट को दे रहा है। मतलब यह हुआ कि जिसको कोर्ट चाहेगा, वही होगा।

दूसरी बात को कोर्ट अभी तक अधिकार था कि वह बजट को एप्रूव करे। यह अधिकार कोर्ट से छीना जा रहा है। कोई कारण नहीं

बताया गया कि कोर्ट से यह अधिकार क्यों छीना जा रहा है? जब आप उसको सुप्रीम अथॉरिटी मानते हैं और यह भी व्यवस्था अभी हाल में आप ने इसमें सेक्शन 9 के सबक्लाज (3) में की है :

"The Court shall consider the annual report, the annual accounts and the auditor's reports * * * and the budget of the University for the next financial year" * * *

जब आप ने यह प्रावधान किया है कि कोर्ट बजट को कंसीडर करे तो "कंसीडर" के

क्या माने हैं? पहले एप्रूवल का अधिकार था तो कंसीडर करने की जो व्यवस्था अब की गई है, उससे कोई खास मतलब नहीं मिलता। कंसीडर कर के क्या करेगा? अगर कोर्ट किसी खर्च को नाजायज समझता है और चाहता है कि उसे हटा दिया जाये तो कंसीडर कर के क्या करेगा? तो कोर्ट को जो अधिकार था वह बिना कारण के छीन लिया गया। मेरी समझ में नहीं आता कि क्यों कोर्ट के अधिकार में बजट एप्रूव करने को न रखा जाये।

अब एक विशेष बात जो मैं कहनी है वह विद्यार्थियों के सम्बन्ध में है। वास्तव में विश्वविद्यालय विद्यार्थियों के लिये ही है। कोई दूसरा उसका उद्देश्य है ही नहीं, वह विद्यार्थी और अध्यापक दोनों का मिला हुआ एक ही सम्मेलन है, एक ही संगठन है, जिसमें अध्यापक और विद्यार्थियों द्वारा समाज का उत्थान करना है। जब ऐसी व्यवस्था है तो हम को ध्यान रखना है कि विद्यार्थियों के हित का किसी तरह से हनन न हो, विद्यार्थियों का अपमान न हो, विद्यार्थियों का दृष्टिकोण जो है उसको महत्व प्राप्त हो। यह तो आवश्यक है और मैं कहता हूँ कि अनुशासनहीनता हर एक शिक्षा संस्था से निकलनी है, कड़ी से कड़ी सजा आप अनुशासनहीनता के लिए दीजिये, लेकिन इस सम्बन्ध में एकाधिपत्य कर देना ठीक नहीं। केवल एक आदमी को सारे

अधिकार दे दिये हैं, विद्यार्थियों को बड़ी से बड़ी सजा देने, परीक्षा में न बैठने देने, उनका डिप्लोमा या डिग्री छीन लेने, कालेज में निकाल देने, ये सारे अधिकार केवल वाइस-चांसलर के हाथ में दे दिये गये हैं और यही नहीं वाइस चांसलर को अधिकार है कि वह अपने सारे अधिकारों को प्राक्टर को दे दे या किसी दूसरे अधिकारी को दे दे। अगर वाइस-चांसलर चाहे तो सारे अधिकार किसी को भी दे दे, इसमें कोई रोक नहीं है, उनके हाथ बंधे हुए नहीं हैं, तो वह चाहे किसी एक क्लर्क को अधिकार दे दे कि वह क्लर्क . . .

श्री अकबर अली खान (आंध्र प्रदेश) :
नहीं नहीं।

श्री भगवत नारायण भार्गव : क्यों नहीं?

इसमें ये शब्द है : "to the Chief Proctor and to such other persons" * * * not to any other authority or officer of the University. तो ऐसे शब्द को इसमें रखने से बड़ा भारी हानि हो सकती है, इसके अर्थ का अनर्थ किया जा सकता है और विद्यार्थियों के साथ बड़ा भारी अन्याय हो सकता है। मैं तो समझता हूँ कि कड़ी सजाओं को देने का अधिकार किसी को देना है तो एकेडेमिक कौंसिल के हाथ में यह अधिकार रखना चाहिये। इस सम्बन्ध में मेरा दूसरा सुझाव यह है कि अगर यह व्यवस्था ठीक न समझी जाये कि कीडेमिन्ट कौंसिल को अधिकार दिया जाये तो एन अना से डिस्प्लिटरी कमेटी बनाइये, कोई स्टैंडर्डरी बाडी एकेडेमिक कौंसिल की हो जिसमें सोनियर प्रोफेसर हों और वाइस-चांसलर हो और वाइस-चांसलर उसके प्रेसिडेंट हों और वह कमेटी इन मामलों को तय करे। एक आदमी को ही यह अधिकार देना और उसको यह भी अधिकार दे देना कि

वह जिसे चाहे सारे अधिकार सौंप दें यह बहुत अन्याय का बात होगी, उसकी कोई अपील नहीं हो, कोई सुनवाई नहीं हो, इस तरह से तो अनुशासनहीनता बढ़ेगी और असतोष बढ़ेगा, कम नहीं होगा। यह तानाशाही है आटोक्रसी है, डेमोक्रेसी नहीं है कि एक आदमी के हाथ में सारे अधिकार हो। मैं निवेदन करूंगा कि कोई ऐसी व्यवस्था होनी चाहिये जिससे विद्यार्थियों को सजा देने का अधिकार अगर वाइस-चांसलर के हाथ में रहता भी है तो यह व्यवस्था निकाल देनी चाहिये कि किसी भी आदमी को, एनी अदर पर्सन को, वह अधिकार दे सके और अपील का भी अधिकार रहना चाहिए। प्राक्टर भी एक रीडर के रैंक का आदमी होता है, कोई प्रोफेसर के रैंक का आदमी नहीं है कि जिसका अनुभव पक्का हो और जो अपने अनुभव से यह देख सके कि इसमें विद्यार्थियों का वास्तव में कोई अपराध है या नहीं। एक रीडर के रैंक के आदमी को या किसी भी आदमी को यह अधिकार सौंप देना न्यायसंगत नहीं है।

मैं एक बात थोड़ी सी और कहना चाहता हूँ। इस बिल में सैलरीड आफिसर्स और टीचर्स में एक भेद किया गया है, टीचर्स को अलग माना गया है; हालांकि टीचर्स भी सैलरीड आफिसर्स हैं। "Every salaried officer and teacher of the university" ये शब्द इसमें आये हैं, तो उनमें भेद रखा गया है। मैं यह निवेदन करूंगा कि जैसी व्यवस्था अध्यापकों को अलग करने के वास्ते रखी है वैसी ही व्यवस्था और अधिकारियों के वास्ते भी रखी जाये। रजिस्ट्रार फार्मिंस आफिसर, रेक्टर, लाइब्रेरियन, ये ऊँचे अधिकारी हैं और उनके प्रोटेक्शन के लिये, उनकी सर्विस की रक्षा के लिये कुछ भी व्यवस्था इस बिल में नहीं रखी गई है, जैसी कि अध्यापकों के लिये रखी गई है। एक अध्यापक जहाँ निकाला जा सकता, जब तक कि एक्जीक्यूटिव

[श्री भगवत नारायण भागव]

कौंसिल के टु थर्ड मेम्बर्स वोट न करें, लेकिन इस प्रकार की व्यवस्था इन लोगों के लिये नहीं है। वे ट्राइब्यूनल में अपने झगड़े ले जा सकते हैं, बाकी कोई अधिकार, अपील का या किसी तरह की ऐसी सुविधा, नहीं है जैसी कि व्यापकों को दी गई है। तो मेरा निवेदन है कि सर्विस कंडीशंस के सम्बन्ध में जो स्टैट्यूट बनाये है उनमें इसकी व्यवस्था करना आवश्यक है।

विद्यार्थियों के लिये मेरा एक और निवेदन है कि जो भिन्न भिन्न फैकल्टीज हैं, उनके कालेजेज हैं, उनसे चुन कर के एक रिप्रेजेंटेटिव कौंसिल विद्यार्थियों के लिये बना देनी चाहिये जिसमें कि जो कुछ उनकी प्रोवेंसिज हों, जो कुछ उनकी कठिनाइयाँ हों, उनको सुन सकें और उसके द्वारा ऊँचे अधिकारियों तक उनको पहुँचा सकें।

एक निवेदन यह भी करना चाहता हूँ कि इसमें जगह जगह—दो तीन जगह—यह बात आई है कि अगर मारल टरपीट्यूड के लिये छः महीने से अधिक की सजा हो जाये तो उसमें मेम्बर रहने का या अधिकारी रहने का उसे अधिकार नहीं होगा। इस बारे में दो बातें मैं कहना चाहता हूँ, एक तो यह कि या तो यह व्यवस्था रखी जाये कि मारल टरपीट्यूड के लिये जिसका कंविक्शन हो गया उसको उसमें मेम्बर नहीं रहना चाहिये; चाहें छः महीने के लिये हो या तीन महीने के लिये हो, जब यह सिद्ध हो गया कि मारल टरपीट्यूड का दोषी है तो फिर उसे नहीं रखना चाहिये और अगर यही छः महीने का रखा जाता है तो उसके बाद—जैसा कि आप को याद होगा कि लोकल बाडीज के ऐक्ट में सब जगह यह व्यवस्था है कि इतने समय के पश्चात् अगर ऊपर का अधिकारी इस बात से सैंटिसफाइड हो कि उसमें सुधार हो गया है तो फिर उसको हम दुबारा ले सकते हैं—यह व्यवस्था इसमें भी रखें। यहां उसको लिये जाने की बिल्कुल मनाही है।

[THE DEPUTY CHAIRMAN in the Chair]

एक बात मैं फैकल्टीज आफ साइंस के बारे में भी कहना चाहता हूँ। इस बात की व्यवस्था अगर प्रवर समिति ने नहीं रखी तो सदन को रखनी चाहिये कि फैकल्टी आफ मिलिटरी साइंस अवश्य खोलना चाहिये। मैं तो समझता हूँ कि इसी दिशा में क्या देश की वर्तमान स्थिति में यह आवश्यक है कि हर विश्वविद्यालय में मिलिटरी साइंस की ट्रेनिंग होनी चाहिये और इस विश्वविद्यालय में तो अवश्य ही होनी चाहिये।

SHRI M. RUTHNASWAMY (Madras): Madam Deputy Chairman, I think this amendment of the Banaras Hindu University Act has been brought in with a view to inaugurating a new era for this important university.

The reports on the Banaras Hindu University, that we have access to, show that the Banaras University had fallen on very evil days and that is why this amendment has been brought in, in order to give a new look to the university, in order to face-lift—if I may use a modern expression—the Banaras University and that is why it is necessary to introduce drastic amendments in the Banaras Hindu University Act. In order to give this new look, I would have thought that a new name should have been given to this university. The title, Banaras Hindu University, has been associated with so much that has brought discredit to the University that I think if a new era is to be started, it must start with a new name. Various names were suggested in the Joint Select Committee, but none of them found favour with the majority. Whether it be Varanasi University or the University of Varanasi, or as is suggested in an amendment which I suppose, will be moved, Kashi Mahavidyalaya or any other new name, it might be adopted if we are to tear the Banaras Hindu University from all the associations of discredit that the old name carried with it.

It is necessary also that the authorities which had failed miserably to

carry out the intentions of the founder of the University should be constituted on new ideas and that is why I welcome the drastic reduction of the use of elections in the constitution of the Governing Bodies of the University. Status and not election is to be the dominant principle in the constitution of the Court, of the Academic Council and of the Executive Council. The new principle that has been accepted in most modern democracies, the principle of meritocracy has been given a place in the constitution of the Governing Bodies of the University. Men who have risen to positions of trust and responsibility, to headship of the Departments and Faculties of the University, by the very fact that they have risen to these positions, deserve a place in the Governing Bodies of the University. Nothing can be more democratic than merit. Not birth, nor position in life, nor adventitious circumstances, but the display of individual merit, should be the key to open the door to a seat on these Governing Bodies. I am glad, therefore, that although the principle of election has not been altogether abandoned, it has been considerably reduced. Elections and election methods as used in the constitution of not only the Banaras University, but of so many universities in India, have brought discredit to those universities. And methods of election followed in political elections have been used, even the most discreditable forms of those methods.

I am glad also to find that the useless offices of Pro-Chancellor and Pro-Vice-Chancellor, have been abolished. The Vice-Chancellor himself is a deputy to the Chancellor. That is the meaning of the word "Vice" and why should there be a Vice-Vice Chancellor, is more than anybody could understand. But if these high offices are to go out, there should also be a change in the present holders of these great offices of Vice-Chancellor and Registrar.

There has been complaint, not about the integrity of the Vice-Chancellor

but about his manners. I have the greatest respect for judges of High Courts and of the Supreme Court, provided they stick to their Benches. Once outside their Benches, they must be judged on the record of their work. I have always felt that men selected for Vice-Chancellorships merely because they have been eminent judges or eminent administrators, are not in their place. For the Vice-Chancellorship of a university you require men who have had experience of teachers and of students; especially men with some reputation for scholarship should be appointed as Vice-Chancellors. Otherwise, the teachers and students will lose, in course of time, whatever respect they may have entertained at the beginning. Much of the misfortune that has come upon our Indian universities has been due to the fact that men who have acquired eminence in other walks of life, as judges or administrators, have been appointed as Vice-Chancellors. Speaking to men and learning from men who have had actual experience of the administration of the University in recent years under the Ordinance and the temporary Act that governed them, I do not think the new university, the university brought into existence by this amending Act, will start under favourable auspices with the present Vice-Chancellor. Much less can be said for the Registrar. During the meetings of the Select Committee I have heard in the course of confidential talks that the present Registrar is not fitted for the task of being the chief administrative officer of the University. I learn that reports had been sent from the University authorities, from the Vice-Chancellor, to the Ministry concerning the suitability of this Registrar, the competence of this Registrar, the utility of this Registrar, continuing in office. So if the University is to start under a favourable wind it is necessary that this House should give authority to the Ministry to have a completely new set of officers, a new set of Vice-Chancellor and Registrar, for the University. The Minister, in the course of his speech, objected to any legislative act purporting to re-

[Shri M. Ruthnaswamy.]

move administrative officers of the University, and the ground for his objection was that this is an executive act and the Legislature should not project itself into the domain of the executive. But we have to deal with extraordinary circumstances that have governed the life of the Banaras Hindu University in recent years and in recent months. Therefore to meet these extraordinary circumstances, to meet the extraordinary situation in the University, I do not think this House or Parliament would be going much out of its way if—it need not directly say that these officers should cease to continue in office—it gave a directive to the Ministry that the provisions in this Act constituting the office of Vice-Chancellor and the office of Registrar should be immediately put into effect and that the present officers should not be continued in their office.

Turning to the constitutional authorities provided as a consequence of the amendments suggested by the Joint Select Committee, I am glad that the principle of election has been considerably reduced in the constitution of the Court, the Academic Council and the Executive Council and wherever there is election, the modified and useful principle of proportional representation has been introduced. I cannot, however, justify to myself the constitution of the Standing Committee of the Academic Council. The Standing Committee, as you will see, stands cheek by jowl with the Academic Council. It is a Committee of the Academic Council but it is on an equal footing with the Academic Council. There is justification for the constitution of a Standing Committee of the Academic Council in the case of sprawling affiliating Universities where the members of the Academic Council come from far ends of the State. It would be difficult to have frequent meetings of such an Academic Council and there is, therefore, need for the constitution of a Standing Committee. But here we have a residential University, all the members of the Academic Council are within the fifteen-mile area of the

University and can be easily brought into action. Therefore, I cannot justify to myself the constitutional provision for a Standing Committee. If you will look at the powers of the Standing Committee, you will find that the Standing Committee is endowed with a large number of executive functions so that it is not a permanent representative body of the Academic Council doing the work of the Academic Council but it is constituted as an Executive Committee of the Academic Council and it is endowed with a large number of executive functions and duties. For instance, according to this amending Bill, the Standing Committee is to conduct examinations in conformity with the Ordinances and to fix dates for holding them, to declare the results of the various University examinations, or to appoint committees or officers to do so, to award stipends and scholarships, medals, prizes and to make awards in accordance with the Ordinances and such other conditions as may be attached to the awards, to appoint, whenever necessary, Inspectors or Boards of Inspectors for inspecting colleges and institutions applying for admission to the privileges of the University, to publish lists of prescribed or recommended textbooks and to publish syllabuses of the prescribed courses of study, to prepare such forms and registers as are, from time to time, prescribed by the Ordinances, to appoint committees for admission to the University, etc. These are executive functions. Now, in any University, there ought to be only one single executive body called in some Universities as the Syndicate and here as the Executive Council. That should be the executive authority, the executive medium of all the authorities in the University. The Standing Committee can only make recommendations to the Executive Council of the University. I wonder whether the framers of this clause thought that they had to stop short at making this a wholly executive authority because in (v) they say, "to make recommendations to the Executive Council in regard to the appointment of exa-

miners, and if necessary, their removal and the fixation of their fees, emoluments and the travelling and other allowances." Is it because the appointment of examiners is such a delicate function, function sometimes fraught with danger, that the Standing Committee is called upon only to make a recommendation? Are not the other duties and functions as important as this duty of making recommendations in regard to the appointment of examiners? In regard to the other duties and functions laid upon the Standing Committee, it should only be authorised to make a recommendation to the Executive Council. It cannot act as an executive body. Take the practical difficulty. If it is to be an executive body, it must have an office of its own, it must have clerks, superintendents, managers of its own. Are you going to provide for such an office? You may say that all these executive functions will be performed by the Executive Council of the University but then why not put all the executive functions on the shoulders of the Executive Council? The Standing Committee is a smaller body representative of the larger Academic Council cannot usurp to itself duties and functions greater than those of the Academic Council. The Academic Council is the body which has to advise the Executive Council in regard to academic matters, appointment of lecturers, framing the syllabus, prescribing the textbooks and so on. All academic matters are within the province of the Academic Council but now you are trying to endow it with executive functions which are the province of the Executive Council of the University which must be the sole executive body in the University.

THE MINISTER OF EDUCATION (SHRI M. C. CHAGLA): I do not want to interrupt my hon. friend but if he would kindly look at the Statutes. Statute 19 in particular, he would find it mentioned,

"The duties of the Standing Committee of the Academic Council shall be, subject to the revision and control of the Academic Council . . ."

So, the Academic Council has got the power to revise and control the Standing Committee. It is not independent.

SHRI M. RUTHNASWAMY: Yes, but there again you are endowing the Academic Council with executive duties, with executive responsibilities. The Academic Council is an academic body charged with the duty of making recommendations to the Court and to the Executive Council on academic matters. Executive functions like the appointment of teachers cannot be done by the Academic Council; these could be performed only by the supreme executive body of the University.

Lastly, Madam Deputy Chairman, I must refer to some of the serious omissions that vitiate this amending Bill. One of the great drawbacks from which our Universities suffer is the large number of students admitted to our Universities, the lax and indiscriminate admissions made to our Universities. I know that the matter of admission is left to the legislative bodies of the Universities but finding from actual experience, from the experience of the last twenty-five years, I find that these University bodies have succumbed to pressure of all kinds in regard to admissions. I think the legislators themselves should take the responsibility of prescribing the main rules of admission to the University. First of all, we should tackle the question of age of admission. A large number of Universities suffer from the fact that very young, very immature youth are admitted into our Universities and this swells the numbers. In no University outside India is the age of admission so low as sixteen or fifteen as prevails in Indian Universities. In most Western Universities, the age is eighteen and I think the Parliament and the State legislatures should fix the age of admission to the University at an appropriate level so that the students are not only physically developed but developed intellectually, developed in character to be able to enter upon the serious business of a

[Shri M. Ruthnaswamy.]

University career. I think the legislatures ought to prescribe also the character of the entrance examinations which now are conducted by bodies altogether independent of the Universities, which have nothing to do with our Universities but are mostly Government-controlled bodies. I think any self-respecting University ought to take this business of conditions of admission to the University into its own hands and should have to conduct its own entrance examination, make the standard as high as possible in order to ensure the recruitment of the proper kind of students. Now, it might be said that there is what is called Pre-University courses or the P.U.C. examination as it is called in some Universities but that is an examination at the end of the first year course at the University. In that case, all the students who take up this course should be kept out of the colleges of Universities. They should be admitted to special colleges called Intermediate Colleges or to Higher Secondary Schools of the new Higher Secondary Schools. It is these Intermediate students who create most of the trouble in our Universities. They are young and immature and they come in large numbers. In fact, some colleges depend for their very existence, for their very financial existence upon the support of these large numbers of Intermediate students. Without the fee income of these hundreds of Intermediate students, very few colleges would be able to survive. And, therefore, it would be a good thing if this amending Bill were to provide that all students who are preparing for the University, the Higher Secondary students in Delhi and the P.U.C. students in other Universities, which offer such a course, should be kept out of University colleges which should restrict themselves to the preparation of students for the three-year degree course.

Madam, I have finished and I hope that these suggestions will be given effect to in order to give a new life of hope and progress and contentment,

order and discipline which will distinguish this University from the career which it has had so far. This University, founded with such hopes and accompanied by all the good wishes of the people interested in higher education will, I hope, make a new career for itself. The Banaras Hindu University is charged with the promotion of culture and the intellectual progress of the country and everyone who is interested in the promotion of that culture and that intellectual progress should also take care to see that the new Bill which promises a new life, a new career for the University should be so improved that it will make that new life and that new career really possible.

SHRI ARJUN ARORA (Uttar Pradesh): Madam Deputy Chairman, I congratulate the Education Minister for bringing this Bill. This Bill is a much awaited Bill because we have been promised such a Bill for the last seven years and in the absence of an enactment which is now sought to be made, this premier University of the country has been run by executive orders and with the help of an Ordinance. That is not the best way of running a University and I must congratulate the present Education Minister in that he has taken early steps to correct that mistake and has brought in this Bill before us.

Madam, when we consider a Bill relating to the Banaras Hindu University, we cannot but mention the great name of Pandit Madan Mohan Malaviya who established this institution as a big centre of education and which was, to a considerable degree, free of the then Government. It is very tragic indeed that an institution which, thanks to the leadership of Pandit Madan Mohan Malaviya, remained independent of executive control and governmental interference before our independence has for the last seven or eight years been run by executive orders. The sooner this Bill is passed the better will it be for the country. It is very remarkable, Madam, that Hindi was introduced as a subject of University education in

this University by Pandit Malaviya. While introducing Hindi as a subject of University education he found that there were no teachers of Hindi with post-graduate qualifications. It is very unfortunate that when this present Executive Council was appointed by a Government order, almost the first act of the Government appointed Executive Council was to insult one of the most distinguished Hindi scholars, Pandit Hazari Prasad Dwivedy. The Executive Council appointed by the Government met for the first time not at Banaras but at Nainital, the summer capital of Uttar Pradesh and almost the first thing that it did was to throw out of employment, it seems unceremoniously, ten distinguished teachers of the University and the list was headed by Pandit Hazari Prasad Dwivedy who is such a well-known scholar of Hindi that he should be an asset to any University. The then President of India, Dr. Rajendra Prasad, was himself worried over this conduct of the Government appointed Executive Council and he was himself sorry that a most distinguished scholar of Hindi who had made his own contribution not only by his writings but by organising the study of Hindi in Shantiniketan and later on at Banaras was thrown out. It was no less to Pandit Hazari Prasad Dwivedy because he was soon thereafter appointed Head of the Department in the Chandigarh University where he has done very creditable work but it did bring a bad name to the Banaras Hindu University, particularly to the Government-appointed Executive Committee. It is good that this Bill is being brought and the system of Government-appointed Committees running University Administration like a Sub-Divisional Revenue Administration is being brought to an end.

One of the queer things that the Government-appointed Executive Committee did was to seek vendetta against teachers and particularly against teachers who committed the sin of being born in the State of Uttar Pradesh. There are innumerable instances of this Executive Committee

pursuing a policy of vendetta against people not only teachers of Uttar Pradesh but the people of Uttar Pradesh. On 20th July 1958, for example, the Executive Council passed a resolution incorporating a provision in the Statute that for the appointment of lecturers the Committee will among others consist of two experts from outside U.P. Now, why is this big and unfortunate State of U.P. being discriminated against?

SHRI P. K. KUMARAN (Andhra Pradesh): There is no discrimination; it is an all-India University.

SHRI ARJUN ARORA: It is an all-India University but I expect Mr. Kumaran to know elementary geography and recognise that U.P. is also a part of the entity called all-India.

The two experts for the appointment of lecturers were to be from outside U.P. When these experts knew that they have been appointed on the Selection Committee merely because they hail from some place in the world outside U.P. they took the hint and the result was that during the regime of the Executive Committee very few people from U.P. were appointed as lecturers and once you missed the appointment as lecturer the chances of your being appointed as Reader or Professor are very bleak indeed. U.P. has produced two very successful Prime Ministers. It has also produced a number of educationists but I do not know . . .

SHRI LOKANATH MISRA (Orissa): That is not on the basis of merit.

SHRI ARJUN ARORA: That is on the basis of merits; the country recognises merits. But I do not know why this Government-appointed Executive Committee which had one or two ex-Members of this House adopted such a discriminatory attitude.

Madam, the Education Minister while asking the House to take this Bill into consideration yesterday differed from the decisions of the Select Committee. This Select Committee is unique because an hon. Member of this House, Dr. Wadia, who was the

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Chairman of the Select Committee himself wrote a note of dissent. That is an extraordinary situation. Usually, while the Chair governs the working of the House the Chair also succumbs to the wishes of the House but here we had in Dr. Wadia a Chairman who was a lone fighter for the cause of an individual Registrar and he appended a note of dissent. (*Interruption*). May be Prof. Mukut Bihari Lal is also a fighter in the cause of the Registrar.

PROF. M. B. LAL (Uttar Pradesh): I am a fighter in the cause of natural justice, not the cause of any particular individual.

SHRI ARJUN ARORA: His awareness of the principles of natural justice appears to be an afterthought.

PROF. M. B. LAL: It was not an afterthought. I said in the Select Committee that it could not convert itself into a judicial body and any action taken against the Registrar on the hearsay evidence of some persons would be against natural justice.

SHRI ARJUN ARORA: I am sorry, Madam, the Select Committee took no note of the views of Prof. Mukut Bihari Lal. It did not take him seriously; I am sorry for it. I am also sorry to find that though so vocal in the cause of the Registrar and now such an able advocate of the principles of natural justice, he could not find time to append a note of dissent like Prof. Wadia. Probably, Prof. Mukut Bihari Lal was too busy nursing his small party.

PROF. M. B. LAL: I could only say that the Member concerned had no time to read my note of dissent which was the longest, wherein this point was also covered.

THE DEPUTY CHAIRMAN: You have not read his note.

SHRI ARJUN ARORA: Things of wisdom, Madam, can be said briefly and I do not attach much importance to verbosity.

Madam, the tenure of the Executive Committee is also remarkable for the punishments given to professors, teachers and even ex-teachers. There is the famous case of Dr. Pran Nath who was fined Rs. 75 by the Executive Committee or the Vice-Chancellor. He is an ex-teacher of the University who lives in the University campus because his son is also employed there. For some minor thing he was fined Rs. 75 and his son Dr. Virendra Nath was demoted from lecturership to demonstratorship because he gave shelter to his aged father who is a retired teacher of this University.

THE DEPUTY CHAIRMAN: Please keep a watch on the time. You have got three minutes more.

SHRI ARJUN ARORA: Fifteen minutes?

THE DEPUTY CHAIRMAN: No; three.

SHRI ARJUN ARORA: Madam, I am sorry that the Education Minister has differed from the Select Committee on issues relating to the Registrar. An overwhelming majority of teachers of the University and more than an overwhelming majority of students of the University think that the Registrar is the sole cause of the downfall of the University.

PROF. A. R. WADIA (Nominated): Question.

SHRI ARJUN ARORA: Well, you may question. You are one of those guilty people responsible for continuing that Registrar in service in spite of his being one of the biggest intriguers in the educational world. You will certainly question because I am questioning your conduct as a Government-appointed Member of the Executive Committee. I do not expect you to agree with my criticism of your discharging your responsibilities. I have much to say and I have been, so far only meeting with some interruptions. So,

if you would permit me five minutes more, I shall continue after lunch.

THE DEPUTY CHAIRMAN: You your self said just now that there should be no verbosity and there should be brevity. Please finish in five minutes. You can have five more minutes.

2 P.M.

SHRI ARJUN ARORA: Then, Madam, there is the question of changing the name of the University. I have myself tabled an amendment that the word "Hindu" be dropped from the name of the University, but if the Minister likes a Hindi name, I have no objection to the acceptance of the amendment moved by Dr. Tara Chand, who is himself a very old, distinguished and respected educationist and Dr. Tara Chand has said that Pandit Madan Mohan Malaviya himself had a name in view, namely, Kashi Maha Vidyalaya.

SHRI M. P. SHUKLA (Uttar Pradesh): It should be "Vishwa Vidyalaya" and not "Maha Vidyalaya".

PROF. B. N. PRASAD (Nominated): "Maha Vidyalaya" does not mean University. "Vishwa Vidyalaya" means University.

SHRI M. P. SHUKLA: University is known as "Vishwa Vidyalaya" throughout the country.

THE DEPUTY CHAIRMAN: Please listen to him.

SHRI ARJUN ARORA: From the observations of the hon. Member, Shri Shukla, and hon. Member, Prof. Prasad, it appears that my amendment should be found acceptable to the House because I only want the name "Hindu" to be dropped and the name of the University to be Banaras University.

SHRI M. RUTHNASWAMY: 'Banaras' is an English word.

SHRI ARJUN ARORA: 'Banaras' is not an English word. 'Varanasi' is

a Sanskrit word or maybe a Dravidian word. 'Banaras' is a Hindustani word and let us respect Hindustani a bit because whether we like it or not we are all Hindustanis. So, Madam, I suggest to the Minister to make a beginning somewhere. It is a blot on the name of this country that in this country where all citizens are equal, in this country where we are trying to build a secular society and in this country where our people and our armed forces have given such a wonderful demonstration of our secular nature, in the field of education Muslim University and Hindu University should continue. If these were institutions run by these communities, Hindus or Muslims, for their own peculiar education and were entirely financed by voluntary contributions from those professing the Hindu way of life and Muslim religion, it would have been quite different. But today the situation is that these universities themselves do not say that they are serving only particular communities or followers of particular religions. They are financed by Central funds to which all citizens of the country contribute. In the case of Aligarh, the number of non-Muslim students and non-Muslim teachers is continuously on the increase and there are at least 40 Muslim students and one Muslim teacher in the Banaras University. So, these are not seats of culture or seats of learning or seats of particular religions limited to the followers of those religions or financed by those belonging to those religions. They are financed by the country as a whole. They are run for the country as a whole and the continuance of the names 'Muslim' and 'Hindu' should not be allowed. A beginning, I suggest, should be made with the Banaras University, because Muslims, after all, are a minority in the country and no Muslim should have the feeling that the name 'Muslim' has been removed from the name of Aligarh University, because Muslims are a minority. If the word "Hindu" is removed from the name of the

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Banaras Hindu University and the University merely becomes Banaras University, it will be easy, in due course, for this House and the other, to make a similar change in the name of the Aligarh University. I suggest that this amendment should be accepted by the Minister and if not by him by the House.

SHRI MULKA GOVINDA REDDY (Mysore): You press for it and we shall support you.

SHRI ARJUN ARORA: I will. Then, there is, Madam, the case of discipline. There is so much cry against student indiscipline in the country. There I personally feel that the boot is on the other leg. There is teacher indiscipline and there is indiscipline in the administration of colleges and universities. Some thirty-five years back when I was a student of a small college at Kanpur, called the Christ Church College, our Principal knew 95 per cent of the students by name. He knew the parents of fifty per cent of students. Our teachers knew all that we were doing and while as students we moved about we were always careful that the watchful eye of the teacher was somewhere watching what we were doing. Today there has been an indiscriminate expansion of educational institutions and of recruitment. The result is that the teachers of a particular college themselves do not know all their fellow-teachers, what to say of students. Students do not know their teachers and teachers do not know their students. The result is that no serious studies are done in colleges and universities. Somehow people pass their examinations. It is quite common in some parts of the country that when students go and appear in an examination, they do not merely take a fountainpen or two, but also take a dagger. It is not a question of laughter.

SHRI M. RUTHNASWAMY: It is a matter for tears.

SHRI ARJUN ARORA: They also take a dagger and other things for the protection of which a dagger is required. Every invigilator bears the risk of being stabbed if he takes any steps to stop copying. There has been a classical case of the high school and intermediate examinations of U.P. in 1965.

SHRI LOKANATH MISRA: U.P.?

SHRI ARJUN ARORA: Yes, the backward State of U.P. Madam, teachers refused to work as invigilators and the police were asked to conduct the examinations. One of the instructions given to clerks from Government offices who went as invigilators was . . .

SHRI R. P. N. SINHA (Bihar): Is he missing his lunch?

SHRI ARJUN ARORA: That is not a relevant interruption. It only shows that the hon. Member is more interested in food than in education. The instructions issued by the Government to clerks going as invigilators was not to interfere with students, and the result was that everybody who knew the art of copying got First Class, and first class students got Third Class. Thank you, Madam.

THE DEPUTY CHAIRMAN: The House stands adjourned till 2.30 P.M.

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

The House reassembled after lunch at half past two of the clock, the VICE-CHAIRMAN (SHRI M. P. BHARGAVA): in the Chair.

SHRI M. N. GOVINDAN NAIR (Kerala): Mr. Vice-Chairman, everyone who has spoken before me has referred that this Bill is a belated one. For the last seven years

the original Act was suspended and the institution was under the rule of the Ordinance. When this step was taken, the late Prime Minister gave an assurance to the House that at the earliest opportunity a new Bill would be brought before the House. He said it might be one year, it might be six months or it might be eight months; never could he imagine that this period would be extended beyond a year. But unfortunately it took seven years for the Ministry to introduce this amending Bill.

Now why am I referring to it? This shows your approach, your attitude to democratic norms and values. Otherwise the Government would have felt the urgency of stopping the undemocratic situation created by taking over the institution under an ordinance, and I am afraid in India the main trouble to democracy comes from its supporters.

Another hon. Member speaking before me on this Bill, who also claimed to be a great advocate of democracy, was applauding this Bill because there was a drastic reduction in the elected personnel in the Governing Body. Of course he may have his own argument about it, I am not going into it now, but what I feel is that an educational institution which is expected to foster democratic values—in the management of such an institution if you permit this undemocratic system to continue for a long time, that will definitely adversely affect it.

Now I do not want to go into the unfortunate situation that existed in the Banaras University which necessitated the suspension of the Act and which also necessitated the formulation of this amending Bill because it is all known to everybody. I believe the Government have had two reports for their guidance in the formulation of this amending Bill. One was the Mudaliar Committee Report. It should go to the credit of

the Mudaliar Committee that they were able to submit the report within a very short period. Though some of their decisions may be perhaps *ex parte*, still they have done the job within the shortest time possible. Then another document which was helpful to the Select Committee was the model Act for universities. Then the experience gained during the last seven years also must have weighed with the Ministry. So, before coming to the various clauses in the Bill I want to draw the attention of the hon. Minister to some aspects of the Mudaliar Committee Report.

The Mudaliar Committee have pointed out that Banaras Hindu University was a residential university; secondly, it was conceived as an all-India university. With regard to the residential nature of this university it has been reported that there was overcrowding in the colleges and that there was great pressure for admission in the colleges, and as far as the accommodation of the students was concerned the hostels were not enough and they had to live outside the university campus. All these things were referred to in the Mudaliar Committee Report. Now this is not a question concerning only the Banaras Hindu University. Everywhere this overcrowding of students has become a very serious problem. While we were discussing the Aligarh University Bill, there also this problem cropped up. One of the reasons for the trouble was about the admission of students, some section feeling that some other section was getting more preference in the college and so on. All that was there. So this is a problem which has to be tackled by the Education Ministry, and I would like to hear from the Minister as to what they are going to do in the matter. They may say that during the last ten or fifteen years there has been a phenomenal increase in the field of university education, that from three lakhs in 1950 the number of students has

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gone up to 14 lakhs or so in 1964. That is all true. Still there are at every place hundreds of students roaming about the country to get admission into some college or the other and this overcrowding in colleges—or I may put it the other way, the failure on the part of the Government to have enough institutions to accommodate the students—is one of the main reasons for the malady in many of the colleges. I do not want to go into the affairs of some of the States. I am especially mentioning this because my hon. friend, Shri Ruthnaswamy, who is considered to be an expert on the subject has made certain proposals about the pre-university education and all that. I am not an expert; I do not want to say whether we should have pre-university . . .

SHRI ARJUN ARORA: You are an expert on certain things.

SHRI M. N. GOVINDAN NAIR:
Not like you, you are an expert on everything.

My point is this. I want to draw the attention of the Ministry to one particular aspect. Now, it may be because of the abundance of experts or because of their paucity; whatever it is, the existing system which is mainly guided by the brain-waves of educational experts is creating a lot of problems to the students. If students passing from the high schools in Kerala want to get admission in any other State, it is very difficult for them because the standards of admission are different. I remember, last year some two thousand students were promised admission into the Mysore University. But when they went there, for some reason they could not be accommodated. They were neither here nor there because of the different system existing in the different States. There is absolutely no uniformity and that also is creating a problem. I think the Ministry should pay some attention

to it so that there may be some uniform system whereby the students from any part of the country can continue their education in any other part without much difficulty.

Then, a major problem is that the Government have to find out ways and means by which those people who want to get collegiate education get accommodation. That is to say, they will have to increase the number of the universities, they will have to increase the number of colleges. I do not mean that thereby you should bring down the standard of the colleges by admitting everybody who wants admission into the colleges. Today the problem is not that. Students with merits, students who get high marks, if they cannot get admission into the colleges, then you will have to find a way out. So without applying your mind to this problem, by making any attempt at bringing in discipline and all that and getting over the maladies that are now being faced by the universities, you will not get anywhere.

Then, another point which has been supported by many speakers is about the name of the university. I do not understand why the hon. Minister should insist that the name of the University should be the Banaras Hindu University. Even the . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Where is he insisting? He is not insisting.

PROF. M. B. LAL: He is leaving it to us to decide.

SHRI M. C. CHAGLA: The power here is to the Select Committee. I am not, far from it; far from my insistence even.

SHRI M. N. GOVINDAN NAIR:
Anyway, this liberal attitude of the Minister will continue till the discussion is over because—excuse me, I am not making any personal reference—even when we feel that some

of the Ministers, when we are discussing Bills, could be convinced about the necessity of an amendment, they find themselves in a position whereby they cannot accept it. So from that angle I said. Here more than one hon. Member has expressed his views that this word 'Hindu' should be removed and that in its place, the words 'Kashi Maha Vidyalaya' or 'Kashi Viswa Vidyalaya' or merely 'Banaras University'—any other name—may be accepted. I also concur in that view. I need not go into the argument because it has been very ably argued by my friend, Shri Arjun Arora.

Then another controversial issue which has come up here is about the termination of the services of the Vice-Chancellor and the Registrar. Well, when I read about the Mudaliar Committee's Report I was taken aback by the groupism that was existing in the University at that time. I thought that the suspension of the Act and the new arrangements made would create a situation whereby the University would be free from all this groupism and fight. Now I realise that indirectly groupism is working in such a way that anybody going near the University gets caught into it. I do not want to go into the question about the propriety of Parliament speaking either in favour or against the termination of the services of those people. But I want to bring one factor to your notice and that is this—the termination of the services of the Registrar should have been done not now but even in 1960 because when you say that there is groupism in an institution, groupism cannot be one sided, there must be more than one group to fight against one another.

SHRI ARJUN ARORA: You know it very well. Why do you . . .

SHRI M. N. GOVINDAN NAIR: Yes, yes.

Here my point is that even though the constitution was suspended, even

though a new Vice-Chancellor was brought in and even though some drastic and sometimes hasty steps were taken, you could not claim that you were able to do away with the groupism that existed in the University. I do not want to go into the question of who was right or who was wrong, or whether the Vice-Chancellor was right or the Registrar was right. I do not want to go into that question. But one thing struck me that in the group struggle the Registrar also was a very capable person. This had become such a controversial issue. And then an Executive Committee Member like Prof. Wadia came out with a Dissenting Note against the majority decision of the Select Committee. I wanted to know; the first thing that struck me was this. You speak about the termination of services. It is the job of the Ministry. It has to do it. Why should they bring it in this report? That was my first impression. Sir, when I read this report I did not feel that it was an impartial report because there were certain hidden hits here and there. So I wanted to find out what it was. The Registrar must be a very clever person, extremely clever. He started as a Lecturer and suddenly ever the head of some very prominent and eminent men he became a Reader.

SHRI ARJUN ARORA: Being a third class M. A.

SHRI M. N. GOVINDAN NAIR: I do not know the class or anything. But it was not done because of his eminence in education all that. Then giving up that job he took up the Deputy Registrarship and before he was confirmed as such he was promoted as Registrar and within five weeks he got confirmation. So he must be a very clever person. In a University where so much groupism is there, if a man is to succeed like this he must be excellent in this job.

Sir, some people feel that democratic forms are responsible for all

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this ill and they may find a remedy in doing away with the democratic form.

SHRI ARJUN ARORA: He is so clever that the proper thing to do will be to relieve the University of his burden and enrol him for diplomatic work.

SHRI M. N. GOVINDAN NAIR: You are a very leading member of the ruling party. You can make that suggestion so that it is done. I can tell you that if the Education Department finding that they are capable of manning diplomatic jobs pushes them all to the diplomatic service, the education will suffer. That is all. So my point is this. Even when you have done away with democratic forms that existed there and even when the entire power was concentrated in the hands of the Vice-Chancellor and the Registrar, there was quarrel, the Vice-Chancellor complaining against the Registrar and the Registrar complaining against the Vice-Chancellor and the Registrar going round collecting testimonials asking the President to intervene and the President saying that he cannot help. All these things are happening. Do you want this atmosphere to continue?

SHRI AKBAR ALI KHAN: No.

SHRI M. N. GOVINDAN NAIR: If you are restoring democratic forms of administration there, first kindly cleanse that place. You may follow any method. Whether it is through a Bill or through an executive action, do it. When you want to have a new atmosphere, kindly remove these people. You can persuade them or ask them to resign or give them some honorarium. Any method you can follow. That is all left to you. But when the University starts the work again on the basis of this amending Act you should have a better atmosphere there. This criticism and fight, all this should end.

You may ask whether this is going to be a guarantee that there will be no further criticism. That is another

matter. But you have to see that such things do not happen again in the present context. By whatever method, it would be better that the atmosphere is cleared of these two elements.

Another reason why I say this is this. For the last seven years these two gentlemen were the most important functionaries. All the authority was concentrated in their hands. Of course, Mr. Wadia may say that I was also a party to it. After all, the Executive Committee members can put in a word here and there, but in the day-to-day administration it is the two people, the Vice-Chancellor and the Registrar, that count. For the last seven years they were enjoying unrestricted authority. So they must have developed a complex about the functioning of the University itself and in the new set-up at every step there will be a rub between these two because even the best man if he is given extraordinary authority and is allowed to function in a particular way will develop certain complexes from which it will very difficult to get out. Why should the University suffer for that? So leaving aside all the other arguments, simply for the reason that for the last seven years, in a most democratic way necessitated by the situation, these two people were in this job, let these people go. That is why there is the Education Ministry. It is their job to find out the ways and means. You have to find out a way but without creating any unnecessary heart-burning. You are a diplomat also. You have proved yourself a much better diplomat than any other diplomat. So play your diplomacy and relieve this university of this atmosphere.

Coming to the other questions, in order to help the Education Ministry in the matter of finding a model Act for the University . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Mr. Govindan Nair, you have taken 27 minutes.

SHRI M. N. GOVINDAN NAIR: That is because of interruptions from my friend there.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): I am just reminding you.

SHRI M. N. GOVINDAN NAIR: In order to help the Ministry in formulating a model Act a Committee was formed. Many eminent persons were associated with it. The Chairman of the University Grants Commission was the Chairman of this Committee and most of the other members are Vice-Chancellors. So reading through the model Act, I felt that it was really a model Act suitable to Vice-Chancellors. They are not to blame for it because the ones who have been discharging the responsibilities of Vice-Chancellor will mainly think in the terms of their problems. So I find that too much of authority has been entrusted even in this model Act to the Vice-Chancellor.

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They have suggested certain good things also. They said that there cannot be a rigid constitution for the University, there should be scope for innovations and experimentation. So you can have some broad lines in the Constitution but nothing more than that. I was trying to find out whether that principle was applied. I think that principle was not applied properly. Secondly with regard to the authorities they have suggested that the very important factor to remember is that the autonomy of the University has to be maintained and they have explained how that autonomy is to be maintained. There they have said that the main thing is the Academic Council. So from the suggestions and going through the concrete suggestions they have made with regard to the Court with regard to the Executive Committee, with regard to the Academic Council, etc. the tendency seems to be to avoid elected personnel as far as possible and here is another educationist who says that that is the correct thing to be done. I disagree with that. He says that it is not democracy, it is 'meritocracy'. It is not 'meritocracy' it is 'ageocracy'. You are speaking about the Dean. How can he be the Dean of a faculty

unless he has proved himself to be able? How are you deciding it? Age decides, seniority decides.

SHRI M. RUTHNASWAMY: Scholarship.

SHRI M. N. GOVINDAN NAIR: Of course he may have it but there may be new additions in the colleges who may have better scholarship, who may be better educated and who may be better talented but your seniority, in the name of experience, is the major factor that counts. So, do not say 'meritocracy' in every field. It is not 'meritocracy', it is 'ageocracy' that is dominating and that is one of the problems that are facing the development of this country.

SHRI M. RUTHNASWAMY: Age means experience.

SHRI M. N. GOVINDAN NAIR: Some experience may not be good also. Take the field of education. You speak about experience. What is your experience? The experience is of a period when India was not free, when your education was much more modelled on the British system of education. Now I ask you does anybody today consider that the British system of education is the most exemplary one? Your experience or expertness is based on that British system of education, is it not? Are you in touch with the new problems that are facing the country to-day? What is the type of education that this country needs? Are you aware of it? When I say that there should be Court, the Court is the meeting place where the academic talents and other talents meet and you have made it a very wonderful, useful, advisory body. Good.

SHRI P. N. SAPRU (Uttar Pradesh): Ornamental body.

SHRI M. N. GOVINDAN NAIR: You are a party to it because you were also in the Joint Select Committee. (Interruptions.) So what are the needs of the nation to-day? What

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is the type of education that is needed? The urgency of the nation gets reflected in the Court when the Court consists of other elements also. Now he wants only merit and the merit is an outmoded merit. So I think there is some change after the processing in the Select Committee but still I feel that amendments should be moved by some educational experts whereby the position of the Court is further strengthened.

About the Vice-Chancellor, you spoke about merit. Why all this authority? It is like a police officer. Why? A man of real merit will be respected and obeyed by both the teachers and the students. You do not want all these things—the right to dismiss, suspend etc. All this is not necessary and the lack of proper persons for the Vice-Chancellorship cannot be made up by your strengthening the Bill. You have to foster, develop and find out and you have to boldly select the Vice-Chancellor. Why should you go in for retired people? Are there no youngsters who are interested and who are experts in the matter of education? Why should the Education Ministry go in specially for retired people, because from the University the next stage is education in the other world? Especially these outmoded people cannot understand the modern world. That is the problem. I do not mean to say that you replace all these men by youngsters but you find out people with merit. Do not try to strengthen the Vice-Chancellor with all authority but find a proper person who can man a university, who can command respect from both students and teachers. While you studied I do not think there was so much authority. The student had respect for the teachers. The teachers had respect for the Principal and the Vice-Chancellor but I understand that because of the large number of educational institutions it is a difficult job to find proper persons but your way of approach in choosing the Vice-Chancellors must stop. You must look for talents among the

younger generation and I believe our country is not so poor and you will be able to find proper persons if you pursue that way, instead of making this Bill a Vice-Chancellor's Bill.

SHRI NAFISUL HASAN (Uttar Pradesh): Mr. Vice-Chairman, I welcome this Bill. After all the Banaras Hindu University has worked not in the normal way for the last six years and I congratulate the Minister of Education for having brought forward this Bill. I have gone through the report of the Joint Select Committee and I would make my observations on a few points. There is quite a lot of controversy over the name of the University. The question is whether the word 'Hindu' should be retained or not. In my opinion there is a conflict of sentiment, genuinely held by the two sides. Similar is the case of the Aligarh University. There is a section of opinion that the word 'Muslim' should be dropped but at the same time there is a section which insists that it should be retained. I do not attach very great importance to the name of an institution. It is the spirit with which it is worked and the atmosphere which prevails there, that is the chief thing, to be considered. But sentiments cannot be ignored; we have got to take them also into consideration. I will just make one suggestion; I do not know if the hon. Minister and the House will consider it of any worth. Let us call the Banaras Hindu University, Madan Mohan Malaviya University, and the Aligarh University, Syed Ahmed Khan University; it will be an honour to the two universities if the names of their illustrious founders are associated with them, and my feeling is that even if both the words 'Hindu' and 'Muslim' will disappear, it will meet the sentiments of both sides.

Sir, I will deal with a few points now. The term of the Vice-Chancellor, according to the Report of the Select Committee, is to be five years and he is to be ineligible for further appointments. I think, five years is too long a term for anybody. Normally it should be three years,

and if a person is found to be working satisfactorily, there is no reason why he should not be eligible for further appointment.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): What about your own term? Is six years also not too long a term for Rajya Sabha Membership?

SHRI NAFISUL HASAN: I think, as Members we are not required to shoulder the responsibility which a Vice-Chancellor of a university has to shoulder. We cannot also do as much mischief as a bad Vice-Chancellor can do in a university.

PANDIT S. S. N. TANKHA (Uttar Pradesh): Parliament can do a lot of mischief if it wants to, but I hope it will not.

SHRI AKBAR ALI KHAN: The question is: a few people cannot do mischief, but if the majority are mischievous, then it is dangerous.

SHRI NAFISUL HASAN: Now, Sir, according to clause 12B (1)—

“A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University . . .”

I refer to sub-clause 12B (1) (c)—

“if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.”

I think that a person who has been found guilty of an offence involving moral turpitude should have no place in a university whether the sentence is one of imprisonment or even of fine. University is a place where we have got to see that the students who join it have a good moral character; the students look to their teachers as an example to be followed. We may tolerate persons in other places, but a person who is found guilty of moral

turpitude should have no place whatsoever in a university.

Then there is a provision whereunder the University of Banaras is authorised to affiliate colleges situated within a radius of fifteen miles. Essentially, this University is a residential university—I know that a few colleges situated nearby have already been affiliated—but it is bound to lose its character as a residential university if this affiliation is any more extended.

SHRI M. RUTHNASWAMY: May I ask the hon. Member if there cannot be any number of colleges within the area of the university, and the university still remain a residential university, as is the case in Oxford and Cambridge?

SHRI NAFISUL HASAN: The question I raise is one of affiliation; there may be university colleges within the area of the university; within the university campus there may be different colleges, but they ought to be maintained by the university; here the management is not with the university; the university has practically very little control; only you affiliate it; you send inspectors to make inspection, and if you are satisfied that it has got sufficient funds and sufficient buildings, you just affiliate it, but directly the university does not control that institution. That is why I say there may be university colleges.

Now, Sir, there is another very controversial matter regarding the vacation of office by the Vice-Chancellor and the Registrar after this Bill, enacted into a law, comes into force. I have heard my learned friend, Shri Arora, and some other Members who think that the Registrar is absolutely incompetent, that he has been the root cause of all the trouble that happened in the university. Now we have got a provision in article 311 of the Constitution, according to which no Government servant can be dismissed or

[Shri Nafisul Hasan.]

removed without an opportunity being given to him to show cause against the action proposed. I know that a university employee is not a Government servant and therefore, technically article 311 is not applicable to him. But the principle and the spirit of this article has been extended to practically all the institutions, because we are running them on democratic lines, and even leaving that aside, there is the principle of natural justice, which has got to be applied in every case. Now I do not know the Registrar and I have no personal knowledge about him, but if he is as bad as he is painted, it is always open to the university authorities to charge-sheet him and to punish him. There is no time bar and any action can be taken even after this Bill is passed into an Act. But to dispense with his services without giving him an opportunity to meet the charge that is brought against him is....

SHRI M. GOVINDA REDDY (Mysore): There was nothing before the Select Committee.

SHRI NAFISUL HASAN: I know the Select Committee could not go into the question.

There is another aspect to the question. The hon. Minister said that this is to be done by executive action. I know that departmental proceedings are, more or less, quasi-judicial. Findings have to be arrived at on the materials before the authority, and then the person is called upon to show cause against the action which is proposed to be taken. Now, what are the functions of Parliament? Parliament can only legislate. It cannot act as an executive authority and my submission is that we will be laying down a very bad precedent if we do this. We do not allow a person to encroach upon the rights of others. The authority which is called upon or permitted by law to exercise certain powers, that authority alone should exercise those powers. Here

the legislature is responsible to the whole country and it should not do any act which may, as I said, be a very bad precedent. As I have stated, it is open always and even hereafter, to charge-sheet the Registrar and take action against him. But by this measure to terminate his services is not in any way justified.

There is another provision that two members of the committee which will recommend the names for appointment of Vice-Chancellor, are to be nominated by the Court and not by the Executive Council, as was the provision before. I feel this may create certain difficulties. It has been said in a Minute of Dissent by certain hon. Members that there is something like lobbying, or influence being brought in the matter of the selection of these members. I think the members of the Court may be more amenable to this lobbying than the members of the Executive Council. That is one thing. Secondly, the meeting of the Court is generally held once a year and now a meeting of the Court may have to be called for this very purpose, if the vacancy occurs shortly after a meeting of the Court had been held. I consider this to be a change which will involve unnecessary expenditure to the University. There is also no allegation that this power, as long as it has been held by the Executive Council, has not been properly exercised.

SHRI M. P. SHUKLA: There is no need even for a Court, if it is a question of avoiding expenditure.

(Time bell rings.)

SHRI NAFISUL HASAN: I am just trying to finish in two or three minutes. There is one provision which says that the membership of the students' unions is to be optional. Such a question arose in the Allahabad University when I happened to be in Allahabad. My personal feeling is that the activities of a union in a university which consist mostly of conducting meetings and so on, would

serve to give instruction in the administration of democratic institutions and so I do feel that now that we are running democratic institutions, our future generations should have experience of such things. There was a question in those days in Allahabad and the students were insisting—I remember that was the time when Shri K. M. Munshi was the Chancellor and Governor of Uttar Pradesh—that this membership should be compulsory. The students were also insisting that they alone should have the power to make their own constitution. But I had a talk with one of the professors there and I suggested to him that the students may be given this right to make their own constitution, but that constitution would be subject to the provisions of the Ordinances, the Statutes and the University Act. Fortunately that membership continued to be compulsory. I am, therefore, of opinion that this item of instruction which a student gets from the union should continue. It may be that something has to be done by the authorities to see that the students conduct their business in the union within the limits of the rules and laws of the University.

One word more, Sir, and that is about indiscipline. On earlier occasions also, much has been said about indiscipline of students, and always it is the student who is the person accused. I am not here to accuse either the students or the teachers. But my feeling is that if the students feel that their teachers and those in charge of the administration of the University are really interested in them, are ready to help them in every possible way and on every occasion, that they are prepared to remove all their legitimate grievances, then there will be no occasion for indiscipline in the institution. There are other reasons also. But my impression is that where the teachers and the university authorities look to the interests of the students as their first duty, and the students realise that, then there will be absolutely no occasion for indiscipline. With these

words, I support you very much.

SHRI D. THE (Uttar Pradesh): Mr. V congratulate the Minister for having for putting an and for initiating. In the meetings, the hon. Minister himself in came to know if a democrat, for which our congratulation.

Before I proceed, I have to say that probably I have raised the points raised by my colleague, Shri. He said that the Bill inaugurating a new era. I hope I have misunderstood him, because if he really means the inauguration of a new era, then it is casting a reflection upon the history of nearly five decades which has been highly creditable.

[THE DEPUTY

The contribution of the Banaras Hindu University to the nation has been splendid. It has been a nucleus of freedom fighters and on the educational plane it has initiated studies in physics, chemistry, mechanical engineering and other subjects. I hope what my hon. friend meant was only that a new development is there which is quite significant in the history of the Banaras Hindu University. There has been some talk about the word "Hindu". It is pertinent to note that the word "Hindu" had been inserted in the constitution of one who was a Hindu by birth, that is, Dr. Ambedkar. The word "Hindu" denotes any religion. It was not the sense of nationality that the word was used. Even in the first Bill

s Bill and I thank.

ARI (Uttar Pradesh): Mr. V. Education Minister, Sir, I congratulate the Minister for having taken the initiative to the Ordinance on this particular Bill. The Select Committee has conducted the Bill in a way that we all are satisfied. He is a perfect democrat, for which he also deserves our congratulation.

to the subject proceeds my fear that I have misunderstood one of our senior most members, Shri. When this Bill we are inaugurating a new era. I hope I have misunderstood him, because if he really means the inauguration of a new era, then it is casting a reflection upon the history of nearly five decades which has been highly creditable.

AIRMAN in the chair]

the Banaras Hindu University has been sponsored on the national plane of freedom fighters and on the educational plane it has initiated studies in physics, chemistry, mechanical engineering, electrical engineering and other subjects. I hope what my hon. friend meant was only that a new development is there which is quite significant in the history of the Banaras Hindu University. There has been some talk about the word "Hindu". It is pertinent to note that the word "Hindu" had been inserted in the constitution of one who was a Hindu by birth, that is, Dr. Ambedkar. The word "Hindu" denotes any religion. It was not the sense of nationality that the word was used. Even in the first Bill

[Shri D. Thengari.]

pleading for omission of the word "Hindu", they have said:

"It is clear that the founder of the University, the great late Madan Mohan Malaviya, used the word 'Hindu' in English version only to emphasise that it is a national institution . . ."

Madam, it is in the sense of a nationality and not of a religion that the word 'Hindu' has been used. We cannot but take into consideration the feelings of those donors and other promoters of the Banaras Hindu University in the initial stages at whose instance the word 'Hindu' was inserted. I am particularly amazed to find that those who are condemning the use of the word 'Hindu' in this particular context are quite enthusiastic in accepting or welcoming the word 'Indian' though, as a matter of fact, the term 'Indian' is derived from the word 'Hindu' and, therefore, it is very amazing to find that while the original word is rejected its derivatory form is being welcomed.

This Bill contains more welcome features than the unwelcome ones. In the first place, a number of superfluous posts or ornamental posts have been done away with, those of Pro-Chancellor, Chief Rector, etc. Even the post of Pro-Vice-Chancellor has been abolished on the plea that it is almost-co-equal with that of the Vice-Chancellor because of which many difficulties might be experienced or have been experienced in the smooth functioning of the University. Nevertheless, a new post called Rector has been created. It is an executive post to assist the Vice-Chancellor.

Another welcome feature is the replacement of Treasurer by the Finance Officer. In the very nature of things, it is necessary that any one shouldering this particular responsibility should be a whole-time officer. Formerly, the Executive Council was empowered to nominate members of

the committee charged with the duty of recommending a panel of names to the Visitor for appointment to the post of Vice-Chancellor. This function has been assigned to the Court which is a higher and more representative body. This is certainly more democratic and therefore we welcome it. Nevertheless, I should like to suggest that it would have been more appropriate, had the election of the Vice-Chancellor been left to the Court itself subject to the subsequent approval of the Visitor. The Standing Committee of the Academic Council is a new set-up. There was much discussion and it was approved finally. This Bill provides for the submission of the audited accounts to the Court instead of to the Visitor. This also is a democratic gesture. The deletion of the original clause 14 is really a drastic change. As a consequence of this deletion, all colleges and educational institutions within a radius of fifteen miles from the University would be admitted to the privileges of the University. I can quite appreciate the anxiety of our hon. Education Minister that this deletion should not be allowed to vitiate the original character of the University. That is understandable but at the same time there are certain developments which probably were not clearly foreseen by the founders of the University or it was not necessary to foresee these developments during that period and we cannot quarrel with the facts. It would be really anomalous or ridiculous that any college three or four miles away from the University area should be allowed to be affiliated to Gorakhpur University. So, instead of quarrelling with the facts, I think a compromise or discretion was the best thing and this deletion of clause 14 is perfectly justified though the anxiety of our Education Minister is quite understandable.

While in the case of every other officer it has been laid down that he will continue to hold his office until his successor enters upon the office,

in the case of the Vice-Chancellor and the Registrar, it has been provided that they shall vacate their offices on the commencement of this Act. Now, that has been a very controversial point and all that I want to suggest is that it would not be wise to bracket the Vice-Chancellor and the Registrar together. The post of Registrar is mainly executive in character and, therefore, it should not be put on the same footing as that of the Vice-Chancellor. There are certain contractual obligations and though we may, for argument's sake, concede that a particular person might have done things detrimental to the welfare of the University and his continuance might be detrimental to an extent, we have also to consider the fate of other Universities. I think no competent or talented person would come forward to accept this post of Registrar in any University in the country because this bad precedent has been created. A sense of security is necessary even for talented persons and, therefore, while trying to do justice according to our own convictions to the Banaras Hindu University, we should not do something which would be detrimental to the welfare of other Universities in future.

Clause 5(c) of the Statute provides for appeal to the Executive Council against an order of the Vice-Chancellor imposing the penalty of dismissal on an employee of the University. This right of appeal is also a welcome feature. The power to appoint the Librarian has been delegated not to the Executive Council but to the Vice-Chancellor as before. The membership of the Court has been increased and now it has a non-official majority. People were clamouring for it and the Joint Committee has done justice to the demands of the people. The Registered Graduates have been given more representation and the regional representation in their case has been done away with. The donors' representation is made more democratic.

Another point that was insisted upon by the hon. Education Minister was that the membership of the Students' Union should be voluntary. Of course, it is quite in keeping with the freedom of association, with the principles of democracy and, therefore, all votaries of democracy would welcome this change also.

There are certain points which are not quite as welcome as those enumerated earlier. There is a possibility of the power to withdraw degrees, diplomas, certificates and other academic distinctions being abused and, therefore, the circumstances under which this power would be exercised should also have been specified. In clause 12(b)(ii), mere imprisonment for an offence involving moral turpitude should have sufficed because if it is once accepted that imprisonment for any period less than six months will not be a bar, then we would be defeating considerably the very purpose of this clause. Another thing that we would have to consider is, what effect it would have on the minds of the students if persons undergoing imprisonment for any period less than six months for moral turpitude are allowed to continue as office bearers. There will naturally be demoralisation. In view of that fact, this qualification of less than six months should be dropped. In sub-clause (3) of clause 16B proposed in clause 17 of the Bill, it is said that the decision of the Tribunal of Arbitration shall be final and shall not be questioned in any court of law. This is unjust and not in keeping with the provisions of the Arbitration Act. The doors of the law courts should not be shut against the poor aggrieved teachers. A regular provision for appeal should be made. In the case of suspension of teachers, there is already a provision in the proposed clause 7C(5) to cope with emergency conditions. Statute 30(a) empowers the Vice-Chancellor to suspend a teacher though the Executive Council may have the order subsequently revoked if it so thinks necessary. Now this is wrong. The

[Shri D. Thengari.]

power to suspend a teacher must vest in the appointing authority, that is, the Executive Council. The teacher must be given a reasonable opportunity to explain his case before any action is taken against him. If in any case the Executive Council subsequently revokes the suspension order it would certainly have an adverse effect on the prestige and dignity of the Vice-Chancellor.

This Bill also ignores the needs of employees other than teachers. They also need some protection against the whims and caprices of the authorities.

Now, Statute No. 59 deals with the problem of students' discipline. It vests in the Vice-Chancellor unlimited autocratic power. Even according to eminent educationists the Vice-Chancellor should not have autocratic power for in this field as in every other field of activity the principle holds good that power corrupts and absolute power corrupts absolutely. Statute No. 59 confers such absolute powers on the Vice-Chancellor. It must be borne in mind that it is not the controlling authority but the sterling merit and character of the Vice-Chancellor that really moulds the mind of the students. Even in our ancient *gurukuls* instruction through word of mouth was considered to be secondary and that through the life lived primary.

There was also discussion about the right of the Rector. A regular provision should be made to ensure the presence of the Rector in the meeting of the Executive Council. Though he is not an *ex-officio* Member of the Executive Council and therefore not entitled to vote he should be given the right to participate in its deliberations so as to extend the benefit of his knowledge to the Executive Council.

These are some of the suggestions that I should like to make in this context. There was one more discussion about which I am not going to say one way or the other but I would

just suggest about the tenure of the Vice-Chancellor whether it should be five years without eligibility for further election or it should be three years with eligibility for further election, that I personally feel—though I may not press the point—that a tenure of three years with eligibility for re-election at least once would be more appropriate.

Thank you.

श्री देवकीनन्दन नारायण (महाराष्ट्र) :

उपसभापति महोदया, प्रातः स्मरणीय स्वर्गस्थ पंडित मदन मोहन मालवीय जी की स्थापित यह यूनिवर्सिटी है। यह यूनिवर्सिटी सन् 1915 में स्थापित हुई थी। आज इसको करीब 50 वर्ष हो गये। इन 50 वर्षों में समय बदल गया, दुनिया बदल गई, जमाना बदल गया, हम गुलाम थे, आज़ाद बन गये हमारे आचार विचारों में भी फर्क हुआ, हमारे आदर्श भी बदले। परन्तु जब मैं इस विधेयक को देखता हूँ तो वही पीछे से आई, आगे चलाई, जैसी हालत दिखाई दी और कोई नई बात मुझे नहीं दिखाई दी। 50 वर्षों में जब मैं कहता हूँ कि विचार, आचार और आदर्श बदल गये, तो उसकी कुछ झलक तो दिखाई देती। मैं आशा करता था कि कोई क्रांतिकारी बात इसमें होगी।

हमारी शिक्षा प्रणाली 50 वर्षों के अनुभव के बाद वही चली आ रही है जो कि अंग्रेजों के जमाने में चलती थी। मुझे दुःख है इस बात का कि ऐसे बड़े बड़े विद्वान सिलेक्ट कमेटी में होते हुए भी ऐसा कोई क्रांतिकारी बदल, ऐसा कोई रेवोल्यूशनरी चेंज इसमें नहीं लाया गया जिसमें कि सारे देश पर कोई असर होता, किसी बात का और उससे शिक्षा के आम वातावरण में परिवर्तन होता। परन्तु मैंने जैसा कहा कि कहीं 'कॉमा', कहीं 'फुल प्वाइंट' के सिवा कोई बहुत महत्वपूर्ण बदल हुआ हो, ऐसा नजर नहीं आ रहा है। और कहीं नहीं तो नाम में तो बदल किया

जाता क्योंकि आज हम सैक्यूलर स्टेट की बाने करते हैं। मैं यह समझ सकता हूँ कि सन् 1915 के हालात कुछ और थे और उस वक्त यदि हिन्दू यूनिवर्सिटी नाम रखा गया तो उसके लिये कोई खास पश्चाताप की बात मैं नहीं कह सकता। परन्तु उस वक्त भी महामना मालवीय जी की राय उसके लिये नहीं थी और जैसा कि मेरे भाई ने अभी कहा, वह ग़लत बात है कि “हिन्दू नेशनलिज्म” की वजह से यह नाम रखा गया। आप देखेंगे कि कुछ डिसेन्ट्स का नाम लिया मेरे पूर्व के भाई ने, मैं दूसरे डिसेन्ट्स की बात कह रहा हूँ। वे यह कहते हैं कि महामना मालवीय जी की ऐसी राय थी कि इसका नाम काशी विश्वविद्यालय रखा जाय, लेकिन एनीबेसेन्ट और कुछ हिन्दू भाई जो हिन्दू नेशनलिज्म के बड़े भक्त बनते थे उनके दबाव के कारण मालवीय जी को यह बात उस वक्त मान लेनी पड़ी और दुख की बात है कि आज भी उस हिन्दू नेशनलिज्म का असर जिनके सिर में है उन्हीं के आप्रह से यह बात मेजारिटी से पास हुई, नहीं तो मुझे उम्मीद थी कि आज के जमाने में यह बात कभी मंजूर नहीं होती। तो मैं यह कहूँगा कि आप यह हिन्दू शब्द निकाल दीजिये। आप जानते हैं कि हिन्दू और मुसलमान की बीमारी हिन्दुस्तान में अंग्रेजों ने पैदा की। अब अंग्रेज चले गये हैं और हमने भी वह जो बीमारी अंग्रेज यहां लाये थे उसको छीड़ने का प्रयास किया है, वह उद्देश्य अपनी दृष्टि के सामने हमने रखा और अपन कास्टिट्यूशन में सैक्यूलरिज्म को लाये। फिर मैं यह नहीं समझ सकता कि क्या जरूरत है इस हिन्दू शब्द की, जो रिएक्शनरी शब्द है और जो न आज के विचारों से सुसंगत है और न आज के आदर्शों से सुसंगत है। इसलिये मेरी तो प्रार्थना यही है कि आप इस हिन्दू शब्द को यहां से निकाल दीजिये। आप हिन्दू नाम को नहीं निकालेंगे तो आप देखिये कि उसका परिणाम क्या हो रहा है। आज ऐसी बनारस हिन्दू यूनिवर्सिटी ही इस देश में नहीं

है। मैं आपसे कहूँगा कि आज ईस देश में पचासों ऐसे कालेज हैं और हाई स्कूल्स हैं जिनके नाम जाति के ऊपर रखे गये हैं। यह साम्प्रदायिकता हिन्दुस्तान में इतनी गहराई तक चली गई है कि कोई इसको जल्दी से भूलना चाहता है तो भी भूल नहीं सकता। आपने सुना होगा कि इस देश में कान्यकुब्ज कालेज है, कायस्थ कालेज है, शीया कालेज है, क्रिश्चियन कालेज है, अग्रवाल कालेज है, मारवाडी कालेज है, अहीर कालेज है, क्षेत्रीय कालेज है, जाट कालेज है, कृमि कालेज है, और नहीं मालूम कितने ऐसे जातियों के नाम पर कालेज हैं। मेरे एक प्रोफेसर ने किसी से पूछा कि क्या आप “इन्डोमरेबल” की व्याख्या कर सकेंगे, तो उन्होंने कहा कि इसका जवाब मैं यही दगा कि हिन्दुओं की जातियों को आप गिन लीजिये और आपको पता चल जायगा कि “इन्डोमरेबल” क्या है। इस तरह यह जातिवाचक जितनी संस्थाएं हैं, यह सब सरकार की मदद से चल रही हैं, बिना सरकार की मदद के एक नहीं चल रही हैं। इसलिये हिन्दू शब्द यदि हिन्दू कौम का दशक है, जो कि देश में मेजारिटी कौम है, तो आपको इसको यहां से निकाल देना चाहिये। आपके इस हिन्दू यूनिवर्सिटी बिल में जो उद्देश्य रखे गये हैं, उन उद्देश्यों में सब मजहबों के अध्ययन की जगह है, सब कल्चर्स के अध्ययन की जगह है फिर मैं नहीं समझता कि नाम में क्यों यह हिन्दू शब्द रखा जाय।

अभी किसी भाई ने कहा कि नाम से क्या है, यदि नाम में कुछ न होता तो दुनिया में इतने झगड़े ही नहीं होते। हम तो कहते हैं कि हमारा और पाकिस्तान का झगड़ा कोई मजहब का झगड़ा नहीं है। परन्तु पाश्चात्य देश, इंग्लैंड और अमेरिका, कह रहे हैं कि यह हिन्दू मुस्लिम झगड़ा है। इसी तरह से हजारों वर्षों के संस्कारों के कारण इन शब्दों को—नामों के खास अर्थ पैदा हो गये हैं और वह अर्थ हम अलग नहीं कर सकते।

[श्री देवकी दन्दन नारायण]

इसलिये अब यह जरूरत है कि जब वह अर्थ आज काम में नहीं आता, वह हितकारक नहीं है, अनर्थकारक है, तो उस शब्द का प्रयोग हमें छोड़ देना चाहिए। इसलिए मैं प्रार्थना करूंगा कि यह शब्द यहां न हो।

कल यहां यह कहा गया कि यूनिवर्सिटी का नाम महाविद्यालय रखा जाये क्योंकि 'विश्व' शब्द 'यूनिवर्सिटी' से पैदा नहीं हुआ है। मैं कोई विद्वान नहीं, परन्तु मैं यह जानता हूं कि 'महाविद्यालय' से 'विश्व विद्यालय' शब्द बहुत अच्छा है और मैं जो कुछ थोड़ा समझ सकता हूं वह यह है कि विश्वविद्यालय का अर्थ है विश्व की सब विद्याओं का आलय। जहां विश्व की विद्याएं पढ़ाई जाती हैं जहां उनका समुदाय है, समुच्चय है। उन्होंने 'यूनिवर्स' से 'विश्व' शब्द को जोड़ना चाहा। मैं कहता हूं कि पहले विश्वविद्यालय और बाद में 'यूनिवर्स' और 'यूनिवर्सिटी'। पहले संस्कृत शब्द आना चाहिए और बाद में इंग्लिश शब्द। संस्कृत और हिन्दी का ट्रांस्लेशन अंग्रेजी में हो सकता है, न कि नाम के लिए अंग्रेजी से हम शब्द लें। मैं तो यह कहूंगा कि 'हिन्दू' शब्द को प्रथम निकालिए और उसकी जगह पर कोई दूसरा नाम इस यूनिवर्सिटी का रखना चाहते हैं तो बनारस विश्वविद्यालय या काशी विश्वविद्यालय रख सकते हैं। मैं तो आगे चल कर यह भी कहूंगा—मेरी पहले भी यही राय थी और अब भी है—कि बनारस यूनिवर्सिटी को महामना मालवीय जी ने पैदा किया। सारी उम्र उन्होंने इस यूनिवर्सिटी को बढ़ाने में, एक आदर्श यूनिवर्सिटी बनाने में खरम की। घर-घर, शहर-शहर पैसा मांगते हुए घूमे। यह उनका एक स्मारक है ऐसा मैं मानता हूं और अच्छा हो यदि आप सब मान लें, जैसा कि मेरे भाई ने कहा,

मैं भी वही चाहता हूं, कि स्मारक के रूप में मालवीय जी का नाम ही इसको दे दिया जाय। वह सबसे अच्छा होगा। आप जानते हैं कि पंडित जवाहरलाल जी के नाम से एक यूनिवर्सिटी निकलने को है, बड़ी अच्छी बात है। वह यूनिवर्सिटी कहां तक जवाहरलाल जी की प्रतीक होगी। उनके आदर्शों को आगे बढ़ायेगी यह मैं नहीं जानता, किन्तु एक बात जानता हूं कि जहां तक बनारस यूनिवर्सिटी की बात है, यह बात सच है कि मालवीय जी इस यूनिवर्सिटी के लिए जिन्दा रहे और मालवीय जी ने अपनी सारी उम्र और सारा प्रयास जब तक उनमें शक्ति थी वह सारी शक्ति इस यूनिवर्सिटी को बढ़ाने में, इसको आदर्श रूप देने में लगाई। इसलिए बहुत अच्छा होगा कि हम इस यूनिवर्सिटी को महामना पंडित मदन मोहन मालवीय जी का नाम दें। हिन्दुस्तान में जो कोई थोड़ी बहुत भी जानकारी रखते हैं, वे तो जानते हैं कि यह स्मारक उनका ही है, यह यूनिवर्सिटी जो है, यह तो मालवीय जी की देन है। जो कोई बनारस यूनिवर्सिटी में जाता है, वह यही कहता है और जब बतलाया जाता है बाहर वालों को तो यही बतलाया जाता है कि यह पंडित मालवीय जी की स्मृति है, उन्होंने ही इसे खड़ा किया है।

श्री नफ़ासुल हसन : बताने की जरूरत नहीं रह गई है।

श्री देवकी दन्दन नारायण : तो मैं चाहूंगा कि इसे महामना पंडित मदन मोहन मालवीय नाम दे दिया जाय। हिन्दू शब्द निकाल दें और इसको विश्व-विद्यालय कहा जाय। हिन्दू शब्द निकालने से 'मुस्लिम' नाम भी मुस्लिम यूनिवर्सिटी से निकल जायगा क्योंकि आप मेजारिटी कम्युनिटी हैं, आप ही उदाहरण रख सकते

हैं, आप ही मार्ग दिखला सकते हैं जिससे दूसरे उसका अनुकरण कर सकें। मुझ पूरी उम्मीद है कि मुस्लिम यूनीवर्सिटी के नाम से भी 'मुस्लिम' शब्द निकल जायगा।

इसके बाद एक बात मैं और कहना चाहूंगा। वह यह है कि—आप जानते हैं—महामना पंडित मालवीय जी ने अपनी सारी उम्र हिन्दी के प्रसार में लगाई, हिन्दी के वे बहुत बड़े भक्त थे। इतना ही नहीं, वे चाहते थे और अपनी उम्र में उन्होंने यह प्रयास किया कि हिन्दी इस हिन्दुस्तान की राष्ट्रभाषा बने। तो 50 बरस के बाद ही क्यों न हो, यह क्रान्तिकारी बदल तो कीजिए कि बनारस यूनीवर्सिटी में शिक्षा का माध्यम हिन्दी हो। आप जानते हैं कि कल नहीं तो परसों प्रत्यक्ष में हिन्दी ही राष्ट्रभाषा होने को है, हिन्दी सरकार में आने को है, बाहर भी सब जगह पहुंचने वाली है। ऐसी हालत में यदि आप सारे हिन्दुस्तान के लिए एक केन्द्रीय यूनीवर्सिटी खड़ी करते हैं, जहां सारे हिन्दुस्तान से जो हिन्दी के माध्यम से सीखना चाहते हैं, वे वहां आकर हिन्दी और संस्कृत का अध्ययन करें, तो वह एक आदर्श यूनीवर्सिटी हो जाती है और वह पंडित मालवीय जी का सब से बड़ा स्मारक हो सकती है। इसलिए मेरी प्रार्थना है कि आप सोचें—माननीय मंत्री जी नहीं ह यहां, मैं उनसे भी प्रार्थना करूंगा—कि इस यूनीवर्सिटी में तो शिक्षा का माध्यम हिन्दी हो।

श्री महावीर प्रसाद शुक्ल : हिन्दी बहुत सी परीक्षाओं का माध्यम हो चुकी है।

श्री देवकीनन्दन नारायण : मैं जानता हूँ। मैंने पढ़ा है। परीक्षा का माध्यम भले 787 RS.—5.

ही हो गई हो, परन्तु शिक्षा दी जाती है अंग्रेजी में। वह तो विकल्प है, आपने आप्शन दिया हुआ है। आप कृपा करके मुझे इस तरह से मिस्लीड न करें। तो मैं यह कह रहा था कि सारे देश के लिए एक यह आदर्श यूनीवर्सिटी बनाई जाय। जहां तक शिक्षा का सवाल है, सारे देश के लोग वहां पढ़ने आवें, हर एक प्रान्त से आवें, तभी सच्चे माने में वह आल इंडिया यूनिवर्सिटी बन सकती है। इसके सिवा मुझे कोई और जरिया नजर नहीं आता जिससे आल इंडिया यूनिवर्सिटी सबकी प्रिय हो और आदर्शभूत हो। इसलिए मैं यह इंग्गा कि महामना मालवीय जी का इससे बड़ा कोई स्मारक नहीं हो सकता कि उनके द्वारा बनी यूनीवर्सिटी में शिक्षा का माध्यम हिन्दी हो, हिन्दी में पढ़ाई हो और हिन्दी का ही वहां सब प्रकार बोलबाला हो।

और कुछ दूसरी छोटी मोटी बातें हैं। हालांकि जैसा मैंने निवेदन किया, कुछ बुनियादी बातें इस विधायक में हैं नहीं। शिक्षा प्रणाली जो पचास बरस से चली आ रही है वही आगे चलेगी। कोई क्रान्तिकारी तबदीली होने वाली नहीं है। हालांकि हम देखते हैं कि आज जितने हमारे विद्वान हैं, शिक्षा के पंडित हैं, वे प्रचलित शिक्षा प्रणाली में दोष बतलाते हैं टीका-टिप्पणी करने हैं कोई खास क्रान्तिकारी बदल हमारी शिक्षा प्रणाली में हो नहीं पाया है। जैसी हालत आज है वैसी ही आगे चलने वाली है। ऐसी स्थिति में मैं क्या कह सकता हूँ? मैं एक मामूली आदमी हूँ। जिनसे अपेक्षा है, वे अपेक्षापूर्ति नहीं करते, जो शिक्षाधिकारी हैं, वे आदर्शवाद को सामने नहीं रखते। तो फिर कहाँ जाये?

(Time bell rings)

Five minutes left. I started at ...

THE DEPUTY CHAIRMAN: I am keeping the time here. You have two minutes more.

SHRI DEOKINANDAN NARAYAN: For fifteen minutes I am to speak. Please give me some three or four minutes. I shall just finish. I have finished practically.

इस में एक क्लाज है 5 (ए) जिस में कहा गया है कि यूनिवर्सिटी की कौंसिल को या एग्जीक्यूटिव को अख्तियार है कि वह वह दी हुई डिग्री, डिप्लोमा, सर्टिफिकेट वापस ले सकते हैं। यह तो एक मजिस्ट्रेट की पावर हो गई। जब उसको डिग्री मिल गई, डिप्लोमा मिल गया, वह कालेज छोड़ कर चला गया और अपने उद्योग करने लगा, वहां पढ़ने के बाद यहाँ उस से कोई गलती हो जाती है। . . .

SHRI P. N. SAPRU: You shall remain worthy of the same.

SHRI DEOKINANDAN NARAYAN: This is expected.

SHRI P. N. SAPRU: These are the words which every Vice-Chancellor uses when the degree is conferred.

श्री देवकीनन्दन नारायण : मैं मानता हूँ, यह अपेक्षा करना ठीक है, परन्तु जब वह यूनिवर्सिटी छोड़ कर चला जाता है और अलग से अपने उद्योग में पढ़ा जाता है तो किस तरह से उसकी तलाश हो सकती है या इन्क्वायरी कर सकते हैं या एक्शन ले सकते हैं। दूसरे जब कोई बात आप किसी के खिलाफ करना चाहते हैं तो उसका कहना भी सुनना चाहिए उसको मौका देना चाहिए। यह काम है तो कोर्ट भले ही करे, पुलिस करे। शिक्षा केन्द्र कहलाने वाले चांसलर या वाइस-चांसलर या जो आप की अथारिटीज है वे अगर इस काम को करेंगी तो मेरे ख्याल से यह ठीक नहीं होगा।

4 P.M.

SHRI P. N. SAPRU: May I intervene to explain that when the University decides to take action against

a person for misconduct, it will necessarily call upon him to explain his conduct? That is assumed.

SHRI DEOKINANDAN NARAYAN: That may be assumed, but who knows whether it will be done.

मेरे ख्याल से यह ठीक नहीं है। इस को यहां से निकाल देना चाहिये क्योंकि यह काम यूनिवर्सिटी के बाद जहां वह समाज में पढ़ा जाता है उस समाज का है, समाज की जिम्मेदारी है कि उस को क्या करने दें और क्या न करने दें।

इस के बाद मारल टरपीट्यूड की बात है। मैं नहीं समझ पाया कि क्या भारत टरपीट्यूड के लिये छः महीने से ऊपर सजा वाला ही गुनाहगार हो जाता है क्योंकि आप जानते हैं कि कोर्ट और कचहरी में बहुत बड़े गुनाह के लिये एविडेंस न होने के कारण बहुत कम सजा हो जाती है और छोटे गुनाह के लिये एविडेंस के आधार पर बहुत सजा हो जाती है, यह तो होता रहता है कोर्ट में। तो फिर किसी अनैतिक गुनाह के कारण जब सजा होती है तब सजा छोटी हो या बड़ी हो, सजा की लम्बाई आप अनैतिकता को पहचाने तो एक बड़ी गस्ती होगी। सजा की लम्बाई से अनैतिकता को नहीं पहचानना चाहिए अनैतिकता जो हुई हो उस हिसाब से देखना चाहिये और छः महीने, दो महीने या 15 दिन की बात नहीं रहनी चाहिये। मैं कह रहा हूँ कि जिसको अनैतिक गुनाह के लिये सजा हुई हो वह किसी कालेज में या विद्यार्थियों के बीच में नहीं रह सकता।

पंडित श्याम सुन्दर नारायण तन्खा : छः महीने की सजा हर मुकदमे में पाने की बात नहीं है, ऐसा वहां होगा जहां मारल टरपीट्यूड के लिये सजा पायेंगे।

श्री देवकीनन्दन नारायण : मैं तो यही कह रहा हूँ कि छः महीने नहीं, दो महीने या

15 दिन की सजा पाये हों तो निकाल देना चाहिये ।

SHRI P. N. SAPRU: But there is one other theory....

SHRI DEOKINANDAN NARAYAN: My time will be over, let me finish.

THE DEPUTY CHAIRMAN: Your time is really over. You wind up now.

श्री देवकीनन्दन नारायण : दूसरी बात जो मैं कहना चाहता हूँ वह यह है कि यह यूनिवर्सिटी जब स्थापित हुई तो खास मकसद यह था कि बनारस यूनिवर्सिटी एक रेजिडेंशल यूनिवर्सिटी होगी क्योंकि रेजिडेंशल यूनिवर्सिटी में शिक्षार्थियों की ओर ध्यान दिया जा सकता है, उन के आचार विचार की ओर जो ध्यान दिया जा सकता है वह बाहर के कालेज के विद्यार्थियों की ओर नहीं दिया जा सकता । किसी यूनिवर्सिटी में ये दो तरह की बातें नहीं रखनी चाहियें क्योंकि जो कैम्पस में, यूनिवर्सिटी में रहते हैं वे वहाँ जो सहूलियतें पाते हैं वह 15 मील या 10 मील दूर के कालेज में नहीं पा सकते । यहाँ तो उनको सब सहूलियतें मिलती रहें और बाहर उन की सहूलियतें कम हो जायें इस तरह दुराभाव होना, पक्षपात करना ठीक नहीं लगता । हर हालत में रेजिडेंशल यूनिवर्सिटी की ही आवश्यकता है, शिक्षार्थी और शिक्षक एक जगह रहें यह बहुत आवश्यक है ।

THE DEPUTY CHAIRMAN: That will do.

SHRI DEOKINANDAN NARAYAN: All right. Thank you.

PROF. B. N. PRASAD: Madam Deputy Chairman, I thank you for allowing me to make some observations on the Report of the Joint Select Committee as it has come out. I must say that the Joint Select Committee has done a tremendous amount of

work. It consisted of no less than 45 persons and it held 13 prolonged sittings. Very many problems were discussed and discussed very thoroughly. The whole atmosphere was a very democratic one. I must express my deep appreciation and gratefulness to the hon. Minister of Education who showed there a perfect spirit of democracy. There were certain items on which the Committee did not agree with him, but still the Education Minister allowed the Committee to have its way and got its decision recorded. I am further glad that in spite of the fact that there were certain points with which he did not agree, he has not come out with any minute of dissent. Therefore, I congratulate the hon. Minister of Education.

The reason why so much amount of work was done by this Committee and so much time was taken by it is that it concerned a university which was supposed at its time to be perhaps the greatest university of the country. As a matter of fact possibly no other university has made so much contribution to national matters, academic matters and technological matters as the Banaras University has done. It was a university which was founded by the efforts of Pandit Madan Mohan Malaviya. It was a university which established that famous College of technology and institutions of various types. Its graduates have spread all over India, and they render conspicuous service to the Motherland. I remember particularly the part that was played by the graduates of the Banaras University during the year 1942. I myself was present there, I was associated with the university in a very intimate capacity. This being the past history of the university how was it that the university had so much deteriorated that Ordinances had to be passed to govern its proceedings? Well, it is all well known that after the vice-Chancellorship of Pandit Madan Mohan Malaviya. Dr. Radhakrishnan and Acharya Narendra Dev, somehow I should say, the university

[Prof. B. N. Prasad.]

began to deteriorate so much so that it is known to everyone what steps were taken by the Government of India to try to set it right.

SHRI AKBAR ALI KHAN: It is only for the last seven years.

PROF. B. N. PRASAD: Unfortunately the more the Government of India tried, I personally feel, the more its condition went on deteriorating and that is how after a delay of so many years this Bill has been brought forward.

The Bill has made an all-round improvement on the previous constitution of the university. Of course there may be certain aspects with which some persons may not agree, but that is only natural. Taking the broader aspects into consideration we find that there is a good deal of improvement, and if we compare the present recommended constitution of the university with those of the other existing universities, I have no hesitation to say that this recommended constitution is very much superior to all of them.

A number of previous speakers have dwelt upon the various aspects of the recommendations. Since there is not much time to deal with all these matters, I would confine myself to some of the notes that have come out as minutes of dissent. If I classify these various types of minutes of dissent, I find that the greatest amount of consideration which has been given in these minutes of dissent relates to the name of the Banaras Hindu University and, secondly, the proposed terms of services of the Vice-Chancellor and the Registrar. As has been generally agreed or generally believed the condition of the university during the past seven years has very much deteriorated and as has been remarked by a previous speaker during this period the persons responsible or supposed to be responsible have been as Vice-Chancellor and the Registrar. In certain minutes of dissent I find that the things as passed

in the Joint Select Committee are not correctly stated. For example, when suggestions were put forward that the services of the present Vice-Chancellor and the Registrar should be terminated, the reason that was given in the Joint Select Committee was that since these two officers had been mostly responsible for the working of the University during the last seven years, when the University came under a new constitution it should start with a clean slate. If these persons were allowed to continue even after the new constitution came into being, it was quite likely that they might be able at least to bring into practice some of the practices that they had followed in the past. That was the main reason on account of which the Joint Select Committee recommended this provision.

Madam, I may be pardoned for speaking on some of the minutes of dissent. For example, Shri Jairamdas Daulatram writes—

"The proposal that the Vice-Chancellor holding office now should vacate office was passed on the ground that he was nearing the end of his tenure and it would be better if the new Vice-Chancellor has a clean slate to write upon . . ."

This was not the reason given, the reason given was that a new person should take charge, not the present Vice-Chancellor whose services were being terminated.

Then I find that a lot of emphasis has been laid by a number of writers and even speakers that it would be against natural justice to terminate the services of the present Registrar. I want to make it clear that I personally do not say one way or the other. But facts must be faced as they stand. Here as you will find or as we have come to know, a tremendous amount of force has been marshalled, and I know that some of the persons who had voted on one side have written minutes of dissent

against it. Now, there are certain facts which are printed in this Report, which are not supported by actual facts. I find myself in a very embarrassing situation when I come to take up the case of the minute of dissent written by no less a person than the worthy Chairman of the Joint Select Committee. I personally feel that it would have been much better if he had desisted from writing a Note of this type. But when I come to the actual wording of the Note, I have to point out a worse state of affairs. For example, he thinks that it was on the spur of the moment that a decision like that was suddenly made. The fact, Madam, is that when this recommendation came up before the Joint Select Committee, voting was taken and I must say, if I may be permitted to divulge, that even the hon. Minister of Education voted against it. (*Interruptions.*) I say it, I have taken the Chairman's permission.

THE DEPUTY CHAIRMAN: Better you deal with the Bill as it has emerged from the Joint Select Committee.

PROF. B. N. PRASAD: I just withdraw that thing. I can proceed now.

SHRI M. N. GOVINDAN NAIR: State the facts and then withdraw.

PROF. B. N. PRASAD: Let me proceed with my speech. Voting was asked to be taken again

THE DEPUTY CHAIRMAN: You are narrating what happened in the Joint Select Committee.

PROF. B. N. PRASAD: I am just going to challenge the statement that it was done on the spur of the moment; that is why I have got to state the facts. Then, voting was taken again, again with the same result. The next day it was brought up again, voting was taken again with the same result. Can you say that a decision arrived at in this manner could be said to have been

taken on the spur of the moment? That is the point.

SHRI AKBAR ALI KHAN: Was it voted upon three times?

PROF. B. N. PRASAD: Yes.

AN HON. MEMBER: No, no.

PROF. M. B. LAL: Only one meeting, not two meetings?

PROF. B. N. PRASAD: It was brought up the next day; voting was held again. This was done. You say that I should not divulge the name, otherwise I would name the person now.

SHRI AKBAR ALI KHAN: If two professors disagree, what about poor illiterates?

PROF. B. N. PRASAD: It is a healthy sign that professors should disagree. But let me proceed.

SHRI CHANDRA SHEKHAR (Uttar Pradesh): Professors can do everything. They can bring out a Note of Dissent even as Chairmen. This can be done only by a professor, not by an ordinary man.

PROF. B. N. PRASAD: You have all been brought up by professors.

SHRI P. N. SAPRU: I strongly object to the remarks which my hon. friend has made, the insinuation which he has made about Dr. Wadia. He is one of the most

SHRI CHANDRA SHEKHAR: What is the insinuation?

SHRI P. N. SAPRU: He said that it can only be done by a professor.

SHRI M. P. SHUKLA: Because he is a very learned person.

THE DEPUTY CHAIRMAN: I do not think that he meant it that way. I do not think that he has cast any slur on the professor. Was it your contention

SHRI CHANDRA SHEKHAR: Madam Deputy Chairman, I did not cast any aspersion but I take serious objection that the Chairman of the Select Committee should give a note of dissent. This is the

SHRI M. P. SHUKLA: Without resigning.

SHRI CHANDRA SHEKHAR: Without resigning the Chairmanship. I have every right to say this. This is the tradition that can be established by a Professor who is too much confident of his ability.

THE DEPUTY CHAIRMAN: Now, Mr. Chandra Shekhar

PROF. B. N. PRASAD: My only suggestion is that he should not generalise about professors. Well, let me proceed.

THE DEPUTY CHAIRMAN: Proceed on the Bill.

PROF. B. N. PRASAD: It is just a small thing. And I am afraid, when I proceed further and when I speak out the truth, my hon. friend . . .

THE DEPUTY CHAIRMAN: Are you going to deal only with the notes of dissent? Please come to the Bill.

PROF. B. N. PRASAD: I have to point out a very . . .

THE DEPUTY CHAIRMAN: You have very limited time.

PROF. B. N. PRASAD: I know but they should not take away my time.

Now, here I find it stated: "That the case of the Registrar stands on a different footing altogether. He is after all a subordinate officer who carried out the policies laid down by the Vice-Chancellor and the Executive Council." On this, I may only say that the hon. Minister of Education has been receiving some correspondence from the Vice-Chancellor of the Banaras University regarding this matter whether the policies laid down were or were not

being carried out and I believe, if there is no objection, the hon. Minister of Education would take the House into confidence regarding the purport of the letter or the contents of the communications.

Then the most serious objection I raise is that the name of our President, Dr. Radhakrishnan, has been brought in. (*Interruptions*) Please allow me to say this. I know my responsibility when I am speaking like this. (*Interruptions*) It is written here: "That the present Registrar has discharged his duties quite satisfactorily has been borne out by the opinions about his work expressed by successive Vice-Chancellors from the time when Dr. Radhakrishnan was Vice-Chancellor."

SHRI P. N. SAPRU: What is wrong there?

PROF. B. N. PRASAD: It is my duty to say it and it is your duty to resent it.

(*Interruptions*)

Let me proceed, Madam. I am in possession of the House. I was on the Executive Council at that time when Dr. Radhakrishnan was the Vice-Chancellor. During the Vice-Chancellorship of Dr. Radhakrishnan this gentleman was not appointed as Registrar, he was not the Registrar. (*Interruptions*) Here is the expression, you can read the expression for yourself. I appeal to the Leader of the House that if this statement is not correct, a statement of this type dragging the name of the President should be sponged out from this. It is a very serious matter. The way in which the name of the President has been drawn like this creates an impression that the gentleman enjoyed the support of the President himself. The practice was that he was appointed Registrar . . .

THE DEPUTY CHAIRMAN: Please discuss the Bill. Why are you going into the Minute of Dissent?

SHRI M. P. SHUKLA: May I rise on a point of order? The statement of facts mentioned in the minute of dissent of the Chairman of the Select Committee is wrong on the fact itself. So it is a misstatement. The name of the President should not be brought in the proceedings. I propose that it should be deleted from the proceedings.

PROF. M. B. LAL: Madam, I may point out to you that the present Registrar was appointed Deputy Registrar when Sir Radhakrishnan was the Vice-Chancellor of the Banaras Hindu University. Here the reference is to Dr. Radhakrishnan, the Vice-Chancellor, and not Dr. Radhakrishnan, the President of India.

PROF. B. N. PRASAD: Madam, you cannot separate the two. We know that Dr. Radhakrishnan is our President. Bringing in the name of the President gives an undesirable trend to the whole thing.

THE DEPUTY CHAIRMAN: I do not think it gives a meaning that you want to give it.

PROF. B. N. PRASAD: The language is there. The expression is there. Anybody can read it.

SHRI AKBAR ALI KHAN: Professor Sahib, the fact is also disputed. They say that he was appointed Deputy Registrar.

PROF. B. N. PRASAD: No. He was neither appointed as Registrar nor as Deputy Registrar.

PROF. M. B. LAL: He was appointed Deputy Registrar when Sir Radhakrishnan was the Vice-Chancellor of the Banaras Hindu University.

PROF. B. N. PRASAD: We leave it to the hon'ble Minister of Education to find out from the records.

SHRI M. C. CHAGLA: Since, we are discussing more the Registrar of

the University than the Bill, that shows how we are dragging in personalities when it is not necessary to do so.

THE DEPUTY CHAIRMAN: That is what I have been pointing out. Please come to the proper provisions of the Bill now.

SHRI M. N. GOVINDAN NAIR: It is because of the confusions created in this House by your Registrar.

PROF. B. N. PRASAD: I proceed further. I only wanted to show . . .

SHRI M. P. SHUKLA: If any proof is needed about the competence of the Registrar as a cliquish man, It is because of the confusions created coming from no less a person than the Chairman of the Joint Select Committee himself.

SHRI P. N. SAPRU: Madam, I take strong exception to the remarks of my esteemed friend, Mr. Shukla . . .

THE DEPUTY CHAIRMAN: What did he say?

SHRI P. N. SAPRU: That no less a person than the Chairman wrote like this as if the Chairman has no means to know, has no judgment of his own.

PROF. B. N. PRASAD: Madam, I am not allowed to have my say.

SHRI P. N. SAPRU: I have yet to know a man of Dr. Wadia's integrity.

SHRI CHANDRA SHEKHAR: You have your view. Mr. Shukla has his own view. How can you change his views?

THE DEPUTY CHAIRMAN: Your time is up.

PROF. B. N. PRASAD: I will take two minutes.

THE DEPUTY CHAIRMAN: Yes, please conclude and do not deal with personalities. Speak on the provisions of the Bill.

PROF. B. N. PRASAD: I just brought these points before the House to show that possibly a minute of dissent of the type I have analysed is not conducive to a healthy discussion in the Houses of Parliament.

I come to the second topic.

THE DEPUTY CHAIRMAN: What?

PROF. B. N. PRASAD: Just passing remarks to a few other topics.

THE DEPUTY CHAIRMAN: You have only two minutes left.

PROF. B. N. PRASAD: Several suggestions have been made regarding the change of the name of the Banaras Hindu University. The two names existed even from the time of Pandit Madan Mohan Malaviya. In Hindi he writes Kashi Viswavidyalaya and in English Banaras Hindu University. If there be a general feeling that the removal of the word "Hindu" and, similarly, the removal of the word "Muslim" from the Aligarh Muslim University would be conducive to better state of affairs, I personally would have no objection. But I want to make it clear that the word "Viswavidyalaya" is a more suited word. "Mahavidyalaya" means only a big school or college, whereas "Viswavidyalaya" means a University. So if the general decision be in favour of this, why not keep the name as given by Pandit Madan Mohan Malaviya himself?

SHRI AKBAR ALI KHAN: On this question you and Dr. Tara Chand differ.

PROF. B. N. PRASAD: To differ is a healthy sign.

As regards students organisation, a recommendation has been made that the membership of the Union must be voluntary. I submit that this is one of the healthiest recommendations of the Joint Select Committee. My friend here...

SHRI CHANDRA SHEKHAR: No, no.

PROF. B. N. PRASAD: Well, he was in the Allahabad University, a very important member of the Union. And my friend also has advocated the retention of that thing.

SHRI AKBAR ALI KHAN: He must have worried you a lot.

PROF. B. N. PRASAD: I must say that these days generally the students who are very active in Unions try to somehow dominate or sometime overawe the authorities with the usual strikes etc. (*Time bell rings*) Since as you say I have not much time, I would only say that this is a very healthy recommendation and that must be accepted. With these few observations I support that the Bill as it has come out from the Joint Select Committee should be passed by this House.

THE DEPUTY CHAIRMAN: Dr. Sapru, for a change.

SHRI P. N. SAPRU (Uttar Pradesh): Madam Deputy Chairman, first I would like to congratulate Mr. Chagla for the spirit of accommodation that he displayed as the Minister of Education in piloting this Bill through the Joint Select Committee. May I also say that I would like to pay a tribute to the great industry and efficiency with which the proceedings of the Committee were conducted by one of the most revered Members of this House, one of the most eminent educationists of this House, Dr. Wadia. I am sorry that an attack should have been launched about him by one who

never achieved the distinction which Dr. Wadia has achieved in the world of scholarship or education. I am referring to Dr. B. N. Prasad.

SHRI CHANDRA SHEKHAR: On a point of order, Madam Deputy Chairman. This is quite unparliamentary. This remark of Dr. Sapru should be deleted. He has no right to point out towards a Member of this House. This is quite unparliamentary and howsoever senior Member he may be, we take serious exception to this behaviour of Dr. Sapru. He cannot point out towards any Member of the House; he has no authority. It is a disgrace to the whole House.

THE DEPUTY CHAIRMAN: Dr. Sapru, you should not caste aspersion on any Member of the House.

SHRI P. N. SAPRU: I have not said that Dr. B. N. Prasad . . .

PROF. B. N. PRASAD: On a point of order. Since he has mentioned my name I have nothing to say to what he said. But is it within his purview to compare the scholarship of any two persons and give us a certificate of merit?

SHRI P. N. SAPRU: I have not said that Dr. Prasad has not achieved distinction. I said that he has not achieved the distinction which Dr. Wadia has.

THE DEPUTY CHAIRMAN: Even so I think . . .

SHRI CHANDRA SHEKHAR: If there are going to be these lapses in the House, Madam Deputy Chairman, you are not controlling Dr. Sapru . . .

DR. M. M. S. SIDDHU (Uttar Pradesh): You cannot compare an economist with a mathematician because you do not know mathematics.

THE DEPUTY CHAIRMAN: Mr. Sapru, I do hope you will avoid this sort of remarks. You are a great jurist. You know exactly how to say

a thing when you want to say a thing. I do hope you will not make such remarks again.

SHRI P. N. SAPRU: Dr. Prasad is a very good friend of mine. I have no animosity against him.

(Interruptions)

THE DEPUTY CHAIRMAN: If he feels hurt . . .

PROF. B. N. PRASAD: I am not hurt.

SHRI P. N. SAPRU: If my friend feels hurt, then whatever my opinions may be I withdraw them unreservedly for the purpose of harmony in this House.

THE DEPUTY CHAIRMAN: That is all right.

SHRI P. N. SAPRU: Now it was the painful duty of Dr. Shrimali, Mr. Chagla's predecessor in office, to take over the administration of the first non-official University in this country. He had to perform a painful operation. He did not like it, we did not like it but it was an operation which had to be performed and seven years after, it has become necessary for us to consider what the constitution of the University should be.

SHRI AKBAR ALI KHAN: But it should have been much earlier. It should have been six years earlier.

SHRI P. N. SAPRU: I am not going to blame the Education Minister or the University authorities for not bringing in a Bill earlier. The conditions in Banaras were such that they required tactful handling and I think that they have handled the situation tactfully. I say so particularly with reference to the first Vice-Chancellor appointed by Dr. Shrimali.

AN HON. MEMBER: Who was it?

SHRI P. N. SAPRU: Mr. B. N. Jha.

SHRI M. N. GOVINDAN NAIR: When you say that the Ministry is not to be blamed for the delay in

[Shri M. N. Govindan Nair.]

bringing the Bill, do you mean that they were not responsible and do you mean that the Executive Committee and the Vice-Chancellor were responsible for it?

SHRI P. N. SAPRU: I am congratulating Mr. Chagla, the new Education Minister, on bringing forward this Bill at the earliest possible opportunity. I am not concerned with what happened before he came into office. May I say that it is necessary for us to have for the Universities a constitution and an atmosphere which promotes learning, which promotes research, which promotes scholarship. I am not worried about intrigues you have even in Universities of advanced countries like Britain. I would like some of those who talk of intrigues in Indian universities to read a book written by a member of the present Labour Government and a novelist of distinction, Mr. C. P. Snow, by name 'The Master'. What I feel about our universities is that there is no enthusiasm for research, there is no enthusiasm for extending the bounds of knowledge. The professors are content with what they have achieved. They feel: 'Oh, I have a first class in my Masters Examination and I have been able to get a D. Litt. from some University or other in the U.S. and who can be more learned than I am?' The fact of the matter is that teachers are often lacking in the humility which they should display in dealing with their own students. I remember the case when I, as a student used to go to my Oxford Tutor and I would express an opinion in a very dogmatic manner. He would not tell me straight that I was wrong. He would say: 'Perhaps you know you have missed this point, perhaps there is another way of looking at this question'. He would pose those questions to me in a tentative manner. Here, unfortunately, our university education is dominated by the lecture system and the teachers assume that they have all the knowledge that is needed for their purposes in their subjects. In these

circumstances it is not easy to draw up, what I would like to see, a fully democratic constitutions for the universities because I believe in academic freedom but here it is the teacher who has been responsible for inroads into academic freedom.

After saying this I shall go to point out certain features of the Bill with which I find myself in agreement and certain features with which I do not find myself in agreement. First of all I think we have abolished quite unnecessarily the office of Pro-Chancellor. If you will have a look at the calendar of any British University I know the word 'British' stinks in our nostrils these days but I would say perhaps that would be true of all continental universities also and I am not certain if that is true of the Soviet Universities but I would say that if you look at the constitution of any British University you will find that there is a large number of superfluous officers. For example in the London University they have what they call a Chairman of the London University Court. Mr. Justice Birkett, later Lord Birkett, and Lord MacMillan were Chairman of the London University Court and I would like just to read the tribute which was paid to Lord MacMillan by the Court of the London University on his retirement. It shows that a non-official of distinction in an academic position can be of great help to a University. The Court said:

"That the Court desire to record their deep and sincere regret at the resignation of Lord MacMillan, their Chairman since the constitution of the Court in 1929. They recognize the University's indebtedness to him, throughout a period of change and new development for his discriminating and farsighted leadership in matters of financial policy and all questions connected with the welfare of the schools. They felt acutely the loss to their deliberations of his wide experience of men and affairs and also of those great personal qualities, not least as regards the finance of the

building scheme in Bloomsbury, so brilliantly successful an advocate of the University in the outside world."

I think therefore that it is necessary for us to have some outstanding public men associated with our universities. They need not be Ministers, they need not be Governors, they may be just ordinary individuals, they may be ordinary educationists. They may be eminent educationists. I think the public life of this country should be associated intimately with the universities and it is for this reason that I regret that the post of Pro-Chancellor is being abolished. I know that in the past our practice has been to have as our Pro-Chancellor, a ruling Prince.

Well, the ruling princes made large gifts to the university; we have no ruling princes now, but we have an intellectual elite in this country and I want therefore the provision that was there for Pro-Chancellor to remain.

Then, Madam Deputy Chairman, I would like to say a word about the extension of the area of the University. I would like the University to remain a residential university. We have some colleges affiliated; well, I do not want to disaffiliate them, but I do not want new colleges to be affiliated to the University, because that will affect the residential and unitary character of the University. That will affect, in the ultimate analysis, the teaching standards of the University. These colleges can get affiliated to the Gorakhpur University, if they like, and get the Degrees cheaply. But I would like the Banaras Hindu University, which is a Centrally administered university, to be a model university. I would like it to maintain the highest standard of education possible.

Then I would like to say that I am glad that the system of selecting the Vice-Chancellor has been modified; here Mr. Chagla showed an amiable spirit of compromise. The general

feeling was that the Court should elect the Vice-Chancellor, but there were objections to an administrator being elected by a large body as the Court, and the solution that Mr. Chagla discovered was that the Court shall nominate two persons and the Visitor shall nominate one person to form a committee of three persons, and that this committee will suggest a panel of not less than three persons from among whom the Vice-Chancellor will be chosen and appointed by the Visitor. It was an ideal solution of a difficult problem and I think it is an improvement which commends itself for acceptance by this House.

Also credit must be given to the Joint Select Committee for increasing the number of registered graduates, who shall send their representatives to the Court. Now the Court will be a more democratic body than it was in old days; it was a privilege, in the old days, of a man who had given a lot of money to the University, to have the right of nominating representatives. Well, we do not believe that that privilege should be enjoyed only by the donors who donate large sums of money, and we have therefore made it possible for the smaller donors also to be put into one and the same class along with the larger ones, and I think anyone who donates up to one thousand rupees will be a voter for election to the Court. Now that is an improvement which we have made.

Now, Madam Deputy Chairman, I would like to say something about the Vice-Chancellor versus Registrar controversy. I personally have come to the conclusion that the best solution would be to leave things as they are. The Vice-Chancellor will probably retire in March; let him do so, and if we do not like him, we shall not see him after March. So far as the Registrar is concerned, we must remember that he is a permanent officer; he is, what you may call, a permanent civil servant, and permanent civil servants have certain rights guaranteed to them, which is essential for the successful functioning of democracy. It is for that

[Shri P. N. Sapru.]

reason that you find a specific article in our Constitution, article 311, and when we voted in favour of that proposal embodied in sub-clause (4) of clause 23, we violated in the spirit of article 311. I am free to confess that I also got a little confused when the voting took place.

PROF. B. N. PRASAD: Voted on the wrong side.

SHRI P. N. SAPRU: Well, I won't disclose what happened in the Select Committee; I have put in a minute of dissent, which explains my position, but I think it was monstrous that we should terminate the services of a man about whom we had instituted no inquiry and to whom we had given no opportunity to explain his position, and I think it was something of which we cannot feel proud, and therefore it is right that that mistake should be corrected by this House.

Lastly, I would like to say a word about students' unions. Well, I know a lot about student's unions and I have taken a more active part in the settlement of disputes among students' unions than Mr. B. N. Prasad with all the knowledge which he possesses as a professor in a university. I think that these unions should be of a voluntary character; Mr. Munshi made that suggestion, but Mr. Munshi has the knack of saying things in the wrong way, and the result was that there was a great deal of agitation about the whole matter. I think that, under our Constitution, membership of a students' union cannot be made compulsory. But this does not mean that students should have no council or should have no body authorised to make representations with regard to their grievances to the authorities. Therefore I have suggested, in an amendment which I am moving, that there should be a representative council, on a facultywise or collegewise basis elected entirely by the students, which will have the right of making representation to the authorities with regard to student's grievances or with

regard to matters affecting the welfare of students.

I do hope that this question will be viewed from a big angle. May I say that in their new civic universities in Britain, they have these representative councils; and they have gone further in the new universities where the students have been provided with representation on the court of the university. They can sit along with Dr. Prasad on the Court of the university.

PROF. B. N. PRASAD: And along with Dr. Sapru also.

SHRI P. N. SAPRU: I am democratic enough for that. So, Madam Deputy Chairman, while supporting the proposals that the students unions as at present constituted, should be made to confine themselves to literary activities and they should be used to train the parliamentarians and statesmen and diplomats and judges of the future, while agreeing with that view, I would also stress the view that we should give our students a feeling that they are participating in the functioning of the University. It is self-government alone which makes people responsible and we should cultivate that sense of responsibility among our students by giving them some sort of representative council.

With these words, I would welcome this Bill and I would say that we have done a good job and the Rajya Sabha will be discharging a great duty by passing this measure.

May I say a word about the name?

THE DEPUTY CHAIRMAN: Mr. Sapru, the time is over.

SHRI P. N. SAPRU: Just a word about the name of the University. It was in 1947 that Maulana Abul Kalam Azad wrote to us suggesting that the words Hindu and Muslim should be dropped. As far as I remember, I was the only Hindu member of the Court—and we were all Hindus there, we

had no Muslims or Christian members there—I was the only member who voted for Maulana Azad's view. But today there are reasons which make me hesitate in accepting that view in this extreme form. I am not very happy with the turn things have taken with the latest trends in our national politics. But if change we must, then rather than have Kashi Mahavidyalaya or Kashi Vishwavidyalaya—these are very high-sounding words—rather than . . .

SHRI AKBAR ALI KHAN: Give it the founder's name.

SHRI P. N. SAPRU: I will come to that. I would rather call this university after the name of one of the greatest Indians that ever lived in this country, I would call it the Madan Mohan Malaviya Banaras University.

Thank you very much for the time which you have given me.

श्री गोड़े मुराहरि (उत्तर प्रदेश) :

मैडम डिप्टी चेयरमैन, बनारस युनिवर्सिटी के बारे में जब यहाँ पर बहस हो रही है तो कुछ इधर उधर की बात सुनने में आती है, कुछ लोग हंसी भी उड़ाते हैं। मैं उन को सिर्फ यही याद दिलाना चाहूंगा कि बनारस युनिवर्सिटी वह यूनिवर्सिटी है जिस ने कि १९४२ ई० में एक जिला कलेक्टर को गिरफ्तार करके उस जिले में एक आजाद हिन्द की सरकार बनाई थी और कई जिलों में उस वक्त जो अंग्रेजों का नामोनिशान था उस को खत्म करने की कोशिश की थी। वह इतिहास बनारस युनिवर्सिटी का है और उस के बारे में जब जिक्र होता है तो कुछ गुलाम दिमाग के लोग यह कहते हैं कि नौटेटिटी को और जो उस वक्त का इतिहास है उस को खत्म करना चाहिये लेकिन मैं तो यह कहूंगा कि अगर हिन्दुस्तान में कोई ऐसा विश्वविद्यालय रहा है जिसने कि हिन्दुस्तान के इतिहास में कुछ कर्म कर के दिखाया है और हिन्दुस्तान की आजादी के लिये कोई अपना कदम उठाया है तो फिर

वह बनारस हिन्दू युनिवर्सिटी थी और उस को हमें भूलना नहीं चाहिये। यह ठीक है कि बहुत से लोग यह कहेंगे कि एकेडैमिक डिस्टिंक्शन के साथ साथ हम को इन सब चीजों को चलाना नहीं है लेकिन वे यह भूलते हैं कि जो एकेडैमिक डिस्टिंक्शन की बात करते हैं उन को यह भी समझना चाहिये कि जब व्यक्ति अपना जो स्वाभिमान है उस को मानना जानता है तभी जा कर वह कोई एकेडैमिक डिस्टिंक्शन कर पायेगा और जिन्दगी में कुछ कर पायेगा और अगर इस बुनियाद को हम देखेंगे तो मैं यह कहना चाहूंगा कि बनारस हिन्दू युनिवर्सिटी का इतिहास सब से अच्छा रहा है, हिन्दुस्तान के जो बड़े-बड़े नेता लोग हैं, जो आज हिन्दुस्तान की राजनीति करने वाले हैं, जो आज हिन्दुस्तान में विद्या और शास्त्र के अग्रगण्य हैं उन में कई लोग आप ऐसे पायेंगे जो बनारस हिन्दू युनिवर्सिटी से पास हो कर आये हैं, इस सदन में और दूसरे सदन में आप कई मੈम्बरों को ऐसे पायेंगे जो किसी न किसी रूप में बनारस हिन्दू युनिवर्सिटी के साथ कोई न कोई ताल्लुक रखते रहे हैं। इसलिये जब कोई ऐसी बात बनारस हिन्दू युनिवर्सिटी के बारे में कही जाती है कि उस का जो पुराना इतिहास है वह भूल जाना चाहिये, उस को धो डालना चाहिये तो उन को यह समझना चाहिये कि यह जो प्रवृत्ति उन के दिमाग में आई है वह एक गुलामी की है और उस वक्त के जो गुलाम दिमाग के लोग हैं उस ढंग के लोग ही इस तरह की बात कर सकते हैं। लेकिन जो हिन्दुस्तान की आजादी के लिये और जो हिन्दुस्तान के स्वाभिमान के लिये लड़ रहे हैं ऐसे आदमी कभी ऐसी बात अपने मुह से नहीं निकालेंगे।

अब यह जो बनारस हिन्दू युनिवर्सिटी है, उस के नाम के बारे में कुछ कहा जाता है। यह कहा गया है कि "हिन्दू" शब्द वहाँ से हटा देना चाहिये। मैं भी मानता हूँ कि आज के जमाने में ऐसा कोई शब्द, ऐसा कोई नाम युनिवर्सिटी का नहीं होना चाहिये जो हिन्दु तान के किसी एक मजहब के साथ या किसी एक

[श्री गोड़े मुराहरि]

धर्म के साथ जुड़ा हुआ हो क्योंकि अज कल हिन्दुस्तान में जो भी फिरकापरस्ती और दूसरी जैहिनियत का एक वातावरण पैदा हो रहा है उस को देखते हुए हम लोगों को यह चाहिये कि अलीगढ़ यूनिवर्सिटी और काशी विश्वविद्यालय दोनों के नाम से यह हिन्दू और मुस्लिम जो जुड़ा हुआ है उस को खत्म कर दें। यह अच्छा होगा।

यह जो बिल हमारे सामने है उस के बारे में यह सही है कि सिलैक्ट कमेटी में जाने से पहले वह और भी खराब था और सिलैक्ट कमेटी से जिस रूप में आया है उस में बहुत से सुधार हुए हैं लेकिन इस समय भी इस बिल में बहुत सी ऐसी कमियां हैं, जिन के बारे में मैं जिक्र करना चाहूंगा। यह सारा बिल जो बना है इस के मूल को अगर देखेंगे तो पायेंगे कि यह एक नामिनेशन का है यानी सरकार की जो ब्यूरोक्रेसी है, जो अधिकारी लोग हैं, उन के जरिये जो नामिनेटेड कोर्ट होगा और उसके जरिये जो तीन लोगों का नामिनेशन होगा उन के जरिये सारी यूनिवर्सिटी का जो काम-काज होगा वह होगा, यानी करीब सौ का जो कोर्ट बनेगा उस में सिर्फ 30 या 30 से भी कम लोग इलेक्टड रिप्रजेन्टेटिव होंगे और बाकी सारे नामिनेशन से होंगे। तो मैं तो इस तरह की कोई नामिनेटेड चीज को पसन्द नहीं करता हूं और जहां तक मेरा ताल्लुक है मैं यह चाहूंगा कि बिल में यह तबदीली हो कि यूनिवर्सिटी का कामकाज

चलाने के लिये जो संस्था हो उस के ज्यादातर लोग कुछ चुनाव के जरिये आयें कुछ डेमोक्रेटिक प्रासेस से आयें और तभी जा कर कोई ठीक ढंग से यह यूनिवर्सिटी चल सकती है।

SHRI M. C. CHAGLA: I do not want to interrupt my hon. friend but I think he is not right. He said that in the constitution of the Court, only thirty were elected and seventy were nominated. If he studies the provision, he would find that it is not so. They may not be elected but they may be coming by rotation. The nominated element is certainly not in a majority. I have cut down the nominated element as far as possible.

श्री गोड़े मुराहरि : मैं मानता हूं कि जो नामिनेशन के जरिये आने वाले थे उन को आपने घटा दिया लेकिन अभी भी वहां पर मैजोरिटी नामिनेटेड लोगो की है।

श्री एम० सी० चागला : आप कहते हैं 30 इलेक्टड हैं और 70 नामिनेटेड है, लेकिन वैसा नहीं है।

THE DEPUTY CHAIRMAN: It is now five. You may continue on some other day.

The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at five of the clock till eleven of the clock on Friday, the 5th November, 1965.