

Sutlej and in seeing that this reservoir—we are going to bring it right down to the very minimum this year—and taking the amount of water that is available between these two, the table is drawn up which gives the best result both from the point of view of irrigation and of power.

THE BANARAS HINDU UNIVERSITY (AMENDMENT) BILL, 1964—
Continued

THE DEPUTY CHAIRMAN: We shall now take up clause by clause consideration of the Bill.

Clause 2—*Substitution of new section for section 2*

SHRI R. P. N. SINHA (Bihar): Madam, I move:

7. "That at page 1, lines 7-8, for the words 'In the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act), for section 2,' the words 'For section 2 of the principal Act' be substituted'."

[This amendment also stood in the names of Shri G. S. Pathak, Shri M. P. Bhargava, Shri Akbar Ali Khan, Shri P. K. Kumaran and Shri M. M. Dharia.]

DR. TARA CHAND (Nominated): Madam, I move:

8. "That at page 1, lines 7-8, the words and brackets '(hereinafter referred to as the principal Act)' be deleted."

9. "That at page 2, after line 6, the following be inserted, namely:—

'(ff) 'principal Act' means the Banaras Hindu University Act, 1915;

(fff) 'Reactor' means the Governor of the State of Uttar Pradesh;'"

10. "That at page 2, lines 12-13, the words 'in a Faculty of, or in a college maintained by, the University' be deleted."

11. "That at page 2, lines 12-13, the words 'a Faculty of, or in a college maintained by,' be deleted."

12. "That at page 2, line 16, for the words 'Banaras Hindu University' the words 'Kashi Mahavidyalaya' be substituted."

13. "That at page 2, after line 16, the following be inserted, namely:—

'(k) 'Visitor' means the President of India.'"

SHRI M. P. BHARGAVA: Madam, I move:

105. "That at page 1, lines 7-8, for the words, figures and brackets 'In the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act), for section 2,' the words and figure 'For section 2 of the principal Act' be substituted."

106. "That at page 2, for line 16, the following be substituted namely:—

'(i) 'University' means,—

(i) before the commencement of the Banaras Hindu University (Amendment) Act, 1965, the Banaras Hindu University; and

(ii) after such commencement, the Madan Mohan Malaviya Banaras University.'"

The questions were proposed.

SHRI M. C. CHAGLA: Madam, if it is acceptable to the House, if you will kindly take up the amendments of which notice has been given later, from 104 onwards, which suggest the name of Madan Mohan Malaviya University, if these are carried, then the others would lapse.

PROF. M. B. LAL: Madam, I beg to submit that when that clause is under consideration, all amendments should also be taken into consideration and not that if a particular amendment is carried the others would become redundant.

SHRI M. C. CHAGLA: I do not like to be unfair to him or to the House. I only said that if this is carried, the others would lapse.

PROF. SATYAVRATA SIDDHANTALANKAR: They are all independent amendments and they should be put to vote.

THE DEPUTY CHAIRMAN: Numbers 105 and 106 are Mr. Bhargava's amendments.

SHRI M. C. CHAGLA: What I said was, if this is carried, the rest would lapse.

THE DEPUTY CHAIRMAN: We shall go in the order, Mr. Chagla.

SHRI R. P. N. SINHA: Madam Deputy Chairman, I must admit at the outset that after hearing the hon. Education Minister I feel slightly demoralised in the sense that only the other day I had a talk with the hon. Minister and I told him about my amendment, and he very enthusiastically supported it; but obviously it seems to have given a second thought to the matter and has come to the conclusion that the amendment put by Mr. Bhargava should be accepted by him. I know that the Education Minister keeps his mind open, and I am fully confident that after he has heard me and the other hon. Members of the House on this amendment, he will give a third thought to the matter and he will come to the conclusion that it would be in the interest of the university to let the name which is there continue. When I say the name that is there, I mean Kashi Vishwa Vidyalaya which is a sub-name given by Malaviyaji to the university, and it is already there. That name is

there, and therefore it is only with a view to maintaining the continuity of the name that I have brought in this name. As I have said, the original conception or idea of Malaviyaji was to name the University as Kashi Vishwa Vidyalaya. I might say that I heard it from the horse's own mouth. That is to say, in 1927 when Malaviyaji came to Bihar in connection with electioneering for the Swaraj Party along with Lajpat Raiji, some of us met him, he was our guest; and he told us that he wanted the University to be named as Kashi Vishwa-Vidyalaya, but on the insistence of Dr. Annie Besant he had to change the name. But still he kept it as the alternative name and that is why it occurs on the seal of the University. That is one of my reasons why I brought forward this amendment. I have the greatest respect for Malaviyaji, in fact, I was very much devoted to him, and I would be the last person to say that his name should not be included in the name of the University, but I do really feel that we are having too much of personality cult in this country. We have even tea-shops and bidis named after Gandhiji and Jawaharlal Nehru. Our Education Minister is a very widely travelled person, a person of very wide knowledge. I would ask him respectfully how many universities in the world are named after individuals? (Interruptions) I do feel that there is something in a name, there are memories and sentiments attached to it. But that is all the more reason why I would insist, or I would urge upon the hon. Minister and the House to accept my amendment because the name of Kashi Vishwa Vidyalaya was very dear to Malaviyaji himself. Therefore, I would request the hon. Education Minister to reconsider the matter. I commend my amendment to the acceptance of the House.

PANDIT S. S. N. TANKHA (Uttar Pradesh): One word, Madam. A consolidated list of amendments has been circulated to us and that list we have before us. But I find that you

are giving the numbers of the amendments from lists 1, 2, 3, 4 and 5. Would it not be better to kindly go . . .

THE DEPUTY CHAIRMAN: Do you have the other list also? A supplementary list has been circulated to the Members.

PANDIT S. S. N. TANKHA: Not here. We did get them but we have left that at home.

THE DEPUTY CHAIRMAN: Have you not brought it here? Here you have a copy. We have circulated the supplementary list also. Some of the Members may not have brought them. But what is your point now that you have the supplementary list?

PANDIT S. S. N. TANKHA: I am not speaking about the supplementary list. I am speaking of the fact that a consolidated list of lists Nos. 1, 2, 3, 4 and 5 has been circulated, which is before me. But we have not got the particular lists, Nos. 1, 2, 3, 4 and 5. If you can kindly proceed with the amendments according to the consolidated list, it would facilitate matters.

THE DEPUTY CHAIRMAN: This is what I have done. The consolidated list is before me. I am putting the amendments before you. I am taking clause by clause and am doing it in a consolidated way and placing them before the House.

PROF. M. B. LAL: Madam, as pointed out . . .

THE DEPUTY CHAIRMAN: Are you speaking on amendment No. 7?

PROF. M. B. LAL: I am speaking on Shri R. P. N. Sinha's amendment.

Madam, Shri Sinha just pointed out that while the University under consideration is known under law as the Banaras Hindu University, it is also popularly known as the Kashi Vishwa Vidyalaya. The seal of the Uni-

versity bears both the names, the Banaras Hindu University and the Kashi Vishwa Vidyalaya. And by far the most important founder of this University, Pandit Madan Mohan Malaviya, wished it to be known as Kashi Vishwa Vidyalaya. He consented to the name of Banaras Hindu University because Mrs. Annie Besant was insistent perhaps because the college which was to be incorporated and which was to form the nucleus of this University was known as the Central Hindu College. I have my own suspicion, and I feel that in law we were forced to have it as the Banaras Hindu University and not as Kashi Vishwa Vidyalaya, because the Indian Legislature at that time was dominated by the British. If it had been dominated by those imbued with a modern spirit, they would have chosen the name of Kashi Vishwa Vidyalaya and would have even persuaded Pandit Malaviya to stick to his intentions that the University be called, in law as well as in public, as Kashi Vishwa Vidyalaya. Anyhow, as one connected with the Banaras Hindu University for more than thirty years, I know that whenever Pandit Malaviya used to refer to this University, he used to call it by the name of Kashi Vishwa Vidyalaya and say so with considerable force because, to him, the word 'Kashi' meant too much. Kashi has been the centre of our Indian culture. In Kashi all those scholars who wished to propound new ideas used to come and propagate their ideas and those ideas received national sanction only when the scholars of Kashi recognised the validity of those ideas. Kashi, thus, was not only a centre to preserve our ancient Indian culture, it was also a centre to promote the evolution of Indian culture. And Pandit Malaviya felt that he established this University in Kashi in fulfilment of that very objective of Kashi.

Madam, I beg to submit that our learned professor who was a teacher of many of my friends and who could well be my teacher—I mean Dr. Tara

[Prof. M. B. Lal.]

Chand—pointed out to us that the word 'university' is derived from the word 'universitas' which means guild. We cannot doubt his knowledge. But I beg to submit that at least in India, university is understood to be a centre of universal knowledge and that is why Pandit Madan Mohan Malaviya chose to call this University as Kashi Vishwa Vidyalaya and that was why Dr. Rabindranath Tagore called his institution as Vishwa Bharati. May I further beg to submit to you that the sanskrit word for "Guild" is "Nigam" and not "Mahavidyalaya", and if we would stick strictly to literal translation, we would have to call all Universities as "Nigams" and not as "Mahavidyalayas".

Again, I would further submit to him that whatever the literal translation of the word "University" might have been, as pointed out by another Member of the Rajya Sabha yesterday, the word "Vishwavidyalaya" is being generally used all over India for the word "University".

DR. TARA CHAND: I am prepared to accept "Vishwavidyalaya".

PROF. M. B. LAL: I am glad that Dr. Tara Chandji is prepared to accept the word "Viswavidyalaya" used by great men like Pandit Madan Mohan Malaviya and Rabindranath Tagore.

Madam, Prof. Ruthnaswamy, who, again could have been my teacher if I had been born in South India, wished us to forget the past and wished the University to be known as the University of Varanasi. (Interruption by Prof. B. N. Prasad) I do not regard my studentship in the Banaras Hindu University in any way a misfortune. That may be the idea of Dr. B. N. Prasad.

PROF. B. N. PRASAD: I congratulate you that you were in the Banaras Hindu University; otherwise something worse might have happened.

PROF. M. B. LAL: I am perfectly sure that under the able guidance and

inspiration of Pandit Madan Mohan Malaviya I developed my personality much better than I would have developed if I had joined any other University. I hope the distinguished Professor of History knows that the history of a nation or an old institution cannot be started afresh on a clean slate. Traditions do play an important part in moulding the destiny of a nation as well as that of an old institution. And, as I said before, while we the members of the University are required to mend our ways to see that the objectives of the University are properly fulfilled, we have no reason, Madam, to be ashamed of our traditions and to change the name of the University with a view to forgetting our past.

Madam, I do agree that in a modern world no national institution can afford to adhere rigidly to old traditions. Growth is the law of life. Progress demands response to new challenges, cultivation of new ways and needs reorientation of old ideas and institutions. I also beg to admit that the Banaras Hindu University was also to have to go through certain transformations. It will have to be more secular and catholic than it has so far been. It will have to lay greater stress on secularism, democratic values and national integration comprehending all sections of the Indian community. For that it will be necessary for us to forget the name given to us by an Act proposed by the British authorities. But for this we need not change our name, Kashi Viswavidyalaya. The word 'Kashi Viswavidyalaya' is as secular, and I may say, more cultural than any so far proposed in this House. This name Kashi Viswavidyalaya preserves continuity without in any way militating against the social objectives and the ideals of the nation. It is in tune with the spirit of the times. We are giving Indian names to our various institutions. Kashi Viswavidyalaya is composed of two words, both of which are essentially Indian in character. Therefore, I beg to submit

that this University should henceforth be called in law as it is called in public as Kashi Viswavidyalaya.

Madam, I have the highest respect for Pandit Madan Mohan Malaviya. To none I owe as much as I owe to him. I wish the youth of India to cultivate the high moral character and the spirit of selfless devotion that was Pandit Madan Mohan Malaviya. I also wish his services to be remembered by the nation. But I beg to submit that I feel no need for changing the name and associating his name with the University. His name is writ large on the University, and I feel that no University should bear the name of a particular person.

SHRI P. N. SAPRU (Uttar Pradesh): That cannot be a rule.

PROF. M. B. LAL: That is my opinion. It may not be yours. I am definitely of opinion that we should not encourage this particular procedure. I warn this House that if you begin to call two, three or four Universities by the name of some distinguished persons, all Universities in India would begin to be called, in due course of time, by the names of eminent persons. We have in this country some 60—70 Universities. In course of time we may have a hundred Universities, but the list of eminent persons would be larger than hundred. Therefore, even when you will name all Universities by the names of distinguished persons, the conflict would continue and many followers of eminent men would continue to feel that their great leader is not properly honoured.

SHRI G. S. PATHAK (Uttar Pradesh): We will have more Universities.

PROF. M. B. LAL: You cannot produce as many Universities as you can produce eminent men in the country.

Further, I beg to submit, Madam, that however great a man may be, however great and inspiring his personality may be he may get outmoded

after some time. It is difficult to conceive that a man can be a source of inspiration to generations for all times to come. Therefore, in following his teachings and ways of life, we will have to exercise restraint on ourselves.

Madam, I beg further to point out that the problem is not going to be solved the way the Education Minister wishes it to be solved. Those who feel that the word 'Hindu' should remain part of the Banaras Hindu University would say that after all Pandit Madan Mohan Malaviya was not so much against being called a Hindu that the University could not be called Pandit Madan Mohan Malaviya Banaras Hindu University. So those who stand for the word "Hindu" may be pleased to have the name Madan Mohan Malaviya but would like the word "Hindu" to be dropped. If we call it Kashi Viswavidyalaya, we may say that we are going through the process of Indianisation and when we are going through the process of Indianisation, we are discarding a name which is not Indian and accepting a name which is Indian and which is rooted in the culture of India. Persons may be great but Kashi, I beg to submit, is greater than any person whoever he may be and therefore with due respect to the great man whom I owe everything in life, I beg to submit, that the University should continue to be known as Kashi Viswavidyalaya and that great man's memory be commemorated in many ways in the University and outside the University which we can do.

DR. TARA CHAND: I had suggested among my amendments that the name should be Kashi Mahavidyalaya, I accepted the change suggested first by my friend, Shri Bhakt Darshan, 'Viswa' has become *rurhi*, a technical term, and although I still feel that as a literal translation it is improper but as a technical term, we need not go to the origins of these terms and therefore I am prepared that instead of calling it Kashi Mahavidyalaya as

[Dr. Tara Chand.]

I have suggested we may call it Kashi Viswavidyalaya. I must say that I have great sympathy with the point of view put forward by my friend over there. Kashi is undoubtedly a name which is as old as India. It occurs in the Atharva Veda. It occurs in all the sacred literature of the Hindus, in the Buddhist literature also and in the various other books which we hold sacred in India. Therefore, the term 'Kashi' possibly, probably in fact, brings to our mind the history of an entire culture over 4,000 or 5,000 years and therefore, undoubtedly it would be a good thing if this University is named Kashi Viswavidyalaya. But I must also say that I have got as much reverence for Pandit Madan Mohan Malaviya as my friend over there. I had the privilege of working with him at the time he was contemplating the establishment of the Banaras Hindu University and it would not have been possible because the great self-abnegation of that gentleman, his great self-sacrifice and devotion and his innate humility—he would not allow it, that his name should be associated with the University during his lifetime. But now that he has passed away, don't we think that it would be very graceful on our part to do so it would be recognising the services of one of the greatest men that India produced in the 19th century, of one who has done in a long life a great deal more than many men have done for the uplift of the country—should not this grateful generation recognise and associate his name with this great University? After all we will be honouring ourselves in giving the name Madan Mohan to the B.H.U. and the name Madan Mohan Malaviya is a name which is known in India as much as probably the name Hindu. Therefore I have got, I must say, a great weakness for preferring the name which my friend, the Minister of Education, has suggested, namely, Madan Mohan Malaviya Banaras University.

SHRI M. P. BHARGAVA (Uttar Pradesh): I have two amendments in

my name, Nos. 105 and 106. As far as No. 105 is concerned, it is identical to No. 107 although my friend, Mr. R. P. N. Sinha, has given a little different interpretation to it than what I would have given I would not confine myself to No. 105 any further and I will come to No. 106 which is the operative amendment as far as clause 2 is concerned. In the original clause we find that 'University' means 'The Banaras Hindu University'. My amendment No. 106 says:

“‘University’ means,—

- (i) before the commencement of the Banaras Hindu University (Amendment) Act, 1965, the Banaras Hindu University; and
- (ii) after such commencement, the Madan Mohan Malaviya Banaras University.”

The hon. Education Minister has very ably pleaded before the House why he wants the name to be changed. As the House will remember, for a considerable time there has been a feeling in the country that the word 'Hindu' be dropped from the Banaras Hindu University and the name 'Muslim' be dropped from the Aligarh Muslim University. This question was considered by the Joint Select Committee. They applied their mind and they thought of the pros and cons about it. They could not come to any kind of decision or *via media* to suggest and they left it to the House to take a decision regarding the name of the University and that is how the question has come up before this august House. There have been consultations between Members and it was suggested to me by my hon. friend, Shri Arjun Arora, who does not happen to be here to-day, that it would be good if we name the University as Madan Mohan Malaviya University. That idea, somehow, appealed to me because that provided an opportunity to perpetuate the name of a person to whom the University owes its very existence and it would be really a good thing to re-

mind all the students studying in the Banaras Hindu University to be perpetually told that they have to work for, they have to stand for the ideals for which Pandit Madan Mohan Malaviya stood and that is all the more necessary to-day in the atmosphere which is prevailing in the Universities of the country. That is how I went to the Education Minister with my friends who were of the same view and we put this idea before him and he also agreed that it would be a good thing if we did this and therefore, I would plead with the House that the change of the name be accepted and let the University be called Madan Mohan Malaviya Banaras University.

THE DEPUTY CHAIRMAN: Mr. Shukla. I hope Members will be brief because most of the opinions have been expressed earlier.

श्री महाबीर प्रसाद शुक्ल : उपसभापति महोदया मैं श्री सिंह द्वारा प्रस्तुत प्रस्ताव का समर्थन करता हूँ। संयुक्त प्रवर समिति में मैं पहला व्यक्ति था जिसने "हिन्दू" नाम को झप करने का विरोध किया था परन्तु उस समय मुझे वह पर्याप्त जानकारी नहीं थी कि मालवीय जी स्वयं "काशी विश्वविद्यालय" नाम को पसन्द करते थे। वस्तुतः काशी विश्वविद्यालय नाम इस संस्था का आरम्भ से ही चला आ रहा है और यहां तक कि बनारस विश्वविद्यालय के निर्माण में भवन के निर्माण में जो ईंटें लगी हुई हैं उन तक में "का० वि० वि०" सांचे में खुदा हुआ है। तो मालवीय जी को यह नाम इतना प्रिय था कि उन्होंने ईंटों तक में इस नाम को खुदवा दिया इसलिए मैं कहना चाहता हूँ कि हमें मालवीय जी का अवश्य सम्मान करना चाहिये। लेकिन मालवीय जी ने जो स्वयं नाम दिया है उसकी हम अवहेलना, तिरस्कार तथा उपेक्षा कर रहे हैं जो मुझे उचित मालूम नहीं देता है।

दूसरी बात यह है कि जैसा कि हमारे मंत्री प्रो० मुकुट बिहारी लाल ने कहा कि

यह संस्था जिसका 50 वर्ष का पुराना इतिहास है 50 वर्ष से पुराना नाम है आज हम नया विधेयक शुरू करने पर उसका नया नाम रखना चाहते हैं जिसके लिए कोई कारण प्रतीत नहीं होता है कि इस नाम को बदल दिया जाय। अगर उस नाम को बदलना चाहते हैं जिस नाम से विशेष रूप से साम्प्रदायिकता की झलक मिलती है हिन्दू नाम में इसको भी बदलना चाहते हैं तो उसे बदलिये और इस तरीके से बदलिये जिससे इस नाम से प्रेम करने वाली जनता के मन में किसी तरह की चिड़ या विरोध की भावना पैदा न हो। यदि उसी नाम को जो पहले से ही प्रचलित चला आ रहा है जो मालवीय जी का दिया हुआ है उसी नाम को स्वीकार करते हैं तो उस भावना का भी आदर होता है। यदि आप इस भाव से करते हैं कि सारे देश में इस सदन में बैठे हुए कतिपय लोगों को इस नाम से विशेष चिड़ है तो इस देश की जनता में अपार समुदाय ऐसा है जिसको उस नाम से भी उतनी ही जबर्दस्त मुहब्बत है। इसलिए एक ऐसी भावना देश में पैदा होगी जिससे यह मालूम होगा कि यह सदन अब "हिन्दू" नाम से चिड़ता है और कभी हिन्दुस्तान का नाम बदलना चाहेंगे या कभी फिर यह कहना चाहेंगे कि समाज में जो हिन्दू कहे जाते हैं वे कुछ और कहे जाने लगे तो यह बात अनुचित है। अधिक उत्तम बात तो यह है कि जो विश्व-विद्यालय का नाम मालवीय जी ने दिया था उसी को आप स्वीकार करें। मुझे मालवीय जी के प्रति अपार श्रद्धा है परन्तु महोदया मैं यह कहना चाहता हूँ कि मालवीय जी के सम्मान में इस संस्था को उनके नाम से सम्बन्धित करने की कोई आवश्यकता नहीं है क्योंकि जब तक यह संस्था बनी रहेगी तब तक उसके साथ उनका सम्बन्ध रहेगा। इस देश का कोई ऐसा अभाग व्यक्ति नहीं होगा जो यह न समझे कि इस संस्था ने किस व्यक्ति से अपना जन्म ग्रहण किया है। मैं समझता हूँ कि "बनारस" नाम का हमारे देश में कोई शहर नहीं है इस एक्ट में भले ही

[श्री महावीर प्रसाद शर्मा]

यह नाम दे दिया गया है लेकिन उत्तर प्रदेश के सारे रिकार्डों में इसे "वाराणसी" ही कहा जाता है और अनादि काल से इसका नाम "काशी" है। देश की जनता "काशी" अधिक जानती है "बनारस" की अपेक्षा। गांवों में जहां लोग रहते हैं "काशी" शब्द को ज्यादा जानते हैं। इसलिए यदि आपको 'मदन मोहन मालवीय' नाम जोड़ना ही है तो "काशी विश्वविद्यालय" शब्द के पहले जोड़ दीजिये। बनारस शब्द से कौन सी बड़ी मुहब्बत रखी हुई है जिसकी वजह से आप यह बात करते हैं। "यूनिवर्सिटी" शब्द से क्यों आपको मुहब्बत पड़ी हुई है उसका हिन्दी नाम लीजिये "काशी विश्वविद्यालय"। यदि मालवीय जी का नाम आप जोड़ना ही चाहते हैं तो मैं कहूंगा कि इससे मैं सहमत तो नहीं हूँ लेकिन यदि हमारे प्रोफेसर साहब, सिंह साहब, इसको स्वीकार करे और सर्वसम्मति से यह स्वीकार किया जाता है कि इस संस्था का नाम "मदन मोहन मालवीय काशी विश्वविद्यालय" हो तो न वहां की मुहर बदलेगी न एम्बलम बदलेगा और न ईंटों में ही कोई दूसरी बात लानी पड़ेगी और इस तरह से सभी की भावना का समादर हो जायेगा। इसलिए मैं निवेदन करना चाहता हूँ कि काशी विश्वविद्यालय का नाम ही स्वीकार किया जाय।

SHRI A. D. MANI: Madam, I would like to support the amendment which has been moved by my hon friend, Mr. Bhargava, I have listened with care to the arguments of my friend, Prof. Mukut Behari Lal, who suggested that the name of the university should be 'Kashi Viswavidyalaya'. I can understand the sentiment behind this suggestion that he has made. It may be true that every brick of the buildings of the Banaras University bears the seal of 'Kashi Viswavidyalaya' but I feel that, in this connection, the observations made by the Minister should be borne in mind by the House, there is need for maintaining a certain continuity of tradition.

The Banaras University is known all over the world and the word 'Banaras' therefore must occur in the title of the Act in preserve that continuity. I agree with Mr. Bhargava that in order to commemorate the memory of Pandit Madan Mohan Malaviya we might insert the name 'Pandit Madan Mohan Malaviya' in place of 'Hindu'. I think it is necessary for us to remove the word 'Hindu' from the title of the Act, because the occurrence of that word in the title of the Act does remind us of the colonial past, when the British masters of this country tried to exploit the differences between Hindus and Muslims, Professor Mukut Behari Lal said that there would be a hundred universities coming up all over the country, that if you start naming universities after individuals, many universities may have to be renamed. We should not try to cross the bridge before we come to it. At the present moment we are concerned with the Banaras Hindu University Bill and I therefore feel that the amendment moved by my friend, Mr. Bhargava, should receive the support of the House.

SHRI D. THENGARI (Uttar Pradesh): Madam, I feel that there is no case for changing the original name of the Banaras Hindu University. The term 'Hindu' is not denominational; it is national, and the hon. Education Minister had rightly said that the sentiments and emotions that are evoked by a particular word are important. Now during the last five decades nobody could prove that the insertion of the word 'Hindu' had created any communalism in the Banaras Hindu University. Actually, even those who have raised an objection against the word 'Hindu' have conceded that originally the word 'Hindu' was inserted in the title of the Act in the national sense and not in the denominational sense. Secondly, even if it is taken for granted that all denominational names should be dropped, then it would be more appropriate to bring forward a separate Bill banning all denominational titles.

of educational institutions, so that in one Bill we can achieve the purpose, which is sought to be achieved. Thirdly, it would be more appropriate to allow the educational institutions themselves to decide what names they should adopt or should not adopt instead of our legislating on the point. In view of the fact that the word 'Hindu' denotes national and not denominational sense, I oppose the dropping of the word 'Hindu'.

SHRI AWADHESHWAR PRASAD SINHA (Bihar): Madam Deputy Chairman, I am one of those who had the honour of being the students of the Banaras Hindu University, and at that time the illustrious Pandit Madan Mohan Malaviya was the Vice-Chancellor. These days the lot of the Vice-Chancellor has become rather unenviable, but at that time it was Pandit Madan Mohan Malaviya and he was looked upon by all students as the patriarch of that great family which was known as the Banaras Hindu University. He was a great man in many ways, and I had the privilege of sitting near his feet on some occasions. Sometimes I should say I was even cheeky with him; one day I said, "Malaviyaji, why do you sometimes mount the Hindu Mahasabha platform when you belong to the Congress?" He told me, "My dear boy, Hindus have got many superstitions and certain other things which call for reform and I go to the Hindu Mahasabha platform for bringing about regeneration and reform in the Hindu society. For politics I never mount the Hindu Mahasabha platform; the Congress platform is there for me." And he told me, Madam, that the name 'Kashi Vishwavidyalaya' was the name of his choice. But that was not to be, because Mrs. Annie Besant was very much enamoured of Hindu culture; she had read all our scriptures, the Upanishads and all the rest of it and her ideology known as Theosophy grew out of that. So she was very anxious, because she had drunk deep at the fountain of Hindu philosophy, that the name 'Hindu'

should be there. So it was named the 'Banaras Hindu University'.

And Malaviyaji was a very accommodating man and so he put that name of Banaras Hindu University. It was not because of some other things which some of my colleagues from U.P. have said just now Pandit Jawaharlal Nehru was, in fact, with him for a few weeks in jail and when Pandit Nehru came out he told me, "I had very wrong ideas about Pandit Madan Mohan Malaviya. Pandit Malaviya is all fire so far as the battle for freedom is concerned." Pandit Nehru also told me, "Malaviyaji grew very much in my estimation and I have asked him to pardon me for the thoughts I had entertained about him formerly." And I doubt whether they were together for more than a couple of months. So what I say is, this word "Hindu" came here not because of Malaviyaji but because of other considerations and they were not narrow considerations.

Now, when we are going to build a multi-lingual and multi-racial society in our country, even though Pakistan was carved out because of the two-nation theory, we have to be very careful about using these words "Hindu" or "Muslim" or "Christian" in our names. In the battle-field now, Madam, even Jews have laid down their lives, Jews, Christians, Muslims, Hindus, Sikhs, all sections have laid down their lives. I know of one Lt. Colonel Jherad who was a Jew belonging to Maharashtra and he laid down his life on the battle-field. And as we know, there have been Christian, Hindus, Muslims, Anglo-Indians, Sikhs, so many of them. So we should learn some lesson from this and we should work for national integration. We should go back to Pandit Madan Mohan Malaviya who wanted to name this university Kashi Vishwavidyalaya. But one thing, Madam, I have felt and it is that for this great man, one of the greatest sons of India, we have been ungrateful enough not to build up a memorial for him. This University, the Kashi

[Shri Awadheshwar Prasad Sinha.] Vishwavidyalaya, is a living monument to that monumental personality known as Pandit Madan Mohan Malaviya. I am grateful to my hon. friend, Shri M. P. Bhargava, for bringing in this amendment. I have thought over it. I do not like that universities should be named after the names of persons. But then there are exceptional names, names which are much above the ordinary, names rather of persons who are extraordinary individuals like Pandit Madan Mohan Malaviya, and I feel such a name should be and must be associated with the name of this University. The "Hindu" thing must go and go lock, stock and barrel. So I accept the amendment moved by my hon. friend, Shri Bhargava, and it should be called the Madan Mohan Malaviya Banaras University. The word "Banaras" I do not want to change, because this has been there very long and we should not make a wholesale change. We believe in gradualness. So let the term "Banaras" be there. "Kashi" may be all right, but I feel "Banaras" is quite all right and the name Madan Mohan Malaviya Banaras University is better and I stand to support it.

PROF. M. B. LAL: What do you think of the suggestion of Shri M. P. Shukla?

THE DEPUTY CHAIRMAN: Prof. Wadia. I hope hon. Members will be very brief.

PROF. A. R. WADIA: I will speak only two sentences, Madam.

THE DEPUTY CHAIRMAN: Members can confine themselves to the amendment in question.

PROF. A. R. WADIA: I heartily associate myself with all that Prof. M. B. Lal had said. Now, my first sentence is this. If I am permitted to give expression to the considered opinion of the University Grants Commission, it is that personal names should not be given to universities. My second submission is that because I am a great admirer of Pandit Madan Mohan

Malaviya, just like others, I do not wish his name to be associated with any particular university. One never knows how a university may develop and so an impersonal place name will do. Suppose the events of 1958 were to recur again, then this connection with the name of Pandit Madan Mohan Malaviya I would look upon as a great tragedy. That is why I would rather support Kashi Vishwavidyalaya as the proper name.

SHRI N. VENKATESWARA RAO (Andhra Pradesh): Madam Deputy Chairman, I heartily support the amendment moved by Shri M. P. Bhargava. I wonder why some of my hon. friends from U.P. are allergic to the word "Banaras". Surely Banaras is not one of the corruptions introduced by the British. The British have no doubt, almost a genius for corrupting the names of foreign cities. To give a few instances, they have distorted "Paree" into Paris, Roma into Rome, Moskva into Moscow, Firenze into Florence, Venezia into Venice. They have likewise distorted the names of many famous places in the world. In our own country they have distorted Kalighat into Calcutta, Kakinada into Cocanada, Vishakhapatnam into Vizag. But the word 'Banaras' is not, I believe one such distortion. I understand that the word Banaras is in use from a very very long time. It is, after all, a phonetical variation of Varanasi. I find that certain people are indeed named after that city as Banarasi Das. I know of one famous publisher in this city who styles himself "Motilal Banarasi Das." Now, Madam, there an instance in my part of the country of a needless change of an old name. We have a town called Bezwada. Some super-nationalists thought that this was a distortion by the British of the name Vijayawada and they changed the name as such. In fact the name Bezwada is an old one; it is there right from the seventh century A.D. We have an inscription of that country by one Yuddha Malla where this very place is distinctly referred to as Bezwada. But in spite of all this

some misguided enthusiasts, leaders of the municipality, changed Bezwada into Vijayawada. And it is rather unfortunate that this change took place when Bezwada Gopala Reddy was the Chief Minister of Andhra Pradesh. I wonder why he did not interfere to stop this irrelevant change because Shri Bezwada Gopala Reddy must have known that his surname Bezwada is not the distortion of Vijayawada. Anyway, this word "Banaras" has been in use, I understand, for long centuries and there is absolutely no reason why friends from Uttar Pradesh should be allergic to the use of Banaras in the name of Malaviya's University. I feel, Madam, that the change of its present name to Pandit Madan Mohan Malaviya Banaras University is from every point of view excellent and I fully support the amendment moved by my hon. friend, Shri Bhargava.

SHRI P. N. SAPRU: Madam Deputy Chairman, you will remember and the House will remember that in my speech at the consideration of this Bill, I indicated that I was for retention of the word "Hindu" in the existing circumstances. There was a time when I would have liked the term Hindu to be dropped. There are reasons—I do not wish to dilate on them—which make me think that the word "Hindu" should continue to be used in connection with the Banaras Hindu University. But now there are one or two considerations which make me hesitate to stick to my old view. I think that Pandit Madan Mohan Malaviya was one of the greatest sons of this country and he was the life and soul of this University. There is no monument which we have erected in his honour. It is not likely that we shall be able to raise sufficient funds to erect a suitable monument in his honour. Therefore, I think we shall not be departing from tradition, that we shall not be departing from the spirit of Hinduism which he embodied in himself if we accept the name Pandit Madan Mohan Malaviya University. I was myself an Honorary Principal of the Malaviya College

after I retired from the Bench and I am proud of that association. I think, Madam, that the word "Banaras" should be retained. I am rather hesitant to use highly Sanskritised words. Varanasi may be a very attractive word for Sanskrit scholars. But for friends who have not had a Sanskrit education, the word . . .

AN HON. MEMBER: What about Kashi?

SHRI P. N. SAPRU: Well, Kashi would have been simpler. But I prefer the word "Banaras" because we want to maintain tradition.

SHRI CHANDRA SHEKHAR: British imperial tradition.

SHRI P. N. SAPRU: You are a product of British Imperialism. Don't talk like this. (*Interruption*) Every time we discuss any question, we begin to attack British imperialism. That imperialism is finished, that imperialism is retreating but I am afraid we are developing in this country certain chauvinistic tendencies.

I am of the opinion that the amendments suggested by Mr. Bhargava is a good amendment and a compromise amendment which will help to perpetuate the memory of one of the greatest Indians of all times and which will also help to maintain the traditions of the University. He has given notice of two amendments, 105 and 106. I do not see any reason why he should not stick to 105. I prefer 105 to 106.

SHRI M. C. CHAGLA: I must answer the many points raised by my friend, Prof. M. B. Lal, for whom I have great regard. Now, Madam, it is entirely wrong to say that by calling this University as the Madan Mohan Malaviya University we are encouraging the personality cult. As I understand personality cult, it means when you perpetuate the memory of somebody who is alive . . .

PROF. M. B. LAL: I did not say that.

SHRI M. C. CHAGLA: Madan Mohan Malaviya passed away many years ago and to commemorate the memory of a great Indian is not certainly encouraging the personality cult. As regards the name, I have got here a list of eleven Universities in India which are named after different people, Annamalai, Jawaharlal Nehru, Krishi Vishwavidyalaya, Jabalpur, Kameshwar Singh, Darbhanga Sanskrit University, Jiwaji University, Maharaja Sayaji Rao University, Rabindra Bharati University, Ravi Shanker University, Sardar Vallabh-bhai Vidyalaya, Shivaji University, S. N. D. T. Women's University. My friend, Mr. Wadia, is wrong in reporting the decisions of the University Grants Commission. I know the decision and I have also said that we will not permit universities to be named after the donors or after any particular Indian. The University Grants Commission has expressly laid down that in respect of people of great national or international stature exception will be made as in the case of Jawaharlal Nehru, Gandhiji or Rabindra Nath Tagore and certainly nobody can say that Pandit Madan Mohan Malaviya did not have a great national stature. Now, Madam, about the word "Banaras". After all, Pandit Madan Mohan Malaviya, who was a great Indian, himself selected the name Banaras. This has been associated with this University for fifty years. Why do you want to disturb it? All over India, Banaras is known. I who come from outlandish Bombay know Banaras even when speaking Hindustani or Gujarati. Even in the South, I think, it is so, it is known as Banaras, not as Varanasi.

SHRI A. D. MANI: Kashi.

SHRI M. C. CHAGLA: Kashi yes, but certainly Banaras. Banaras is known throughout India and, therefore, I think we should accept it. Prof. Lal said that we should not forget our past. How are we forgetting our past by using the name "Madan

Mohan Malaviya University. Far from forgetting our past, we shall every day be reminded of that, and therefore, I would appeal to the House to accept Mr. Bhargava's amendment.

THE DEPUTY CHAIRMAN: Are you pressing your amendment, Mr. Sinha?

SHRI R. P. N. SINHA: Yes, I am pressing. I only want to say one or two words.

THE DEPUTY CHAIRMAN: You have already spoken.

SHRI M. P. BHARGAVA: Madam, amendments 7 and 105 may be put together.

SHRI M. P. SHUKLA: My suggestion is . . .

THE DEPUTY CHAIRMAN: No suggestion. The Minister has replied. I am putting 7 and 105 to the House.

SHRI RAJENDRA PRATAP SINHA (Bihar): What is this amendment 7? We do not know it. We have not got it before us.

THE DEPUTY CHAIRMAN: Do you want me to read the amendment?

SHRI RAJENDRA PRATAP SINHA: Yes.

SHRI M. P. SHUKLA: Yes.

THE DEPUTY CHAIRMAN: That at page 1, lines 7-8, for the words "In the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act), for section," the words "For section 2 of the principal Act" be substituted."

PROF. M. B. LAL: We do not understand this amendment at all.

SHRI M. C. CHAGLA: Madam, amendment 3 is the substantive one.

THE DEPUTY CHAIRMAN: I know. Amendment No. 7 is a conse-

quential amendment and I am putting it to the House.

SHRI RAJENDRA PRATAP SINHA: We do not know what it is. We do not know which amendment we are voting on.

SHRI M. P. SHUKLA: What is the amendment on which we are being asked to vote? Is it Mr. Sinha's or Mr. Bhargava's? That is what I want to know.

THE DEPUTY CHAIRMAN: The amendment of Mr. Sinha.

SHRI M. P. SHUKLA: Madam, you at least have got the list before you but we have no list with us. We do not know what is being voted upon.

THE DEPUTY CHAIRMAN: Have you got the list, Mr. Shukla?

SHRI M. P. SHUKLA: No. Mr. Sinha's amendment number 3 is there. You kindly say whether you are putting Mr. Sinha's amendment or Mr. Bhargava's amendment. Mention the name of the mover. That will be clear.

THE DEPUTY CHAIRMAN: May I ask the Members whether they have got the list with them?

HON. MEMBERS: No, no.

SHRI RAJENDRA PRATAP SINHA: No, we have not got it with us.

SHRI M. P. SHUKLA: We have not got it.

THE DEPUTY CHAIRMAN: Members should take a little trouble and bring the list with them and follow the amendments with the Chair and the Minister as in the rest of the debate.

SHRI M. P. SHUKLA: This was list one but they have got another list.

THE DEPUTY CHAIRMAN: I shall put Mr. Bhargava's amendment, number 105.

SHRI MULKA GOVINDA REDDY (Mysore): Madam, the amendment which stands in the name of Mr. Sinha is number 3 which substitutes the name, not 7.

PROF. B. N. PRASAD: It is number 3, not 7.

THE DEPUTY CHAIRMAN: I shall leave this just now and proceed to the other amendments and come back to this later on.

I shall put amendment 106. Do you want me to read it out?

SHRI RAJENDRA PRATAP SINHA: Yes.

THE DEPUTY CHAIRMAN: Mr. Bhargava's amendment, number 106.

The question is:

"That at page 2, for line 16, the following be substituted, namely:—

(i) 'University' means,—

(i) before the commencement of the Banaras Hindu University (Amendment) Act, 1965, the Banaras Hindu University; and

(ii) after such commencement, the Madan Mohan Malaviya Banaras University."

Is that clear to the House now?

SHRI RAJENDRA PRATAP SINHA: No.

SHRI MULKA GOVINDA REDDY: Madam, on a point of order you cannot put that amendment No. 106 first when amendment No. 3 has already been moved.

THE DEPUTY CHAIRMAN: The amendment that you are mentioning is not yet before the House. I think the House is getting confused unnecessarily.

PROF. M. B. LAL: I beg to submit that I did not propose my amendment. I only supported the amendment of Mr. Sinha, No. 3. If you ask me, the proposition simply is whether the name Banaras Hindu University should remain or whether it should be called the Kashi Vishwavidyalaya or it should be called the Madan Mohan Malaviya Banaras University. Leave aside all these things and take votes on this proposition and then incorporate the decision in the legislation.

THE DEPUTY CHAIRMAN: We must follow the procedure. These amendments to clause 2 were moved and there has been a discussion on these amendments. Procedurally we must go one by one and cover all the amendments that are before the House. Otherwise you should have raised the objections when the amendments were moved.

PROF. M. B. LAL: Then I submit that amendment No. 3 will have to be put to vote.

SHRI CHANDRA SHEKHAR: As Mr. Sinha's amendment was discussed first in the House, that amendment should be put to vote first. That is the point.

THE DEPUTY CHAIRMAN: It was amendment No. 7 of Mr. Sinha that was discussed and not amendment No. 3.

SHRI CHANDRA SHEKHAR: It is a matter of procedure. Mr. Sinha's amendment was discussed first and therefore it should be put to vote first.

SHRI M. P. BHARGAVA: Madam, to end all controversy I accept Mr. Sinha's amendment. You can put it to vote.

PROF. M. B. LAL: Mr. Bhargava says that he accepts Mr. Sinha's amendment. The permission of the House should be sought if he wants to withdraw his amendment. And if we accept that amendment, Mr.

Bhargava's amendment falls automatically.

THE DEPUTY CHAIRMAN: Will you please resume your seat? Mr. Sinha's amendment No. 7 and the other amendments on which Members have spoken do not pertain to the change of name. I do hope the House understands it now.

HON. MEMBERS: No. 3.

THE DEPUTY CHAIRMAN: It was not No. 3 that was discussed. It was No. 7 which is in the name of Mr. R. P. N. Sinha.

PROF. M. B. LAL: There is no amendment No. 7 in the name of Mr. R. P. N. Sinha.

SHRI M. P. SHUKLA: Since the Members have not got a uniform list before them there is confusion.

THE DEPUTY CHAIRMAN: All right. May I put Mr. Bhargava's amendment to the House?

SHRI RAJENDRA PRATAP SINHA: On a point of order. We must know properly what the wish of the House is. The procedure must be subjugated. Now we have discussed this question as to what the name should be and I would say there is a difference of opinion. One view wants that it should be called the Kashi Vishwavidyalaya while the other view is that it should be called the Madan Mohan Malaviya Banaras University. I would like the Chair to adopt such a procedure by which it could be properly ascertained how many Members are in favour of Kashi Vishwavidyalaya and how many are in favour of the Madan Mohan Malaviya Banaras University. Let us not get bogged down in procedure.

THE DEPUTY CHAIRMAN: I must tell the House that the amendments that were moved do not pertain to the objections now being raised. New Clause 1A is what is being demanded by the House. That is what I find.

If I have to put it to the House this amendment will have to be moved. Then I shall put it and let the House decide. We are reversing the process now. The New Clause 1A of Shri R. P. N. Sinha reads:

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

'1A. In the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act), in section 1, for sub-section (1) the following shall be substituted, namely:—

1. (1) This Act may be called the Kashi Vishwavidyalaya Act, 1915.'"

But this amendment does not carry very much meaning to me. Mr. Sinha, will you move your amendment No. 3?

SHRI R. P. N. SINHA: Madam, I move:

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

'1A. In the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act), in section 1, for sub-section (1), the following shall be substituted, namely:—

1. (1) This Act may be called the Kashi Vishwavidyalaya Act, 1915.'"

THE DEPUTY CHAIRMAN: Now that the House demands the procedure to be changed let us take this up. In all other Bills we take up clause 1 last but today the House desires that we should begin with clause 1. I am submitting to the desire of the House which I think is not proper. Nevertheless we begin with clause No. 1.

Now, amendment No. 4. Mr. Vaishampayan is not here; Mr. Arjun Arora is not here. Mr. Dharia.

SHRI M. M. DHARIA (Maharashtra): I accept the amendment moved by Mr. Bhargava. I am only suggesting that the word 'Hindu' should be dropped. It is going to be dropped now because we are going to call it Madan Mohan Malaviya University in memory of the late Madan Mohan Malaviya. So I am not moving my amendment.

SHRI M. C. CHAGLA: Madam, all this confusion will be avoided, if I may say so with great respect, if you take up amendment No. 3 of Mr. Sinha which raises the question in substance that the name should be Kashi Vishwavidyalaya and also take up amendment No. 106 which raises in substance the question that the name should be Madan Mohan Malaviya Banaras University. If these are voted upon, the rest can follow.

THE DEPUTY CHAIRMAN: I may draw the Minister's attention that we are now taking up new clause 1A and according to the procedure I have to put all the amendments that come under new clause 1A.

Now, Mr. Sinha has moved his amendment. The next amendment is not moved. Amendment No. 5—Mr. Arjun Arora is not here.

AN HON. MEMBER: There are other names there.

THE DEPUTY CHAIRMAN: Is anyone moving amendment No. 5?

No. hon. Member responded

THE DEPUTY CHAIRMAN: Amendment No. 6—Mr. Arora is not here. Mr. Pathak.

SHRI G. S. PATHAK: I am not moving.

THE DEPUTY CHAIRMAN: Amendment No. 104—Mr. Bhargava.

SHRI M. P. BHARGAVA: Madam, I move:

104. "That at page 1, after line 6, the following new clause be substituted, namely:—

'1A. In the Banaras Hindu University Act, 1915 (hereinafter

referred to as the principal Act),—

(i) in the long title, the word 'Hindu' shall be omitted; and

(ii) in the Preamble, for the words 'It is hereby enacted as follows' the words 'And whereas to perpetuate the memory of late Pandit Madan Mohan Malaviya, it is necessary to rename the said University as the Madan Mohan Malviya Banaras University, It is hereby enacted as follows' shall be substituted."

The questions were proposed.

THE DEPUTY CHAIRMAN: We have Mr. R. P. N. Sinha's amendment No. 3 and Mr. M. P. Bhargava's amendment No. 104.

SHRIMATI TARA RAMCHANDRA SATHE (Maharashtra): Only removing the name of the University voted first and then we should take up for voting which name should be given.

THE DEPUTY CHAIRMAN: Let us follow the procedure. I think we are getting confused for nothing. I am putting Mr. R. P. N. Sinha's amendment No. 3.

PANDIT S. S. N. TANKHA: I want to know what is the effect of Mr. Bhargava accepting this amendment?

(Interruptions)

THE DEPUTY CHAIRMAN: It is for the House to decide, not for Mr. Bhargava to decide. It is for the Members to say 'Yes' or 'No'. I think there are too many lawyers here confounding it all. Now, Mr Sinha, are you withdrawing it or pressing it?

SHRI R. P. N. SINHA: Now, I am pressing it.

THE DEPUTY CHAIRMAN: Now, I put amendment No. 3 new clause ... to vote. The question is:

3. "That at page 1, after line 8, the following new clause be inserted namely:—

'1A. In the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act,) in section 1, for sub-section (1), the following shall be substituted, namely:—

1. (1) This Act may be called the Kashi Vishwavidyalaya Act, 1915.'"

The 'Ayes' have it. The 'Ayes' have it. New clause 1A is adopted.

SHRI M. C. CHAGLA: No. The 'Noes' have it.

(Interruptions)

SHRI RAJENDRA PRATAP SINHA: Now, we cannot go back. The Chair has said that it has been adopted and now you cannot go back. The Chair cannot go back.

SHRI M. M. DHARIA: We want a division.

(Interruptions)

THE DEPUTY CHAIRMAN: Let the Chair express. If I have made a genuine mistake, I shall order a division. Now, a division.

SOME HON. MEMBERS: No, no.

SHRI RAJENDRA PRATAP SINHA: How can you do that? You have just said that the clause is adopted. Under what rules I would like to know the Chair is allowing this?

THE DEPUTY CHAIRMAN: I have ordered a division on this clause.

SHRI CHANDRA SHEKHAR: Madam Deputy Chairman, on a point of order. You have every right to say what you like and you are the custodian of the decency and decorum of this House, but once the Chair has declared that, at that time no division was asked for. *(Interruptions)* There is no point in allowing a division now without being demanded by any person. Division was not demanded at the proper time. If this

is going to happen, I do not know how the House will proceed further.

THE DEPUTY CHAIRMAN: I want to say that I have made a genuine mistake and if the Minister has drawn my attention to the fact that I have made a mistake, I want a division in the House. Division.

SHRI CHANDRA SHEKHAR: You are adopting a new principle and it will be open to question.

(Interruption)

THE DEPUTY CHAIRMAN: I have made a mistake and when I say so genuinely and conscientiously, it must be accepted. I am putting this amendment once again to the House.

SHRI M. P. BHARGAVA: Before you put it again, I have to make a submission, if it is acceptable to the House. I am prepared to accept 'Kashi Vishwavidyalaya' with the addition of the words Madan Mohan Malaviya, i.e., Madan Mohan Malaviya Kashi Vishwavidyalaya.

THE DEPUTY CHAIRMAN: I will put the clause once again.

SHRI MULKA GOVINDA REDDY: Under the Rules of Procedure, when once you put it to vote, the vote has been exercised. No condition was raised and no division was demanded. You said the clause is adopted and you cannot go back on that. Madam Deputy Chairman, you have no right to reverse the decision already taken.

SHRI RAJENDRA PRATAP SINHA: I would like to submit one thing. I would like to speak. Here is a suggestion from Mr. Bhargava that he is willing to accept the name "Madan Mohan Malaviya Kashi Vishwavidyalaya."

SHRI P. N. SAPRU: It is a new amendment.

SHRI RAJENDRA PRATAP SINHA: Now, there is a lot of controversy about the name. What I

suggest to the Chair is, let this clause be postponed and the voting on this clause should be taken up tomorrow so that a proper amendment may come forward before the House.

(Interruptions)

SHRI P. N. SAPRU: On a point of order.....

THE DEPUTY CHAIRMAN: One at a time. Mr. Sapru.

SHRI M. P. SHUKLA: I am looking at the Chair for a very long time, but I have not been able to catch the eye of the Chair. I had suggested in the very beginning that the words 'Madan Mohan Malaviya' should be added to the words 'Kashi Vishwavidyalaya'. As this has been accepted by Mr. Bhargava, the whole controversy is over and there is no reason why the Education Minister should not accept it and bring forward immediately an amendment which is unanimously acceptable to the House.

SHRI P. N. SAPRU: Mr. Bhargava cannot be allowed at this stage to amend his amendment. He has not given any previous notice of it. The House is in possession of the amendment suggested by Mr. Bhargava as also the one suggested by Mr. Sinha. We have revised the amendment suggested by Mr. Sinha and the amendment suggested by Mr. Bhargava.

PROF. M. B. LAL: I beg to submit that even when an amendment is not moved, with the permission of the House, when there is a controversial issue—two names are suggested with the permission of the House—the amendment can be accepted and the clause so worded that it may be unanimously passed. I do not think that will be unparliamentary in any way if at this stage Mr. Shukla's suggestion, with the permission of the House, is accepted and is allowed to be put to vote.

THE DEPUTY CHAIRMAN: May I have your views? Do I understand that Mr. Shukla is prepared to accept this, i.e., 'Madan Mohan Malaviya Kashi Vishwavidyalaya'?

SHRI M. P. SHUKLA: Yes. I have said it so many times.

THE DEPUTY CHAIRMAN: What about you?

SHRI R. P. N. SINHA: My suggestion would be that you should call it the 'Malaviya Kashi Vishwavidyalaya' and not have such a long name. This name should be substituted.

SHRI M. C. CHAGLA: I want a name for which there is a general consensus. If a combination of the two brings about a consensus, I am quite willing to accept it, because substantially it does not make much difference. I have given my reasons, but if my friends, Mr. Sinha, Mr. Shukla and Prof. M. B. Lal, are prepared to accept 'Malaviya Kashi Vishwavidyalaya', I accept it.

SHRI AWADHESHWAR PRASAD SINHA: It should be called the 'Madan Mohan Malaviya Kashi Vishwavidyalaya'. Otherwise, there are a number of 'Malaviyas'. It should not be 'Malaviya Kashi Vishwavidyalaya'.

PROF. M. B. LAL: I beg to submit this. As matters stand, whatever my personal view might be, you have already said that there are so many universities named after a person and in this House there are quite a large number of Members who wish that Malaviyaji's memory be also commemorated by associating his name. I feel if his name is to be associated, its name would be the 'Madan Mohan Malaviya Kashi Vishwavidyalaya'. When you say that you are using the words "Madan Mohan Malaviya Kashi Vishwavidyalaya", you are adding the name of a great man.

SHRI M. C. CHAGLA: I do not like the idea of a division in this House

over the name. As it is the general feeling, I am quite prepared to accept "Madan Mohan Malaviya Kashi Vishwavidyalaya".

THE DEPUTY CHAIRMAN: The suggestion made by Shri Shukla, the suggestion made by Prof. M. B. Lal, plus the views of the Education Minister—this now has to be moved as a motion by some one.

SHRI RAJENDRA PRATAP SINHA: Madam, I would suggest that the Education Minister should bring forward a considered amendment. If he cannot do it now, let us postpone it till tomorrow.

THE DEPUTY CHAIRMAN: He will do it now.

PROF. M. B. LAL: I beg to submit, Madam, that the matter has been fully discussed and it needs no more discussion. When the Education Minister is prepared to accept this particular thing and Mr. Shukla is prepared to move it, you may do one of two things: either the motion may be in the name of Mr. Shukla or in the name of the Education Minister and before votes are taken the permission of the House will have to be taken whether they allow that amendment to be moved at this particular stage. I am just saying this merely to facilitate the procedure.

SHRI M. C. CHAGLA: Mr. Bhargava's amendment No. 104 as amended will read:

"In the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act),—

(i) in the long title, the word 'Hindu' shall be omitted, and

(ii) in the Preamble, for the words 'It is hereby enacted as follows' the words 'And whereas to perpetuate the memory of late Pandit Madan Mohan Malaviya, it is necessary to rename the said University as the Madan Mohan

Maṭaviya Kashi Vishwavidyalaya;
It is hereby enacted as follows
shall be substituted."

PROF. M. B. LAL: Dropping of the word "Hindu"—you should not use it. You should only say that the university should be called Madan Mohan Malaviya Kashi Vishwavidyalaya.

SHRI M. C. CHAGLA: Madam, if the House is agreed on the name, I will bring in an official amendment in my name. I will consider the whole aspect of it. Everything will have to be considered.

THE DEPUTY CHAIRMAN: Is the House agreeable to postpone 1A and 2 for the present?

HON. MEMBERS: Yes, yes.

THE DEPUTY CHAIRMAN: Consideration of clauses 1A and 2 is postponed. Then we go to clause 3. I think clause 3 also will involve the same issues that we have discussed just now. We have to postpone this clause for the present as well.

Then we come to clause 4. There are no amendments.

Clause 4 was added to the Bill.

Clause 5—Amendment of section 4A

PROF. M. B. LAL: Madam, I move:

23. "That at page 3, lines 8-9, for the words 'any college' the words 'any other educational institution' be substituted.

Madam, it is a very simple amendment. It is substitution of a word which was used before in the Act. and now they wish to make a change thereof. The point is this. What they say is "who are teachers of the University or any college under conditions laid down in the Statutes or the Ordinances and shall have passed the examinations of the

University". I have only said "who are teachers of the University or any other educational institution," etc. These words "any other educational institution" occur in the original Act. I do not know why this particular change has been made. I therefore feel that in place of the words "any college" the words "any other educational institution" should be substituted, because my fear is when you use the words "any college", the word "college" may be understood in the sense in which it is interpreted in the definition clause. So I want it to be "any other educational institution". I do not wish to keep the House in the dark. I wish to point out why I make that change. In the Hindu University under certain rules certain teachers of educational institutions are allowed to appear in the examinations, and they have been able to acquit themselves admirably well. I may point out that specially in the field of Hindi the Hindu University has been able to render a great service thereby. When Hindi was given an important place under the Constitution, many teachers belonging to various institutions spread all over the country wished to qualify themselves in Hindi. and they appeared in the M.A. examination in Hindi of the Banaras Hindu University under these rules, and thereby the Banaras Hindu University was able to qualify a large number of teachers spread all over the country in Hindi and thereby was able to promote the objective laid down in our own Constitution. I therefore beg to submit that in place of the words "any college" the words "any other educational institution" be substituted. I would appeal to the Education Minister to accept an amendment which is only a substitution of the old words in the original Bill.

The question was proposed.

SHRI M. C. CHAGLA: He has made such a long speech. If he had only given me a second, I would have

[Shri M. C. Chagla.]
clarified the point. If he turns to the definition of college, he will find that it says—

“‘college’ means a college or teaching institution (other than a secondary, primary or infant school or pathasala) maintained by, or admitted to the privilege of, the University;”

That is why I say it is not necessary to repeat it; the definition of college carries the idea which he has in his amendment.

PROF. M. B. LAL: I beg to submit to the Education Minister that I have purposely used the words “any other educational institution” because I wish that the teachers of colleges other than those maintained by, or admitted to the privilege of, this University may have a chance to appear in the M.A. examination in Hindi and the Hindu University may thereby be able to promote the cause of Hindi. That is my object.

THE DEPUTY CHAIRMAN: Prof. Lal, are you pressing your amendment No. 23?

SHRI M. C. CHAGLA: May I just say a word? Prof. Lal knows that I am not obstructive. The reason why I cannot accept his amendment is this. ‘College’ is defined and I do not want a student coming from outside the University to get a degree without residing there or without having something to do with the college or becoming a member of the college. If he becomes a member of the college, that is covered by the definition of ‘college’, I am afraid, any one coming from outside will have nothing to do with it all.

PROF. M. B. LAL: I do not want any other thing. I am only pointing out what happened on the subject in the University.

THE DEPUTY CHAIRMAN: What about your amendment?

PROF. M. B. LAL: The amendment is this. In this Bill they have

changed the words. I wish to restore the old words in their place. I do not want any other thing. I wish to restore the words that existed in the original Act since 1950. I agree with the Education Minister that such rules are laid down that they are not allowed. But if they are MAs, etc. in certain cases, they should be allowed. That is all.

SHRI M. C. CHAGLA: Therefore, it covers; this is superfluous.

THE DEPUTY CHAIRMAN: The question is:

23. “That at page 3, lines 8-9, for the words ‘any college’ the words ‘any other educational institution’ be substituted.”

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

“That clause 5 stand part of the Bill.”

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6—Amendment of section 5

THE DEPUTY CHAIRMAN: Dr. Tara Chand, are you moving your amendment No. 25?

DR. TARA CHAND: I do not move my amendment.

Clause 6 was added to the Bill.

Clause 7—Substitution of new sections for sections 6 and 7

DR. TARA CHAND: Madam, I move:

26. “That at page 4, for lines 14 to 29, the following be substituted, namely:—

‘6. (1) The Governor of the State of Uttar Pradesh shall *ex-officio* be the Rector of the University.

(2) The following shall be the officers of the University, namely:—

- (a) the Chancellor,
- (b) the Pro-Chancellor,
- (c) the Vice-Chancellor,
- (d) the Adviser,
- (e) the Registrar,
- (f) the Finance Officer,
- (g) the Deans of Faculties,
- (h) the Dean of Students' Welfare,

(i) the Principals of Colleges maintained by the University,

(j) the Librarian,

(k) the Chief Proctor,

(l) such other persons as may be declared by the Statutes to be the officers of the University."

27. "That at page 4, for lines 15 to 29, the following be substituted, namely:—

'6. Officers of the University.—
The following shall be the officers of the University, namely:—

- (a) the Chancellor,
- (b) the Pro-Chancellor,
- (c) the Rector,
- (d) the Vice-Chancellor,
- (e) the Deputy Vice-Chancellor,
- (f) the Registrar,
- (g) the Finance Officer,
- (h) the Deans of Faculties,
- (i) the Dean of Students,
- (j) the Librarian,
- (k) the Chief Proctor,

(l) such other persons in the service of the University as may be declared by the Statutes to be the officers of the University."

29 "That at page 4, lines 37-38, for the word 'Vice-Chancellor' the word 'Pro-Chancellor' be substituted."

30. "That at page 5, after line 5, the following be inserted namely:—

'7 AA. The Pro-Chancellor shall be elected by the Court and shall hold office for a term of three years:

Provided that the Pro-Chancellor shall, notwithstanding the expiration of his term, continue to hold his office until the election of his successor."

31. "That at page 5, for lines 12 to 15, the following be substituted, namely:—

'(2) The members of the committee shall be persons not in the employment of the University or a college, to be nominated by the Executive Council.'

33. "That at page 5, lines 13-14 for the words 'connected with the University or a college nominated by the Court' the words 'in the employment of the University or a college' be substituted."

34. "That at page 5,—

(i) in line 20, for the word 'ineligible' the word 'eligible' be substituted; and

(ii) at the end of line 21, after the word 'office' the words 'for one more term of three years' be inserted."

35. "That at page 5, line 28, for the word 'Ordinances' the word 'Statutes' be substituted."

36. "That at page 5,—

(i) in line 31, for the words 'the Rector' the words 'the Adviser' be substituted; and

(ii) in line 32, for the word 'Rector' the word 'Adviser' be substituted."

37. "That at page 5,—

(i) in line 31, for the words 'the Rector' the words 'the De-

[Dr. Tara Chand.]

puty Vice-Chancellor' be substituted; and

(ii) in line 32, for the word, 'Rector' the words 'Deputy Vice-Chancellor' be substituted."

38. "That at page 5, line 38, for the word 'Chancellor' the word 'Pro-Chancellor' be substituted."

39. "That at page 6, line 4, for the words 'in the absence of the Chancellor' the words 'in the absence of the Chancellor and the Pro-Chancellor' be substituted."

SHRI P. N. SAPRU (Uttar Pradesh): Madam, I move:

28. "That at page 4, after line 16, the following be inserted, namely:—

'(aa) the Pro-Chancellor,'"

PROF. M. B. LAL: Madam, I move:

32. "That at page 5, lines 13-14, for the words 'nominated by the Court' the words 'elected by the Court under the system of proportional representation by means of the single transferable vote' be substituted."

(The amendment also stood in the names of Shri Mulka Govinda Reddy and Shri R. S. Khandekar)

The questions were proposed.

PROF. B. N. PRASAD: If you permit, I may say that all these amendments are before us. They have been moved. Now you can just take the sense of the House unless and until the mover insists on making a speech.

THE DEPUTY CHAIRMAN: That is why I am giving him a chance to speak. I am following the Parliamentary procedure in asking him if he has anything to say. If he has not, I will move on to Prof. Mukat Behari Lal.

DR. TARA CHAND: Madam, I have moved that the Governor of the State of Uttar Pradesh shall *ex-officio* be the Rector of the University. Now from the principal Act of 1915 the office of "Rector" has been dropped in this Bill.

PANDIT S. S. N. TANKHA: The Governor was the Rector.

DR. TARA CHAND: My contention is that the Banaras Hindu University is a University which is situated in the State of Uttar Pradesh. This University has largely to deal with the Government of Uttar Pradesh. It has to depend upon the Government of Uttar Pradesh for many amenities, for law and order, for acquiring land, for getting electricity, water etc. Its students largely reside in the city of Varanasi and teachers also. There are quite a large number of things for which the University has to look up to the Government of Uttar Pradesh for carrying on its work. In such circumstances it is only proper that the head of the Government of Uttar Pradesh, namely, the Governor, should have some official position in the University of Banaras. It will make the Governor feel that he is a part of the University and it will, therefore, lead to giving the University greater attention than the Governor would otherwise do. He would not be merely the Governor of Uttar Pradesh but he will be the Rector of the University and, therefore, the University is likely to profit. By his becoming a part of the University the Governor will realise that he has special responsibilities towards the University of which he is the Rector. Therefore, the Governor should remain the Rector of the University. It is not a purely honorary office. It is an office which carries with it a large number of responsibilities towards the University. Therefore, I feel that it is important that the Governor of the State should be the Rector of the University.

SHRI P. N. SAPRU: Madam Deputy Chairman, so far as my amend-

ment is concerned, it relates to Pro-Chancellor. I think in Western Universities the number of honorary officers is pretty large. If you were to look at the calendar of any British or American University, you will find that there are, what you would call, many superfluous officers. Now, I do not look upon the Pro-Chancellor as a superfluous officer. I can conceive of occasions when the Chancellor is not present and when it may not be desirable or possible for the Vice-Chancellor to preside. I may also point out that in the London University they have an officer called the Chairman of the London University Court. Lord Justice Burke was the first Chairman of the London University Court while Macmillan retired as Chairman of the London University Court. The Chairman of the London University Court was able to render distinguished services to the University particularly in the financial direction. Because of his prestige he was able to canvass opinion for the University. Therefore, it is desirable and essential that eminent men in the public life of the country should be associated with the University in capacities of dignity and honour. You know that the Chancellors of Oxford and Cambridge are elected offices and men of the highest standing stand for them. We have fortunately an elected Chancellor. But we should have also an elected Pro-Chancellor. It happens that so far it has been our practice to have a ruling Prince as our Pro-Chancellor. It is necessary for us to follow that in future it may be possible for us to draw from the public life of the country men of eminence who will adorn the position of a Pro-Chancellor. I would, therefore, suggest respectfully to this House that it should reconsider the opinion expressed on this matter by the Joint Select Committee, and I would, therefore, suggest that the office of Pro-Chancellor should be retained. Remember, Madam Deputy Chairman, we have abolished the post of Treasurer. We have substituted for the post of Treasurer the post of a Finance Officer. I am not raising any

question about that. But there should be some elective offices in the University Court which should have power to elect some men of stature to positions of dignity and honour in the University. For this reason I feel rather strongly about this. There are certain authoritarian tendencies in our University life and I would like some check to be put upon these authoritarian tendencies. I would, therefore, press upon this House to accept my amendment.

PROF. M. B. LAL: Madam, my amendment deals with the question of the persons to be elected or chosen by the Court on a Committee which was to recommend the name for Vice-Chancellorship. Mr. Shukla yesterday rightly pointed out that when the Court is required to choose two persons on the Committee, he should be chosen under the system of single transferable vote. It was told to me that the word "nomination" would not then be proper. Therefore, I have proposed that two members of the Committee shall be persons not connected with the University or a college, elected by the Court under the system of single transferable vote. If there is unanimity in the Court, two men can be chosen without any contest. In case there is any difference of opinion, then two persons will be chosen under the system of single transferable vote and the different points of view that are represented on the Court will be represented on the Committee and these two persons then, along with the third, nominated by the Visitor, would be able to suggest proper names for the Vice-Chancellorship. I hope our Education Minister would be prepared to accept this amendment.

I wish to further point out that the system of election through a single transferable vote has been accepted by us in this Bill. I may also point out to you that even in the Rajya Sabha whenever persons are elected, they are elected under the system of proportional representation with the single transferable vote so that dif-

[Prof. M. B. Lal.]

ferent points of view may be represented on the Committee. This is generally done when the system of election is an indirect one and the constituency is a small one. I therefore hope that the Education Minister will be glad enough to accept my amendment and the House will oblige and accept this amendment.

PANDIT S. S. N. TANKHA: I support the amendments moved both by my friend Dr. Tara Chand *re.* the office of Rector and the suggestion made by Dr. Sapru that the Pro-Chancellor should also be an officer of the University. I agree with both these points of view. One little thing that Dr. Tara Chand failed to mention was that the U.P. Government is also making a contribution to the funds of the Banaras Hindu University, I think about Rs. 1 lakh. If by virtue of that a representative of the Government, namely, the Rector, will be on the University Court, I think that will be quite proper and as such I think both these amendments should be accepted by the hon. Minister.

SHRI P. N. SAPRU: The word 'Rector' will have to be changed to 'Chief Rector'.

श्री महावीर प्रसाद शुक्ल : मैं प्रोफेसर मुकुट बिहारीलाल ने जो संशोधन प्रस्तुत किया है उसका समर्थन करता हूं। कल आम बहस के मौके पर मैंने निवेदन किया था कि अच्छा होता कि उपकुलपति का चुनाव जैसे पहले कोर्ट द्वारा हुआ करता था वही व्यवस्था रहती किन्तु किन्हीं कारणों से शिक्षा मंत्री जी को यह व्यवस्था मंजूर नहीं थी। मैं समझता हूं कि जो दो सदस्यों का चुनाव कोर्ट द्वारा होगा उनके लिये भी उसी प्रकार की सारी बात इस चुनाव के सम्बन्ध में होगी जो कि किसी एक व्यक्ति के चुनाव के सम्बन्ध में हो सकती है और उससे भी सन्तोष नहीं होगा इसलिए यह जो सिंगिल ट्रांसफारेबिल वोट की व्यवस्था है उसको स्वीकार किया जाय तो उससे बड़ा लाभ यह होगा कि जो दो दलों की

ओपीनियन होगी उनका मत प्रकट होगा और इसमें कोई हानि नहीं होगी चुनाव की सख्ती भी कम हो जायेगी और जो तरीका चुनाव में बरता जाता है वह भी नहीं होगा। यों तो दो आदमियों के चुने जाने से अच्छा तो यह होता कि वाइसचांसलर का ही चुनाव हो जाता। मैं इस संशोधन का समर्थन करता हूं और मुझे आशा है कि माननीय शिक्षा मंत्री इस अत्यन्त हितकर संशोधन को स्वीकार करेंगे।

दूसरे मैं निवेदन करना चाहता हूं कि जो संशोधन माननीय सप्रू जी और हमारे श्रेष्ठ गुरुदेव डा० ताराचन्द का है इस पर संयुक्त प्रवर समिति में काफी विचार हुआ था और ये जितने शोभा के स्थान थे उनको हटाने और कम करने की प्रवृत्ति कमेटी की थी। मैंने स्वयं यह निवेदन किया था कि जो चांसलर है वह उत्तर प्रदेश के राज्यपाल पदेन वहां के चांसलर हो जाय और चांसलर का चुनाव नहीं हो लेकिन कमेटी की राय चुने हुए चांसलर के पक्ष में ज्यादा हुई जब कि वाइस चांसलर के लिये जो कि वहां की सुप्रीम एक्जीक्यूटिव अथॉरिटी है, जो वहां का सुप्रीम कार्य अधिकारी है, यह राय हुई कि वह चुना हुआ नहीं हो, तो उसने चांसलर के बारे में हमारे संशोधन को स्वीकार नहीं किया था। अतः मैं निवेदन करूंगा कि अन्य पदों को, रेक्टर और प्रो-वाइसचांसलर को, और बढ़ाने के स्थान पर चांसलर के लिये जो चुने जाने की व्यवस्था है उसको हटा करके उत्तर प्रदेश के राज्यपाल को पदेन विश्वविद्यालय का चांसलर स्वीकार किया जाय और इस प्रकार का संशोधन माननीय शिक्षा मंत्री जी स्वयं सदन में उपस्थित करें।

इन शब्दों के साथ मैं प्रोफेसर मुकुट बिहारी लाल जी के संशोधन का समर्थन करता हूं।

SHRI M. C. CHAGLA: As regards Prof. Lal's amendment, may I point out to him that if his amendment is to be accepted, the two nominees of the court will have to be members

of the Court. The language used in the Bill is 'College nominated by the Court'. That means, the Court can appoint from itself or from outside. That is why we have deliberately used the word 'nominated'. My friend wants to substitute 'election' which means they will have to be members of the Court.

PROF. M. B. LAL: Not necessarily. If you have any objection to the word 'election', I have no objection to using the word 'nomination'.

SHRI M. C. CHAGLA: The other objection is, let the Court lay down its own procedure. We have provided for it in the Constitution. Those are the two grounds why I could not accept it.

As regards my friend Dr. Sapru's amendment, the view taken in the Select Committee—and rightly—was . . .

SHRI AKBAR ALI KHAN (Andhra Pradesh): They are very reasonable and they may be accepted. I mean Dr. Tara Chand and Mr. Sapru.

SHRI M. C. CHAGLA: The Select Committee considered carefully and said: 'We do not want sinecure posts which have no substance, no functions or no duties. The Pro-Chancellor has not been given any duties under the Act.'

DR. TARA CHAND: I question that they have no duties.

SHRI AKBAR ALI KHAN: The House has a right to overrule the Select Committee.

SHRI M. C. CHAGLA: I am not suggesting it. I am only saying that the Select Committee's view is right because what is the use of having a Pro-Chancellor who has been given no function under the Bill? He is merely a figure-head.

As regards the Governor of U.P. we have given him the right to nominate a member to the Court. He also has been given no functions and

the Select Committee said: 'Why encumber the University with Pro-Chancellor, Pro-Vice-Chancellor, Rector, etc. when no functions are assigned to them?' This was the correct view. We do not want too many persons to be nominated to the posts which are purely dignified, without any function, without any duties. I think the decision of the Select Committee is right and we should not alter it.

DR. TARA CHAND: I may say that I am rather surprised to hear that . . .

THE DEPUTY CHAIRMAN: You need not make any remark. Do you press your amendment?

DR. TARA CHAND: I press.

THE DEPUTY CHAIRMAN: I will put amendment No. 26 to vote.

DR. TARA CHAND: I had spoken only regarding Rector. I did not make any speech regarding the other changes that are mentioned.

THE DEPUTY CHAIRMAN: But the amendment goes to the vote. You cannot break up the amendments at this stage.

PROF. A. R. WADIA: There are two sub-clauses (1) and (2).

DR. TARA CHAND: I have moved only sub-clause (1) and I did not move the others.

THE DEPUTY CHAIRMAN: I do hope that the House appreciates that the amendment has to be put to the House as a whole. Whether he moved half or whole is his concern. I will put the amendment as a whole to the House.

PROF. A. R. WADIA: It will not be possible for us to accept the amendment as a whole because there are different posts. We may accept one and reject the others.

SHRI NAFISUL HASAN (Uttar Pradesh): Only a part has been moved.

THE DEPUTY CHAIRMAN: I follow the Rules of Procedure and I will put amendment No. 26 to vote.

The question is:

26. "That at page 4, for lines 14 to 29, the following be substituted, namely:—

'6. (1) The Governor of the State of Uttar Pradesh shall *ex-officio* be the Rector of the University.

(2) The following shall be the officers of the University, namely:—

- (a) the Chancellor,
- (b) the Pro-Chancellor,
- (c) the Vice-Chancellor,
- (d) the Adviser,
- (e) the Registrar,
- (f) the Finance Officer,
- (g) the Deans of Faculties,
- (h) the Dean of Students' Welfare,
- (i) the Principals of Colleges maintained by the University.
- (j) the Librarian,
- (k) the Chief Proctor,
- (l) such other persons as may be declared by the Statutes to be the officers of the University."

The motion was negatived.

THE DEPUTY CHAIRMAN: Amendment No. 27 is consequential and it goes. It is barred.

Amendment No. 28 is also barred.

PANDIT S. S. N. TANKHA: How is it consequential? In amendment No. 27 he has mentioned sub paras

(a) to (f). By dropping one office, you cannot say that all these sub-clauses become consequential; that other changes cannot be considered is correct.

THE DEPUTY CHAIRMAN: All right. Amendment No. 28 will be put to the House.

The question is:

28. "That at page 4, after line 16, the following be inserted, namely:—

'(aa) the Pro-Chancellor'."

The motion was negatived.

THE DEPUTY CHAIRMAN: Amendment Nos. 29 and 30—barred. Now amendment No. 31. Are you pressing it?

DR. TARA CHAND: I have not yet spoken on this amendment.

THE DEPUTY CHAIRMAN: Well, I will give you a chance to speak on amendment No. 31.

DR. TARA CHAND: I have spoken only about the Rector and nobody else. Here what I have suggested is that "the members of the committee shall be persons not in the employment of the University or college, * * *" and the words in the Bill are "not connected with the University * * *." Now there are lots of people connected with the University; for instance take the Banaras Hindu University. At the moment, on the Executive Council of the Banaras Hindu University you have a person like Pandit Hridaynath Kunzru. Now is it desirable that a person like Pandit Hridaynath Kunzru should be shut out from this committee merely because he is connected with the University? The term "connected with the University" is capable of being interpreted very widely. Is an examiner of the Banaras Hindu University connected with the University or not? Is somebody

else who has given a donation to the University connected with the University or not? Therefore, the term "connected with the University" is, to my mind, extremely wide and shuts out quite a large number of people who ought to be considered as fit to be members of this committee. Therefore I have suggested that in place of "not connected with the University * * *" we should say "not in the employment of the University * * *" nominated not by the Court as is in the Clause, but "nominated by the Executive Council".

PROF. A. R. WADIA: There is a good deal to be said for this.

SHRI M. C. CHAGLA: Dr Tara Chand has not said why he wants the Executive Council in place of the Court

DR TARA CHAND: May I say why I want the Executive Council and not the Court? The Court is a very large body. The Court is a body of about a hundred persons and out of these hundred persons about more than sixty per cent are people who have very slender relationship with the University. They have very little knowledge of it. They would be coming once a year to the University to attend the Court, and these gentlemen, or ladies, whoever they are, are expected to select two persons who are going to recommend the name of the Vice-Chancellor. Now this, to my mind, is an exceedingly surprising proposition. The Executive Council consists of a much smaller number of people. They are in contact with the working of the University. They know the people that are in the University, who are deserving or who are not deserving, and they also know the people outside. Therefore it stands to reason that these two men, who are going to function as members of a committee of which the nominee of the Visitor is going to be the Chairman, should be knowledgeable persons and such persons should be selected by a responsible body of men like the

Executive Council, men with pretty good experience and knowledge of men and affairs. Now in the Court, where you have a large number of people, people who do not know much about the University, it is much easier to canvass people, it is much easier to sway the minds of the people by considerations of all kinds. But it is not the same with the members of the Executive Council, and therefore it is necessary that for the selection of the Vice-Chancellor of the University more responsible, more knowledgeable people should be members of this committee.

Another thing is that the Vice-Chancellor selected will function as such for a period of five years. Sometimes, in the midst of his term the Vice-Chancellorship may become vacant. Are you going to summon those hundred people in order that they could nominate two persons to serve on this committee? If so, it is unnecessary expenditure, unnecessary waste of energy, unnecessarily causing to the University all this expenditure. I think from the point of view of the proper functioning of this committee, it is necessary that not a large body of men should be asked to make recommendations for membership of this committee, but a small body, which possesses the knowledge of the University and its working and is in contact with it should be able to suggest the names of persons who will act on this committee. In the Delhi University it is the same; in the Delhi University it is not the Court which selects these two gentlemen; it is the Executive Council which nominates these two gentlemen, and I think it is the same in other universities, and I do not see that there is any case made out that the two persons who are to act on this committee should be selected by the Court and not by the Executive Council.

SHRI M. C. CHAGLA: When the Bill was introduced, the proposal was that the two members should be selected by the Executive Council.

[Shri M. C. Chagla.]

Then in the Select Committee there was a great pressure that the Vice-Chancellor should be selected by the Court—well, that was really impossible—and ultimately this compromise was arrived at that, instead of the two members being selected by the Executive Council, they should be selected by the Court, and I think the compromise is a fair one and should not be disturbed.

With regard to the other point raised by Dr. Tara Chand, I think it is very necessary that these two people should have no connection whatsoever with the University. Merely “not in the employment of the University” is not enough, and that is why we have advisedly used the words “persons not connected with the University” etc. A person may not be “in the employment of the University”, yet he may have some connection with the University, and the idea is that those who serve on the committee for the purpose of selecting the Vice-Chancellor should have no connection with the University. Therefore I am sorry I cannot accept this amendment.

THE DEPUTY CHAIRMAN: The question is:

31. “That at page 5, for lines 12 to 15, the following be substituted, namely:—

“(2) The members of the committee shall be persons not in the employment of the University or a college, to be nominated by the Executive Council.”

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

32. “That at page 5, lines 13-14, for the words ‘nominated by the Court’ the words ‘elected by the Court under the system of proportional representation by means of the single transferable vote’ be substituted.”

The motion was negatived.

THE DEPUTY CHAIRMAN: Amendment No. 33—barred.

DR. TARA CHAND: The Bill seems to contemplate that a Vice-Chancellor once elected should not be re-elected. Again I must say that I was greatly surprised when I heard the speech of the Education Minister, that if the Vice-Chancellor says after five years, then all kinds of difficulties will arise. I think he said that vested interests will arise and that he would become stale after five years. Now, if he becomes stale in one university after five years, he is stale for the rest of the universities and he cannot go near any university. I know that there have been and are quite a large number of Vice-Chancellors who have held the post of Vice-Chancellorship for longer than five years. In the university from which I myself come, the Allahabad University the first elected Vice-Chancellor, Mahamahopadhyaya Pandit Ganganath Jha, held the post for nine years, and if he desired, he could have been re-elected for a fourth term, but as his health was failing, he did not wish to stand for the Vice-Chancellorship any more, and therefore he retired. His successor, Pandit Iqbal Narayan Gurtu, had two terms of three years each. Then his successor, Dr. Amarnath Jha, had also two terms and he could have had more terms than two, but he was called away to some other work.

So far as I am concerned, I have not heard that the heavens have fallen because these gentlemen held this office continuously for two or three terms. There is a Vice-Chancellor in India, who has held the Vice-Chancellorship for more than twenty years, and nobody has told me that because he has held the office of Vice-Chancellor for twenty years therefore that university has gone to dogs and only God alone knows what may happen. We know what has

happened in the Madras University. It is not necessary to bring in God to let us know what has happened and I am sure that the association of Dr. Lakshmanaswamy Mudaliar with the University of Madras has been to the benefit of the Madras University, in spite of the fact that he has been for twenty years there as Vice-Chancellor. Nor has he created any vested interests in that university, nor has he become stale in the University of Madras. There are other universities where people have held the vice-chancellorship for much longer periods than five or ten years. I need not call attention to universities outside India. There are some universities outside India where the Vice-Chancellor's office is practically a life term appointment and nobody has taken any objection to the fact that the Vice-Chancellor is a life-long officer.

Five years in my opinion is too short a term for any Vice-Chancellor. In a university the courses of studies are laid down three years before the examination. Many other arrangements are made in the university some two or three years before the time they come into force. The Vice-Chancellor of the university should be able to steer the proceedings of the university so that the ideas which he has in mind could be worked out, and if he has any progressive views to bring upon the work of the university, he should be able to see that they are carried out. After all, why should it be assumed that after five years the Vice-Chancellor becomes useless for the university in which he has been Vice-Chancellor?

THE DEPUTY CHAIRMAN: I think you have made your point. This is an amendment and you need not speak so long. You have made your point.

DR. TARA CHAND: I may have made my point with you. I wonder whether I have made my point with the gentleman sitting to your right. If I have made my point with him then it is all right.

THE DEPUTY CHAIRMAN: I know you will never make it. It will not improve your situation even if you speak for ten more minutes.

DR. TARA CHAND: I am not fond of hearing my own voice.

THE DEPUTY CHAIRMAN: The Minister should be convinced more than the Chair. If you have anything more, you may say it. I would like to finish this clause before we rise for the day, I mean clause 7.

DR. TARA CHAND: If you do not want to . . .

THE DEPUTY CHAIRMAN: No, no, you may go on if you have anything new to offer. If you have any new matter to offer, please do so.

DR. TARA CHAND: I have suggested that if the hon. Minister is not prepared to accept another five years, then he may accept another three years term.

SHRI P. N. SAPRU: No, no. Nothing more than five years.

DR. TARA CHAND: That is a matter of opinion. The opinion that I have held is that it is in the interest of the University that if at the end of five years the Vice-Chancellor is showing that he has been a successful Vice-Chancellor, then he should be given an opportunity to continue in that University.

SHRI M. C. CHAGLA: I cannot accept this amendment. It is much better that the Vice-Chancellor should know that after five years he has to go out. Otherwise at the end of the fourth year or so, he starts thinking of his re-appointment and of canvassing and bringing political pressure and so on. After all, he can go to other universities. As I have said, in all the Central Universities the Vice-Chancellor is not eligible for re-election, and we are following the model of the other Central Universities here.

THE DEPUTY CHAIRMAN: The question is:

34. "That at page 5,—

(i) in line 20, for the word 'ineligible' the word 'eligible' be substituted; and

(ii) at the end of line 21, after the word 'office' the words 'for one more term of three years' be inserted."

The motion was negatived.

THE DEPUTY CHAIRMAN: Amendment No. 35 is in the name of Dr. Tara Chand. Are you pressing your amendment No. 35?

DR. TARA CHAND: Yes, Madam. In this amendment I am suggesting that the terms and conditions of service of the Vice-Chancellor ought to be governed by the Statutes and not by Ordinances. I say this because an Ordinance is more easily changeable and Statutes are not so easily changeable, and I do not think that the terms and conditions of service of the Vice-Chancellor should be easily changeable.

SHRI M. C. CHAGLA: I do not think it makes any difference and if Dr. Tara Chand feels very strongly about it, I will accept his amendment. Both the Ordinances and the Statutes are under the control of the Visitor. If Dr. Tara Chand feels that it elevates the Vice-Chancellor's office if his terms and conditions of service are governed by the Statutes, I will accept it. I must accept some amendment of Dr. Tara Chand.

THE DEPUTY CHAIRMAN: The question is:

35. "That at page 5, line 28, for the word 'Ordinances' the word 'Statutes' be substituted,

The motion was adopted.

THE DEPUTY CHAIRMAN: Then I find that amendments Nos. 36, 37, 38

and 39, standing in the name of Dr. Tara Chand, are barred.

Now I shall put clause 7, as amended, to vote.

The question is:

"That clause 7, as amended, stands part of the Bill".

The motion was adopted.

Clause 7, as amended was added to the Bill.

New Clause 7A.

SHRI P. N. SAPRU: Madam, I beg to move:

40. "That at page 6 after line 38, the following new clause be inserted, namely:—

"7-A. (1) There shall be a Students Council representing the students of various Faculties, Colleges and Halls of the University elected in such manner as may be determined by the Statutes.

(2) The Dean of the Students' Welfares and the Chief Proctor shall be *ex-officio* members of the Council.

(3) The Council shall have the right of making representations to the University authorities including the Vice-Chancellor in regard to the grievances of the students and their welfare generally.

(4) Specific provision shall be made in the Statutes for the representation of the women students.'"

Madam, we have in the Bill stated that the students will join their Union voluntarily. I think this is the right principle. I am in agreement with the view that entry into Students' Union should not be compulsory. But I have had some experience of union activities and the settling of disputes regarding Union matters. I think that while the Union should confine itself to literary or artistic discussions or activities or even discussions of a political character—I do not see why they should not discuss Prof. Ranga's

description of Mr. Namboodiripad's political activities freely in their Union—I should like the Union to have no character of a trade union. I would not like them to become what they have in fact become, trade unions. But it is necessary, however, to give to the students representative Councils. They should have some constitutional audience whereby they can make their grievances known to their Dean, to their Vice-Chancellor, and to their Professors. For this reason I have provided for Students' Councils. In the Civic Universities of Britain you will find that they have these representative Councils. They have, in fact, gone further. They have given representation to these Councils on the Court of the University. I am not going as far as that but I want the students to feel that they are fully self-governing in a corporation meant for the benefit of the students and teachers alike, meant for the promotion and advancement of research and knowledge. Therefore, I do earnestly hope that Mr. Chagla, who was a prominent member of the Union in my days at Oxford and who is a very democratically-minded person, will be good enough to accept, if not the letter, the spirit of this amendment.

The question was proposed.

SHRI M. C. CHAGLA: I have already submitted, Madam, that I have moved an official amendment to the same effect. Perhaps he has not studied the papers. That is amendment 92 which is to the following effect:

“(xiiia) to constitute a Council of Students' Affairs consisting of such

number of teachers and students as may be prescribed by the Ordinances to advise the Academic Council on matters relating to the welfare of the students of the University.”

Therefore, I would beg of my friend, Mr. Sapru, to withdraw this as I have moved an official amendment which would serve the same purpose.

SHRI P. N. SAPRU: Madam, in view of this, I would beg leave of the House to withdraw this amendment.

*Amendment No. 40 was, by leave, withdrawn.

THE DEPUTY CHAIRMAN: I do hope hon. Members will bring their list of amendments with them so that we can proceed smoothly.

SHRI P. N. SAPRU: The office should supply us copies.

THE DEPUTY CHAIRMAN: We shall take up clauses 8 and 9. There are no amendments.

Clauses 8 and 9 were added to the Bill.

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

The House then adjourned at two minutes past five of the clock till eleven of the clock on Friday, the 12th November 1965.

*For text of amendment vide col. 1038 *Supra*.