

{Pandit S. S. N. Tankha.] Supreme. Court about this fact, that this is a matter which cannot be enquired into by them. Now I want to know from him, unless we represent ourselves 'or are represented in court, how are we to bring that matter to their notice?

MR. CHAIRMAN: The Union of India will do it.

SHRI M. C. CHAGLA: We are concerned with a very limited question. I would beg 'of this House not to consider the larger question, which might be discussed some time. The Supreme Court, purely out of courtesy, has served us with a notice. We are not concerned with the dispute; it is a matter between Mr. Limaye and the Lok Sabha' and the only action that we can take is not to be represented before the Supreme Court. I do not agree with Mr. Sapru that we should tell the Supreme Court as to what our views are with regard to this conflict between the legislature and the judiciary. All that we should do is not to be represented on the very limited and narrow ground that we are not concerned with it, and the Supreme Court has not decided the question that there is any conflict.

SHRI CHANDRA SHEKHAR: It is about the grants to the Secretariats of Rajya Sabha and Lok Sabha. So we are very much concerned with this problem, because 'our Secretariat grants will be discussed in the Lok Sabha. So how can we say that we are' not concerned?

SHRI P. N. SAPRU: What I wish to say is

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MR. CHAIRMAN: No, Dr. Sapru, I am afraid I will not allow the discussion to go further. I have gauged the sense 'of the House, I have had its consensus and I say that this House will not be represented in the proceedings before the Supreme Court.

Now we take up further consideration of the Banaras Hindu University (Amendment) Bill, 1964. When the House adjourned yesterday Statute 12 had been adopted. We now take up further clause by clause consideration of the Bill.

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

Statute 13

MR. CHAIRMAN: There is one amendment, No. 90 by Dr. Tara Chand.

DR. TARA CHAND (Nominated): Sir, beg to move:

90. "That at page 25, for lines' 11 to 28, the following be substituted, namely:

(i) The Vice-Chancellor, (ii) The Deputy Vice-Chancellor ... "

THE MINISTER OF EDUCATION (SHRI M. C. CHAGLA): Now there will not be the Deputy Vice Chancellor because an earlier amendment. by Dr. Tara Chand seeking a post of the Deputy Vice-Chancellor, has been rejected.

MR. CHAIRMAN: Something has happened before, which prevents you from doing this.

DR. TARA CHAND: My amendment refers to the constitution of *he Executive Council.

PROF. M. B. LAL (Uttar Pradesh): There is no Deputy Vice-Chancellor now.

DR. TARA CHAND: The Deputy Vice-Chancellor need not be there if that has been ruled out.

MR. CHAIRMAN: Therefore the amendment falls through.

DR. TARA CHAND: The whole thing.

MR. CHAIRMAN: Yes.

DR. TARA CHAND: How can the whole thing MI through?

MR. CHAIRMAN: Unless you delete that portion the whole thing falls through.

DR. TARA CHAND: That portion is certainly deleted because the House has not accepted it.

SHRI AKBAR ALI KHAN (Andhra Pradesh): What is the other part?

DR. TARA CHAND: The other part is regarding the membership of the Executive Council. I shall move my amendment now with that deletion. I move:

90. "That at page 25, for lines 11 to 28, the following be substituted, namely—

(i) The Vice-Chancellor, (ii) Six Deans, two from each of the following three groups: —

Group I—

- (a) Faculty of Arts,
- (b) Faculty of Orientation Learning and Theology,
- (c) Faculty of Music.

Group II—

- (a) Faculty of Education,
- (b) Faculty of Law,
- (c) Faculty of Commerce,
- (d) Faculty of Medicines.

Group III—

- (a) Faculty of Technology,
- (b) Faculty of Engineering,
- (c) Faculty of Science,
- (d) Faculty of Agriculture "

Now according to this Bill there are to be a certain number of Deans of the Faculties, and a certain number of 'other officers and elected members on the Executive Council. My amendment is a simple one, namely, that the number of Deans should be raised from four to six, and the reason, why I have suggested that the number should be raised from four to six is, because the Banaras Hindu Univer-

sity has nearly sixty - departments. Are these sixty departments to be represented by only four persons? Now some of these departments are extremely big departments. They have got budgets running into lakhs of rupees. They have students- running into several hundreds, and there are quite a large number 'of teachers' in these departments. Now the problems that come up before the Executive Council are problems relating to these departments-i-their expense*, whether they are recurring expenses or non-recurring expenses, the mode of appointment of teachers, the mode of appointment of examiners, and 'So on, and a large number of duties of the Executive Council' consist in considering these matters relating to these departments, and anyone who has been connected with the Executive Councils of Universities knows that most of the work in the Executive Council is work connected with such departments. Now does it not appear unreasonable that such large departments, like the Technological department, the Medical department, the department of Science, the department of Humanities, etc. should be represented by only four persons? What I have suggested therefore is that instead of these departments being represented by four persons, they should be represented by six, and how that representation should take place has been stated in this amendment. Instead of saying that - some Faculties will have two and the other Faculties will also have two, "What I have stated is that these departments should be grouped in" a more rational manner, and Hint-" grouping which I have suggested is this. In my Group-I will come the Faculty of Arts, Faculty of Oriental Learning and Theology, and Faculty of Music. These, I think, consist of about twenty-three departments.-The second Group would be Faculty of Education, Faculty of Law, Faculty of Commerce and Faculty of Medicines. These are all Faculties dealing with professional teaching and there are about eighteen departments in these four Faculties. Then the third Group consists of

[Dr. Tara Chand.] Faculty of Technology, — Faculty of Engineering, Faculty of Science and Faculty of Agriculture. These are all scientific and technical faculties and there also there are about eighteen departments. Therefore the first Group will include twentythree departments, the second Group eighteen departments and the third Group also eighteen departments, and each one of these Groups should have two representatives on the Executive Council, who will be able to give information, and will be able to discuss the matters, that come up before the Executive Council, with a knowledge which is absolutely necessary for you to have before you come to any decision on these questions. The representation of these departments provided for now in the Bill is very inadequate to my mind and therefore the proposal that I have made is that their representation should be raised from four to six in the manner in which I have put it in this amendment.

The question was proposed.

SHRI M. C. CHAGLA: I am sorry I cannot accept this amendment because Dr. Tara Chand's amendment will result in the strength of the Executive Council being increased from seventeen to nineteen which is much too large a number. This Constitution was arrived at after a very careful discussion in the Select Committee, and I see no principle at all involved in the suggestion made by Dr. Tara Chand. So I regret I cannot accept the amendment.

MR. CHAIRMAN: I shall first put the amendment to vote. The question is:

90. "That at page 25, for lines 11 to 28, the following be substituted, namely: —

(i) The Vice-Chancellor,

(ii) Six Deans, two from each of the following three Groups:

Group I—

(a) Faculty of Arts,

- (b) Faculty of Oriental Learning and Theology,
- (c) Faculty of Music.

Group II—

- (a) Faculty of Education,
- (b) Faculty of Law,
- (c) Faculty of Commerce,
- (d) Faculty of Medicines.

Group III—

- (a) Faculty of Technology, (to) Faculty of Engineering,
- (c) Faculty of Science,
- (d) Faculty of Agriculture.' "

The motion was negatived.

MR. CHAIRMAN: The question is: "That Statute 13 stand part of the Bill." *The motion was adopted.*

Statute 13 to be added to the Bill.

Statute 14

MR. CHAIRMAN: There is one amendment, No. 91.

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

91. "That at page 27, line 24, for the words 'the University servants' the words 'other employees of the University' be substituted."

This is purely a verbal amendment and I hope the House has no objection to accepting it.

The question was proposed. MR. CHAIRMAN: The question is: 91. "That at page 27, line 24, for the words 'the University servants' the words 'other employees of the University' be substituted."

The motion was adopted.

MR. CHAIRMAN: The question is:

"That Statute 14, as amended, stand part of the Bill."

The motion was adopted.

Statute 14, as amended, was added to the Bill.

Statutes 15 and 16 were added to the Bill.

Statute 17—*Powers, duties and functions of the Academic Council*

MR. CHAIRMAN: Now we come to Statute 17 and to that there are two amendments, Nos. 92 and 125, suggested by the Education Minister.

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

92. "That at page 30, after line 18 the following be inserted, namely:-

'(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.' "

This provision is similar to the one we have introduced in the Jawaharlal Nehru University Bill which is pending before this House and also in conformity with the suggestion made by the hon. Member, Shri P. N. Saprú. This is a very important Statute. Modern thinking about universities is that the teachers and students should come together, sit down round the table, discuss questions of students' welfare and that would lead to less indiscipline and more understanding of students' problems by the teachers than otherwise. I hope the House will accept this amendment.

The question was proposed.

MR. CHAIRMAN: You may move and speak on your amendment No. 125 also.

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

125. "That at page 29, line 33, for the words "Banaras Hindu University", the words "Madan Mohan

Malaviya Kashi Vishwavidyalaya' be substituted."

This is a purely formal amendment.

The question was proposed.

PROF. M. B. LAL: Sir, I am sorry it is my misfortune to oppose the amendment moved by the Education Minister with regard to the constitution of a Council of Students' Affairs. I oppose this amendment on two grounds. Firstly, I feel, that a Council of Students' Affairs is not to be organised for advising any University authorities on matters relating to the welfare of the students. A council of students' welfare, as a matter of fact, should be organised for promoting the welfare of the students in cooperation with or under the guidance of University authorities. Thus the scope of a Council of Students' Affairs as enumerated here is a very limited one. Secondly, Sir, I oppose this motion because according to this clause, the Council of Students' Affairs is to advise the Academic Council on matters relating to the welfare of the students of the University. I have very carefully read the functions of the Academic Council. None of the functions of the Academic Council deals with the welfare of the students of the University, unless examinations and the courses of study that are conducted and determined by the Academic Council are also considered to be a part of the welfare of the students. I am sure, Sir, if we give such a wide interpretation to the words "welfare of students", the Education Minister will be the last person to allow any Council of Students' Affairs to meddle with the question of determining the courses of study or determining the questions concerning examinations. Sir, under the old Banaras Hindu University Act and under the old Statutes of the University, the Academic Council was in charge of the discipline of students and a very wide interpretation was given to this "charge of discipline of

[Prof. M. B. Lai.] the students". Under this clause the Academic Council and its Standing Committee had organised students' residence committees and city students' organisations. These bodies were not only looking after the discipline of the students, but they were also looking after the residences, and the comforts of the students. Therefore, if that power had remained part of the powers of the Academic Council, then it would have been possible for the Academic Council to seek the advice of a Council of Students' Affairs with regard to the welfare of the students.

SHRI P. N. SAPRU (Uttar Pradesh): Welfare includes discipline also.

PROF. M. B. LAL: Once this power is taken away from the Academic Council, what are the powers of the Academic Council? Sir, it is written there in the old Act that the Academic Council shall be the academic body of the University and subject to the Act, Statutes and Ordinances, it shall be in charge of organising instructions in the University and colleges, the courses of study and examinations and the conferring of ordinary and honorary degrees. The words "discipline of the students" are proposed to be eliminated. These are the charges of the Academic Council. None of these charges can in any way comprehend the welfare of the students. So now if discipline of the students is taken away from the charge of the Academic Council, as we are proposing to take away, then the functions of the Academic Council would be very limited and the welfare of the students will have to be looked after by an authority other than the Academic Council. Therefore, a Students Welfare Council may advise that authority which has to look after the welfare of the students. A Students' Welfare Committee cannot be organised to advise the Academic Council on a matter which does not form part of the functions and the jurisdiction of the Academic Council.]

Taking all these things into consideration, I oppose this motion. I agree with the spirit which moved the Education Minister to move this amendment. But I feel that it would be better if the Education Minister comes forward with another amendment wherein the functions of a Council of Students' Welfare are enlarged to include not only the giving of advice but also the actual participation in the welfare of the students and the rendering of advice to such University authorities as are in charge of the welfare of the students, not to the Academic Council which is now in charge of only examinations, the conferring of degrees and the determining of courses of study.

SHRI M. RUTHNASWAMY (Madras): I would also like to oppose this amendment on the ground that Parliament when passing Statutes should pass only the absolutely necessary number of Statutes. Statutes must be passed normally by one or other of the University bodies. We in Parliament are passing these Statutes in order to set the University going. Therefore, we should restrict ourselves to passing only the absolutely necessary number of Statutes in order to set the University going. This constituting of a Students' Welfare Council, however admirable, however commendable on general academic grounds, is a matter of detailed organisation which should be left to the University authorities to pass according to the circumstances of the particular University. My objection is also to the clause providing for the establishment of a University Students' Union. That again is a matter of detail. It is a detailed organisation which ought to be left to the University authorities when they begin to function. We should not impose these ideas of ours on the University authorities. A University Union or a Student's Welfare Organisation should be constituted in view of the particular circumstances of the University. We would be imposing an organisation on a Uni-

versity which may not be prepared to accept this organisation. Some Universities may be so highly developed as to face the consequences of a Students' Welfare Organisation while other Universities may not be so well aeveioed. So, I think the Parliament has taken upon itself a responsibility which it should not take, namely, the imposition upon a University a Students' Welfare Organisation. That should be left to the University after it has started functioning and it could take it up and put it through only if it is satisfied that the circumstances of the University require the formation of such a Students' Welfare Association.

SHRI G. RAMACHANDRAN (Nominated): Sir, it was a happy reference which the Minister of Education made when he started speaking on this particular motion, when he said that in the Jawarharlal Nehru University Bill there is a provision for the formation of a Students' Council about which this discussion is taking place. When I spoke on the Bill, when it originally came on the floor of the House, I had used, if I may say so, stronger words than are implied in what the Education Minister said. I said that the Jawa-harlal Nehru University should be a Republic of students. I think the teachers have often made a mess of University education and part of it is due to the fact that the student is kept at the door. The student is just like in any other organisation, a kind of a subordinate person. When he says that there will be constituted in the Banaras University a Students' Council, it warms my heart. Two friends who have now spoken have expressed their great diffidence in forcing something like this upon a University.

PROF. M. B. LAL: I have never said that.

STTWT r-. RAMACHANDRAN: No. but Mr. Ruthnaswamv said th you said it without saying it.

PROF. M. B. LAL: I only said that the Academic Council be entrusted with the powers of promoting the welfare of students.

MR. CHAIRMAN: You have had your say very clearly.

SHRI G. RAMACHANDRAN: I am not yielding. Sir, this discussion on the Banaras University has been going on and I have been listening to many things. Very often I felt tempted to stand up and say something but looking at your face, I said, let me not ask for any time.

MR. CHAIRMAN: Don't fail at this stage.

SHRI G. RAMACHANDRAN: At this stage, I fully support the Education Minister. I am only sorry he is not going far enough, in regard to this Council of Students' Welfare. The point made is, can such a Council advise the Academic Council? I say it ought to advise and it could advise and the advice of this Council should be listened to with the greatest respect by the Academic Council. What is the academics of a University? It is not merely teaching but also learning. You may teach but I may not learn and then what is the use of your teaching? Academics is a double line process of teaching and taking that teaching. When those who teach wish to evolve certain disciplines and those who take that teaching also wish to be participators in that discipline, we should provide for both. The whole trouble with the University students and their indiscipline of which we talk so much, is because you do not take the students into your confidence. I would have gone much further and said 'that even in drawing up schemes of studies, select students' representatives should be heard on the subject and their views should be respected by the Academic Council. The time is long gone when the University traditions of the nineteenth century could hoM the field ii 1\$6S and onwards. We have to i i'.ionise the entire concept of

[Shri G. Ramachandran.]

university education and some of the things that the Education Minister is doing with rare courage are indications that we are moving in that direction. I support this motion with all the emphasis at my command.

SHRI D. THENGARI (Uttar Pradesh): This amendment moved by the hon. Education Minister has wider implications. Through this he is giving a constructive lead even to other educational institutions in the country because we know that there is a sort of deterioration in the relationship between the teacher and the taught and if the teachers are asked to participate and co-operate with the students welfare activities and organisations, naturally there will be a marked improvement in the relationship between the teacher and the taught. So, without standing on any technical ground, I think we should support the move.

SHRI AKBAR ALI KHAN: So far as I understand, the basis of this amendment is this: The general pattern of the University was that membership of the Students' Union was compulsory but under this bill that compulsory membership has been eliminated. We felt, some of us, very uneasy and uncomfortable about this compulsory nature of the membership. As a remedy, and in some ways a better remedy, the Education Minister has brought up this question of a Students' Council. I think, without going into those technicalities which Prof. Lai has suggested, namely, whether the Academic Council is in a position to consider the matter of welfare or not, we should endorse this move. I think the Academic Council has in general these powers and the Vice-Chancellor being the head of the Academic Council is also amenable to the advice. I think this is an important matter. I do not agree with Prof. Ruthnaswamy that this is a matter of detail. We are giving a new lead to the country. Instead of "having the old Unions where there

used to be a struggle between the management and the students, we are introducing a new element in which the students and the teachers will sit together and will consider their joint problems. I think this is a very good motion and I fully support it.

SHRI P. N. SAPRU: Mr. Chairman, I strongly support this amendment. The trouble with our Universities is that our students and our teachers live in two different worlds. Now, the effect of this amendment will be to draw them closer together. I had suggested an amendment on different lines but I am prepared to admit that this has advantages which my original amendment did not have and I would not, therefore, stand on technicalities. I will not go on enumerating the powers of the Academic Council. I will not go on regretting that the word "discipline" has not been included among the powers of the Academic Council. I think the word "welfare" is wide enough to include all concepts which my friend, Mr. Mukut Bihari Lai, has in mind, I, therefore, support this amendment.

PROF. M. B. LAL: You include among the functions of the Academic Council the promotion of the welfare of the students.

SHRI M. C. CHAGLA: May I give answers to the two questions raised by Mr. M. B. Lai? The first was that this particular amendment was narrow in its scope and ambit. My answer is this is only a start. If you want to increase the powers of this body this could be done by an amendment of the Statute. With regard to the other point the answer is this. We have already accepted amendment No. 58 moved by Dr. Tara Chand. This is about the Academic Council. It says that the Academic Council shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes and Ordinances. Therefore a Statute can be passed con-

ferring specific power on the Academic Council to consider the advice given by this Council. And apart from that, already in the Statutes we have a residuary power given to the Academic Council to perform in addition to academic matters all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act, Statutes and Ordinances. So I submit there should be no objection to passing this amendment.

MR. CHAIRMAN: The question is:

92. "That at page 30, after line 18, the following be inserted, namely:—

'(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.' "

The motion was adopted.

MR. CHAIRMAN: The question is:

125. "That at page 29, line 33, for the words 'Banaras Hindu University', the words 'Madan Mohan Malaviya Kashi Vishwavidyalaya' be substituted." *The motion was adopted.*

MR. CHAIRMAN: The question is:

"That Statute 17, as amended, stand part of the Bill."

The motion was adopted.

Statute 17, as amended, was added to the Bill.

Statutes 18 and 19 were added to the Bill.

Statute 20—Finance Committee

DR. TARA CHAND: Sir, I move:

93. "That at page 32, for lines 9 to 11, the following be substituted, namely:—

'(iii) Two persons, who are not employees of the University, elected by the Court and two

nominated by the Executive Council from among the Deans."

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

94. "That at page 32,—

(i) line 12 be deleted; and

(ii) after line 12, the following be inserted, namely:—

'(1A) The Finance Officer shall be the Secretary of the Finance Committee."

The questions were proposed.

DR. TARA CHAND: Sir, my amendment No. 93 refers to the Finance Committee. I need not again remind the House that the University business so far as its financial aspect is concerned relates almost completely with the activities of the Departments. It therefore appears to me that some of the Professors or Deans of Faculties ought to be present in the Finance Committee to put forward the point of view of those who are going to expend the moneys that are sanctioned. I do not see how it is possible without the help of some of these Deans to come to right conclusions regarding the provision of funds for the Departments. I am sure it is not possible for the members who are elected from the court but who will not be teachers of the University to realise the importance of the proposals made by the Departments. Nor will it be possible for the other members, one from the court and one from the Executive Council, who are not teachers to give due consideration, proper consideration, to the needs and requirements of Departments. I also hold that in making important decisions it is desirable that those people, who are affected by those decisions should have a say in the matter before the decisions are taken. There has been a great deal of talk here about democracy, what is democratic and what is not democratic. We find that at present it is considered that in the running of factories you should have a composite body of managers,

Lur. rara unana.j entrepreneurs and workers because the workers are as much interested in the production of goods from a particular factory as are the entrepreneurs and managers. Now here in the University it is not workers or labourers whom I am asking to be represented on the Committee but I am asking for the inclusion of representatives of the teaching staff who ought to be consulted in deciding financial matters which have a bearing upon their Departments and upon their activities. The only person in this Committee is the Vice-Chancellor who has to represent the needs and requirements of all the Departments and even a superman would find it difficult to give arguments and reasons why the present the needs and requirements are being placed before the Committee and why certain demands are being made. Therefore if this Committee is going to perform such important duties it is necessary that there should be some co-operation from the teaching staff in this Committee. So far as I know there are other Universities in which the teachers are represented on the Finance Committee. I have had long association with the University of Allahabad and with the working of the various bodies of that University and I know that teachers were represented on the Finance Committee of that University and I see no reason why they are being eliminated from this Committee. This is the most important Committee of the University because it deals with the finances of the University. I need not add anything more to what I have said. I think it is most desirable that my amendment should be accepted,

STRT M. C. CHAGLA: I am sorry that I cannot accept that amendment for two reasons. The first is, it seeks to increase the membership of the Finance Committee from six to eight. That is too large. It is an expert committee and it ought to be a small Committee. The second reason is Dr. Tara Chand's amendment

restricts the nomination of members by the Executive Council which also is wrong, because the Executive Council may want two members who are not members of the staff but they may be financial experts and accounting experts. On both these grounds I oppose the amendment

MR. CHAIRMAN: What about amendment No. 94?

SHRI M. C. CHAGLA: It seeks to make the Finance Officer Secretary of the Finance Committee. We have already amended the earlier Statute which made the Registrar Secretary of the Finance Committee. In view of the deletion of the name of the Registrar from that Statute, this is really consequential, and the Finance Officer shall be the Secretary of the Finance Committee.

MR. CHAIRMAN: The question is:

93. "That at page 32, for lines 9 to 11, the following be substituted, namely:—

'Cm) Two persons, who are not employees of the University, elected by the Court and two nominated by the Executive Council from among the Deans'."

The motion was negatived.

MR. CHAIRMAN: The question is:

94. "That at page 32:

(i) line 12' be deleted; and

(ii) after line 12, the following be inserted, namely:—

'(IA) The Finance Officer shall be the Secretary of the Finance Committee.'"

The motion was adopted.

MR. CHAIRMAN: The question is:

"That Clause 20, as amended, stand part of the Bill."

The motion was adopted.

Statute 20, as amended, was added to the Bill.

Statute 21 was added to the Bill.

MR. CHAIRMAN: We now adjourn till 2.30 in the afternoon.

The House adjourned for lunch at one of the clock.

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

Statute 22—*Constitution of Faculties*

THE DEPUTY-CHAIRMAN: We take up Statute 22. There are two amendments, Nos. 96 and 97, in the name of Prof. M. B. Lai.

PROF. M. B. LAL: Madam, there are two amendments in my name. I do not propose to move amendment No. 96. I wish to move my amendment No. 97.

SHRI M. C. CHAGLA: I accept that amendment.

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

97. "That at page 33, after line 18, the following further proviso be inserted, namely:—

"Provided further that the rotation according to seniority shall be amongst teachers of subjects assigned to the Faculty."

The question was put and the motion was adopted.

THE DEPUTY CHAIRMAN: The question is:

"That Statute No. 22, as amended, stand part of the Bill."

The motion was adopted.

Statute No. 22, as amended, was added to the Bill.

Statutes 23 to 30 were added to the Bill.

Statute 31—*Removal of employees other than teachers.*

THE DEPUTY CHAIRMAN: To Statute there are three amendments. Amendment No. 98, he is not moving.

PROF. M. B. LAL: I do not propose to move my amendment, No. 99. I am proposing to move my amendment, No. 100.

SHRI M. C. CHAGLA: I accept that.

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

100. "That at page 37, after line 26, the following proviso be inserted, namely:—

'Provided that no officer of the University shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting.'"

The question was put and the motion was adopted.

THE DEPUTY CHAIRMAN: The question is:

"That Statute 31, as amended, stand part of the Bill."

The motion was adopted.

Statute 31, as amended, was added to the Bill.

Statutes 32 to 36 were added to the Bill.

Statute 37—*Registered donors*

PROF. A. R. WADIA (Nominated): Madam, I move:

101. "That at page 41, lines 21-22, for the words 'one thousand rupees' the words 'ten thousand rupees' be substituted."

[Prof. A. R. Wadia.]

Madam, I would just like to say a few words about this amendment. Originally the amount of donation was Rs. 1,000 and it is now kept at the low figure of Rs. 1,000. The value of money has changed. One thousand rupees of olden days are hardly worth a hundred rupees now. I think the donors are not to be made too cheap, especially when they have got substantial representation in the Court. They have also got the power, by their votes, to select or elect the members of the committee for the selection of the Vice-Chancellor. Therefore, I feel that this limit of Rs. 1,000 is too low and it should be raised to Rs. 10,000.

The question was proposed.

PROF. B. N PRASAD (Nominated) : I would like to support the amendment proposed by Prof. Wadia. It will be in the interests of the University if this amount of Rs. 1,000 is raised to Rs. 10,000. Otherwise, there might be too many donors made under the term of Rs. 1,000. I, therefore, support this amendment.

SHRI M. C. CHAGLA: I am sorry I cannot accept that. I think Prof. Wadia is wrong. The original limit was Rs. 1 lakh.

PROF. M. B. LAL: Under the original Statute it was Rs. 500.

SHRI M. C. CHAGLA: I am just looking into it. My impression is that it was a lakh of rupees.

PROF. M. B. LAL: I may point out to you that those who donated Rs. 3 lakhs were entitled to be members of the Court and were even entitled to have a successor nominated in their place. Those who donated a lakh of rupees were entitled to be members for their whole lifetime. Then, those who donated Rs. 500 or more were on the donors' list and were entitled to send their representatives to the Court. Now, we have

, dropped this idea of permanent membership and life membership, who pay Rs. 1 lakh or Rs. 3 lakhs, etc. We have said that those who pay Rs. 1,000 will be on the donors' list and through the system of single transferable votes they will be entitled to send certain representatives.

SHRI M. C. CHAGLA: My own view is that everybody who donates should have the right. After all, you have to fix the limit somewhere and I think Rs. 1,000 is high enough. The only objection I could see is that a large number of people may donate Rs. 1,000. It is all the better for the University. The more the people who donate, the better for the University. It is most undemocratic to raise it to Rs. 10,000. I oppose the amendment.

THE DEPUTY CHAIRMAN: The question is:

101. "That at page 41, lines 21-22. for the words 'one thousand rupees' the words 'ten thousand rupees' be substituted."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

"That Statute 37 stand part of the Bill."

The motion was adopted.

Statute 37 was added to the Bill.

Statute 38 was added to the Bill.

Statute 39—Emeritus Professor and Visiting Professor

THE DEPUTY CHAIRMAN: There is one amendment in the name of Mr. Chagla. It is a consequential amendment.

SHRI M. C. CHAGLA: If the House will permit me, I just want to change

one word there. As it stands it reads thus:—

126. "That at page 42, line 5, after the words 'Banaras Hindu University' the words 'Madan Mohan Malaviya Kashi Vishwa-vidyalaya' be inserted."

Now, if the House will turn to Statute 39, it says;

"(1) A retired Professor of the Banaras Hindu University who has acquired distinction . . .

Now, it may be that the retired Professor maybe of the old Banaras Hindu University or he may be a retired Professor of the new University. So, the correct wording should be, after the words 'Banaras Hindu University', we should have the words 'or the'.

Madam, I move:

126. "That at page 42, line 5, after the words 'Banaras Hindu University' the words or the 'Madan Mohan Malaviya Kashi Vishwa-vidyalaya' be inserted."

The question was put and the motion was adopted.

THE DEPUTY CHAIRMAN: The question is:

"That Statute 39, as amended, stand part of the Bill."

The motion was adopted.

Statute 39, as amended, was added to the Bill.

Statutes 40 to 51 were added to the Bill.

Statute 52—Annual statement of account.

THE DEPUTY CHAIRMAN: There are two amendments, both in the name of Mr. Chagla, Nos. 127 and 128.

SHRI M. C. CHAGLA: These are formal amendments. The University has been defined in the Act as the Banaras Hindu University up to a particular time and as Madan Mohan

Malaviya Kashi Vishwavidyalaya after that.

Madam, I move:

127. "That at page 45, line 24, for the words 'Banaras Hindu University' the words 'Madan Mohan Malaviya Kashi Vishwavidyalaya' be substituted."

128. "That at page 45, in Form A, under the heading 'name of Subscriber', for the letters 'B.H.U.', the words 'the University' be substituted."

The questions were put and the motions were adopted.

THE DEPUTY CHAIRMAN: The question is:

"That Statute 52, as amended, stand part of the Bill."

The motion was adopted.

Statute 52, as amended, was added to the Bill.

Statute 53—Provident Fund Ledger

THE DEPUTY CHAIRMAN: There are two amendments, Nos. 129 and 130.

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

129. "That at page 46, line 1, for the words 'Banaras Hindu University' the words 'Madan Mohan Malaviya Kashi Vishwavidyalaya' be substituted."

130. "That at page 46, in Form B, under the heading 'April to March', for the letters 'B.H.U.', the words 'the University' be substituted."

SHRI M. C. CHAGLA: Again, these are formal amendments, merely changing the name from the Banaras Hindu University to the new name, Madan Mohan Malaviya Kashi Vishwavidyalaya, both amendments Nos. 129 and 130.

The question was proposed.

PROF. M. B. LAL: In two places the words "Banaras Hindu University" have occurred, namely, "Provident Fund Ledger, Banaras Hindu University," and there is another place, i.e., 'contribution by B.H.U.' In both these places the words the University' should be put. If you look at Form B, in the column 'April to March', it says 'deduction from salary' and 'contribution by B.H.U.* It must be "contribution by the University". And "Provident Fund Bedger, Banaras Hindu University"—here also you must say "the Univer- sity". Again there will foe old provident fund ledger of teachers who have paid before this University began, the Madan Mohan Malaviya University. Again you say there "Provident Fund Ledger, Banaras Hindu University". If you say "the University", then the words "the University" according to the Act's definition would cover both.

SHRI M. C. CHAGLA: I am obliged to him. I will substitute that.

PROF. M. B. LAL: It should be "Contribution by the University".

SHRI M. C. CHAGLA: May I explain this? In Form B that is merely the heading, and the heading should be the present heading, namely "Provident Fund Ledger, Madan Mohan Malaviya Kashi Vishwavidya-laya". But when you come to the contribution, "Contribution by B.H.U.", we are changing "B.H.U." to "the University".

THE DEPUTY CHAIRMAN: The question is:

129. "That at page 46, line 7, for the words "Banaras Hindu Univer sity' the words "Madan Mohan Malavijia Kashi Vishwavidyalaya' be substituted."

The motion uias adopted.

THE DEPUTY CHAIRMAN: The question is:

130. "That at page 46, in Form B, under the heading 'April to March', for the letters 'B.H.U.', the

words 'tne university oe SUDSUIUI-ed."

The motion was adopted.

THE DEPUTY CHAIRMAN: The question is:

"That Statute 53, as amended, stand part of the Bill."

The motion was adopted.

Statute 53, as amended, ioas added¹ to the Bill.

Statutes 54 and 55 were added to the Bill.

Statute 56—Nomination

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

131. "That at page 47, line 15, for the letters 'B.H.U.', the words 'the University' be substituted"

Madam, it is just verbal amendment.

The question was out and the motion was adopted.

THE DEPUTY CHAIRMAN: The question is:

"That Statute 56, as amended, stand part of the Bill."

The motion adopted.

Statute 56, as amended, was added to the Bill.

Statutes 57 and 58 ioere added to the Bill.

Statute 59—Maintenance of discipline among students of the University.

THE DEPUTY CHAIRMAN: There is one amendment No. 102. This is a negative amendment asking for the deletion of the Statute.

PROF. M. B. LAL: Madam, I know it is a negative amendment. So perhaps it can be voted upon. I am sorry I fail to see eye to eye with the statute added by the Select Committee on the advice of the Education Minister in the original Bill that was proposed or placed before the Rajya Sabha. I do realise that the problem of disci-

pline is an important problem, that without proper discipline we cannot have an adequate academic atmosphere, and that only in a proper academic atmosphere academic life can be promoted and students can carry on their studies properly, can promote a healthy community life so necessary for the growth of the personality of the students. So, I do recognise the need of proper discipline. I also admit that at present not only in Banaras University but in most of the Universities of India we do not have that discipline that we should have, and for want of proper discipline among students the academic life of the University is suffering considerably, and the educationists and public men in charge of the affairs of the country must devote adequate attention to the question of discipline among students. The question before us is how this discipline can be promoted. In old days it was believed that this discipline can best be promoted with the help of the rod. Students used to be caned by teachers and thereby they were forced to behave properly. But gradually it has begun to be realised that the old methods would yield not good results. As pointed out by the Radhakrishnan Commission—it says:

"The modern youth cannot be driven by fear. Normal boys and girls can be led more effectively by imposing trust and appealing to honour."

Therefore, the Radhakrishnan Commission recommends:

"Students be given the opportunity to develop self-respect and self-reliance through an attitude of trust rather than live in an atmosphere of suspicion and fear".

Many European and American educationists have also tried to analyse this problem of discipline. Prof. Munroe, an American educationist who has written a very good and exhaustive book on secondary education, points out that before any scheme of discipline is approved, it is our duty to determine what sort of citizen we are going to produce. He points out

that if we are trying to produce a young man who has to spend his life under an autocratic system, the autocratic method would yield results. But if we wish to produce a democratic citizen, a different type of discipline would be needed. We would have to cultivate among youths self-discipline; we will have to adopt less autocratic methods, more democratic methods, to cultivate in youths the sense of discipline so that as self-disciplined students it may be possible for them to discharge their duties as democratic citizens in a disciplined manner but at the same time fearlessly. I do not know whether the rulers of India have any ulterior designs but I hope that they have no ulterior designs, they are committed to democracy, they wish . . .

SHRI P. N. SAPRU: Who are the rulers of India?

PROF. M. B. LAL: I think you are one of them, being a member of the ruling party.

SHRI P. N. SAPRU: All of us are the rulers of India.

SHRI AKBAR ALI KHAN: Quite right, in a democracy it is so.

SHRI JOSEPH MATHEN (Kerala): The people.

SHRI AKBAR ALI KHAN: The people are the rulers.

PROF. M. B. LAL: In name they are rulers but they are being ruled, I may say, not in a fully democratic way by those who are in charge of the authority of the State. (Interruptions). I think these disturbances which are not relevant to the question under discussion, I may ignore, so that it may be possible for me to propound my viewpoint effectively.

THE DEPUTY CHAIRMAN: And briefly.

PROF. M. B. LAL: And briefly.

Madam, what I was going to say was this. Government is committed to maintain democracy, to promote

[Prof. M. B. Lai.]
 democratic traditions, to see that the citizens of India are able to discharge their duties and exercise their democratic rights in a constructive, democratic and disciplined manner. If that is the object of the Government and if that is the object of the nation as a whole, it is our duty to so shape our scheme of discipline that thereby it might be possible for us to produce self-disciplined youths. We will have to provide to the University a democratic atmosphere rather than an autocratic atmosphere.

Madam, the Radhakrishnan Commission also seems to agree with this idea. It says:

"The key to the successful handling of young people is not found nowadays in a multitude of restraints and reprimands or in the infliction of continuous penalties. These devices may have to be resorted to in extreme cases but wholesome student, attitude and life cannot be created by negative and repressive measures. The true sanction of discipline lies in the development of the social conscience of the undergraduate body as a whole, rather than in punitive measures or precautionary vigilance. As in society so in the university, laws are observed because they are approved by reason, rather than because they are imposed by force. Indiscipline should be terminated by the good sense of the students."

These are the observations.

SHRI P. N. SAPRU: And not encouraged by teachers?

PROF. M. B. LAL: I am not encouraged even by the Vice-Chancellor. He comes from a State wherein a Chancellor destroyed the discipline of the students. I hope he will not try to interfere in that way as he knows and I also know. . .

PROF. B. N. PRASAD: But you also come from that very State.

PROF. M. B. LAL: I come from that very State. I feel ashamed of myself and of the State where once I had a Chancellor who disgraced the Chancellorship and who spoiled the discipline of the students of the State concerned.

Madam, I quoted certain passages from the Radhakrishnan Commission's Report. Similar passages can be quote^ from reports and books of other educational authorities also. Though the Education Minister might also say that all that is given in this book and all that is quoted by me are endorsed by him and no exception need be taken to that, I beg to submit that Statute 59 does not conform to the spirit of the ideas expressed by the Radhakrishnan Commission. Madam, under the Statute concerned, the Vice-Chancellor is proposed to be entrusted with almost undefined autocratic powers in regard to the discipline of the students. There is no 3 P.M. limit imposed on his powers. All powers relating to discipline and disciplinary action in relation to a student shall vest in the Vice-Chancellor. Not only this, section 2 of that clause says:

"The Vice-Chancellor may delegate all or such of his powers as he deems proper to the Chief Proctor and to such other persons as he may specify in this Bill."

Under the Act and this Statute, not only the Vice-Chancellor will be autocratic, the Vice-Chancellor is in a position to create autocrats. He may delegate all his powers of discipline not only to the Proctor but to any person he deems fit.

Madam, my knowledge of law is very limited. But with this limited knowledge of law, I beg to submit that the word "person" is a very wide one. That person need not be an Indian; that person may be a foreigner. That person need not be a member of a University. He may be a police authority or a military officer.

SHRI AKBAR ALI KHAN: You must be having very poor opinion about your future Vice-Chancellors.

PROF. M. B. LAL: I have a poor opinion of the draftsman of the Statute. The particular Statute empowers the Vice-Chancellor to delegate all his powers, the powers with regard to dismissal, the powers with regard to rustication of students, the power with regard to the expulsion of students to any person he chooses, and to any number of persons he chooses. My friend, Mr. Akbar Ali Khan, says I have a poor opinion of the Vice-Chancellor. Does he know that Rs. 40,000 were spent by the Bihar University to protect the Vice-Chancellor?

SHRI P. N. SAPRU: For what?

PROF. M. B. LAL: Police protection to the Vice-Chancellor.

PROF. B. N. PRASAD: Which University?

PROF. M. B. LAL: Bihar University. There is police in a University controlled by the Centre.

SHRI AKBAR ALI KHAN: Suppose more disciplinary measures are needed. That does not very much speak against the Vice-Chancellor.

PROF. M. B. LAL: I would rather like you to hold an enquiry into the working of the Vice-Chancellors of the Bihar University. The Vice-Chancellor of the Aligarh University is in great difficulty, and I do not wish to make any remark about him.

PROF. B. N. PRASAD: Enquiries have been made already by the Raman Commission. That Commission has already passed its judgment.

PROF. M. B. LAL: And wished the Vice-Chancellor to be removed, and that University is now run by a Judge.

So I beg to submit that in this provision the Vice-Chancellor has autocratic power. He may behave as an autocrat and have power to create as many autocrats as he may choose. And the autocrat that he may create

may not be a professor of the University, may not be a Proctor of the University, may not be a Rector or Dean of the University. He may be a police officer, may be an Army man. God knows, he may even be a foreigner. I do not think that this is in consonance with the spirit of the age in which we live.

It might be pointed out that under the Statutes that we are going to pass, Ordinances may be passed by the Executive Council with regard to discipline. But I am sure no Ordinance can be passed which is inconsistent with any Statute. That is to say, an ordinance may be passed, but no ordinance can in any way define the limit, the wide powers that are proposed to be granted to the Vice-Chancellor under this Statute 59.

THE DEPUTY CHAIRMAN: You have spoken for over 25 minutes.

PROF. M. B. LAL: I am just finishing. It is a very important question. I would request the Chair to see that I am not interrupted. That is the position.

Again, in this regard I would like to read a passage from the Sir Radhakrishnan Report.

SHRI P. N. SAPRU: Is that a word of Bible for you?

PROF. M. B. LAL: Sir Radhakrishnan was my Vice-Chancellor, and Dr. Radhakrishnan today is the President of India and Dr. Radhakrishnan was thought competent to be the President of a University Commission appointed just after India got independence and to provide to us a scheme of University education which is in consonance with the democratic age in which we live. If they may not be Bible to Dr. Sapru cannot help it because Dr. Sapru's knowledge is very, very wide. He knows the Constitutions of the world and, therefore, he can say that there should be no Professors on the Court and administrative body and there must be stu-

[Prof. M. B. Lai.] dents' representatives "on the Court because there are certain Universities where students are represented on the Court and because there are certain Universities where no Professors are represented on the Court. So, Madam, I would rather like to read a very important passage from the Radhakrishnan Commission Report. The Radhakrishnan Commission says:

"He must be the keeper of the 'University's conscience' both setting the highest standard by example and dealing promptly and firmly with indiscipline or malpractice of any kind. All this he must do and it can be done as a constitutional ruler; he has not and should not have, autocratic power."

The Radhakrishnan Commission is fully conscious of the high position and the high responsibility which is Vice-Chancellor. But he feels that if a proper man of high character and first class is appointed a Vice-Chancellor, he can discharge his duties even with regard to discipline as a constitutional ruler without being an autocratic one. And I feel, Madam, even in co-operation with other University authorities, the Standing Committee of the Academic Council up to the Executive Council of the Court, it would be possible for the Vice-Chancellor to maintain proper discipline provided he has got abilities to do so.

THE DEPUTY CHAIRMAN: I think you finish now.

PROF. M. B. LAL: No, I am sorry. It may be told to me: 'What is the use of all this tall talk? Let us face the realities. Discipline has broken down and discipline will have to be imposed.' Yes, let us see what has happened in Banaras. Undoubtedly in Banaras the students behaved in a most indisciplined manner in the year 1958 and in the year 1959 but though there were disturbances in those years and their behaviour was one which deserved universal condemnation, the old rules and regulations are maintain-

ing discipline for the last six years. For the last six years there has been no change in the constitution of the University with regard to discipline. The old Standing Committee and the Vice-Chancellor, in association with the Standing Committee, are maintaining discipline and there has been no difficulty. What about the years 1956 and 1959? Are we going to punish the students because in the years 1958 and 1959 they misbehaved? Should we ignore our success in maintaining discipline with the help of the old mechanism in the last six years? If that is the attitude, Kerala is doomed to Governor's Rule for ever.

SHRI P. N. SAPRU: I am afraid it is:

PROF. M. B. LAL: I think U.P.'s number is coming, do not ignore it. In the year 1958/59, with due respect to the Vice-Chancellor of that period, if all these powers that are going to be entrusted under Statute 59 were the powers of the Vice-Chancellor of that period, he could not have exercised better discipline in the University. He was living in the Treasurer's house about six miles away from the University campus. Do you think that with all these autocratic powers, from the Treasurer's house he could impose discipline, living six miles away from the University? It would have been impossible for him to do so.

In the end I wish to point out to you that no Vice-Chancellor, however eminent he may be, can maintain discipline in the University without the co-operation of the senior teachers of the University. The teachers will have to be involved in the process of discipline. I am a Professor in a particular University, as I was, and you take it for granted that I am a bad man, but if I am a member of a Committee, and the Vice-Chancellor places before me certain facts and there are other professors, I will have to agree with his judgment, will have to say that steps should be taken against the bad man. If you do not

consult me and I am a bad man, I would say: 'What are you talking to me? I have no powers. The Vice-Chancellor is autocratic, he does anything he likes', and I will be the cause of promoting greater indiscipline through these things than I would be able to cause indiscipline if I were to be made to sit with other professors and made" to realise my duty for maintaining discipline.

For these reasons, I beg to submit that Statute 59 is of a very retrograde character. It may be fit a dictatorship. It may be a proper way to impose dictatorship in the country but is not the proper way to promote a democratic atmosphere in the country. I therefore oppose this Statute 59. I feel that we have sufficiently good old rules of discipline and they can be imposed or enforced by the various University authorities including the Vice-Chancellor in co-operation with the other University authorities and discipline can be maintained under the Statutes that we are just going to pass, the Executive Council is empowered to pass Ordinances with regard to discipline and the details can further be worked out by the Executive Council that we are going to create. With these words, I stand for the deletion of the Statute.

SHRI M. C. CHAGLA: I subscribe to the noble sentiment to which my friend Prof. Lai has given expression. We have to face the facts and there is that there is indiscipline. Indiscipline has to be controlled. Somebody must be vested with power of discipline. My friend has spoken of democracy and autocratic institutions but he must not forget that democracy can only exist in an atmosphere of discipline. The Statute is identical to the one which we find in the University. The Delhi University has been functioning under this Statute and no one has suggested that the Vice-Chancellor of the Delhi University has suddenly lost his head, become a dictator or autocrat. It has delegated his authority to

policemen and foreigners and everything that Prof. Lai has suggested. Further if this Statute does not work well, the Executive Council has the power to amend it. This is not like the law of the Medes and Persians that cannot be changed. It has not to come to Parliament. Suppose you get a Vice-Chancellor who controls in an autocratic manner and the Statute does not function well in this University, we will put limitations on his power and it is open to the Executive Council to do so. Therefore I appeal to the House to pass this Statute.

PROF. M. B. LAL: Just an explanation. I wish to invite the attention of the Education Minister to the fact that even under the Delhi University, there is a Committee on Health and Discipline composed of the Proctor, the Health Officer and the members appointed by the Executive Council and that Committee has power to deal with acts of indiscipline concerning students dealing with two colleges or in extreme cases, of course subject to the control of the Vice-Chancellor.

SHRI M. C. CHAGLA: It will be open, under the Ordinance, to appoint any such Committee but this Statute has been taken verbatim from the Delhi University and for five years it has functioned well.

THE DEPUTY CHAIRMAN: Now I shall put the Statute to vote.

PANDIT S. S. N. TANKHA (Uttar Pradesh): Will you not allow other Members to speak?

THE DEPUTY CHAIRMAN: But the Minister has replied to that and we have taken enough time.

PANDIT S. S. N. TANKHA: My point of view is that the Minister has replied to the amendment moved by my friend.

THE DEPUTY CHAIRMAN: The amendment was a negative one. He has spoken on that. It is for the deletion of the Statute.

PANDIT S. S. N. TANKHA: Why should not Members be allowed to

[Pandit S. S. N. Tankha.] peak on Statute 59? I am opposed to certain parts of Statute 59, not the whole of it, and I wish to express my opinion.

THE DEPUTY CHAIRMAN: But you have no amendment for certain parts of it.

PROF. M. B. LAL: Amendment or no amendment an hon. Member is entitled to speak.

THE DEPUTY CHAIRMAN: He was opposed only to certain parts of it.

PANDIT S. S. N. TANKHA: Therefore I should be allowed to speak regarding Statute 59, not regarding the amendment of my friend.

THE DEPUTY CHAIRMAN: The procedure is that after the Minister has spoken I do not think that any Member can stand up to speak on the same matter. You are an old Member of this House and I think we should follow the procedure and, therefore, if you are speaking on Statute 59, Mr. Tankha, I am sorry you cannot.

PANDIT S. S. N. TANKHA: I stood up at once.

THE DEPUTY CHAIRMAN: You cannot give your opinion at this stage.

PANDIT S. S. N. TANKHA: I stood up at once after he had finished.

THE DEPUTY CHAIRMAN: That is all right, but now the Minister has already spoken. Let us follow the procedure.

THE DEPUTY CHAIRMAN: The question is:

"That Statute 59 stand part of the Bill."

THE DEPUTY CHAIRMAN: I think the 'Ayes' have it.

PROF. M. B. LAL: I want a division.

THE DEPUTY CHAIRMAN: You are the one single 'No' and I have heard it.

PROF. M. B. LAL: There are others also, and I want a division of the House.

THE DEPUTY CHAIRMAN: I shall put Statute 59 to the voice vote again. The question is:

"That Statute 59 stand part of the Bill."

THE DEPUTY CHAIRMAN: I think the 'Ayes' have it.

PROF. M. B. LAL: No, Madam, there are a number of 'Noes' and their vote should be taken.

THE DEPUTY CHAIRMAN: I think the 'Ayes' have it.

PROF. M. B. LAL: Madam, I beg to express my protest against this. I wish to record my protest that my request for a division was ignored by the Chair.

THE DEPUTY CHAIRMAN: Where is the question of ignoring?

PROF. M. B. LAL: I wish that there should be a division of the House. Even if I am in a minority I wish to record the votes of all those who are with me.

THE DEPUTY CHAIRMAN: I shall put Statute 59 to the vote of the House again, by show of hands.

The question is:

"That Statute 59 stand part of the Bill."

{after taking a count}

Ayes—24. Noes—6.

The motion was adopted.

Statute 59 was added to the BiU.

Statute 60—Membership of students' organisations

THE DEPUTY CHAIRMAN: There is an amendment in the name of Prof. M B. Lai, amendment No. 103, but it is a negative one.

PROF. M. B. LAL: So I shall speak on the Statute. Madam, it is again *my* misfortune to suggest that Statute 60, which was added by the Select Committee on the advice of the Education Minister, be deleted. I do not know whether I would be able to carry the majority with me. When I begin to speak on any matter which does not conform to the wishes of a Minister I know what is going to happen. All the same I deem it my duty to say what I think proper. Madam, I am fully conscious that in the Oxford University there is no compulsion for any student to join any students' organisation, and I know that the Oxford University Union is functioning very well, and one who is able to become the president of the Oxford Union is supposed to become one day a Minister, a Prime Minister or a great administrator. The same may be said of the Cambridge Union also. But I do feel that these Oxford and Cambridge patterns are not uniformly followed all over the world. If I do not mistake, if my memory does not fail me, when I joined the London School of Economics in 1926, nobody asked me whether I would like to join the students' union of that School or not. Along with my admission to the School, I got admission to the union also. Only someone interested in party politics approached me and asked me whether I would join the concerned labour party of that union. Anyhow, whatever might be the pattern of the students' organisation in Oxford, Cambridge or any other British university, this is not the pattern in India. Even the British administrators, and ^{our} educationists, who studied in Oxford and Cambridge, allowed students' unions to be organised in India by rules of the college or the university, and almost all over India

there are hostel unions, college unions, university unions, the fees of which are collected by the college or university authorities and deposited in the college or university offices and are drawn from these offices under the countersignature of some teacher entrusted with the duties of a treasurer. This is also the pattern in the Banaras University. If this Statute is passed what will happen in the Banaras University? The university parliament, the university students' union, now known as students' association, the college unions, the hostel unions, the city students' unions, all unions would stand abolished. Now I wish to invite the attention of this House to the objects of these different associations and the supervision that is exercised over them by the university authorities. The objects of the Banaras Hindu University Parliament, according to its constitution, are as follows:

"(i) To promote patriotism, public spirit, education in citizenship and the growth of a disciplined corporate life among the students of the University;

(ii) To promote the study and discussion of public questions.

(iii) To promote the growth of a sense of responsibility among the students of the University and thus to afford them opportunities for training for public life."

I do not have with me the constitutions of the hostel unions. But the constitution of the city students union would also indicate that those city students unions along with the hostel unions, were also organised to promote some such objectives among the students. The students' unions which have now been converted into students' associations, also discharge some such functions.

Madam, I wish to invite the attention of the House through you, to the fact that on the executive committee of the Banaras Hindu University Parliament, which is known as the Privy Council, there are seven mem-

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bers of the teaching staff of the University, nominated by the Syndicate—now by the Standing Committee of the Academic Council—and the University exercises sufficient control over that organisation. What does it say?

"Nothing in this Act and in the Rules of Procedure made under it shall affect the powers of the Authorities of the University under the Acts, Statutes and Regulations of the University and the rules made under them.

If the Vice-Chancellor or, in his absence, the Pro. Vice-Chancellor or the syndicate is of opinion that any action proposed or taken by the Parliament or the Privy Council is prejudicial to the interests of the University, they shall have the power directly or through the Speaker to prohibit or annul such action."

The Speaker of this Parliament is also appointed, I think, by the Syndicate. Here it is stated:

"The Speaker shall be a Professor of the University appointed to so act by the Vice-Chancellor at the commencement of each session or whenever a vacancy arises."

Thus there is both internal and external control. The speaker is appointed by the Vice-Chancellor and seven members of the executive committee, i.e., the privy council, are appointed by the Standing Committee. This is internal control. Then there is external control. There is the over-all control by the Vice-Chancellor who can abrogate any act which is inconsistent with the authority.

Madam, if you study the constitutions of the lodge unions or the city students' unions, you will notice that they have considerable control on them. It is stated here:

"No activity of the Union shall be inconsistent with the rules of the University."

Then you have the Secretary of the Supervision Committee and he is a person appointed by the University authority and he is a teacher.

"The Secretary of the Supervision Committee can veto and stop such proceedings of the Union as are inconsistent with the discipline, and the rules and decisions of the Union and the University. He can also enforce the rules and decisions of the Union.

All points of disputes concerning the interpretation of the rules of the Union, if not mutually settled, shall be referred to the Secretary of the Supervision Committee whose decision in the matter shall be final. The Secretary of the Supervision Committee can call a meeting of the Executive Committee or General Body and place before it the report of the negligence or improper conduct of any Office-Bearer or of the general condition of the Union. 'On his report, the conduct of an Office-Bearer can be discussed, explanations can be called and a warning and advice can be administered to the Office-Bearer concerned. A motion for censure can also be initiated by the meeting but shall not be moved in the General Body without proper notice. The Secretary, City Students' Supervision Committee, shall preside over such meetings."

From these you can notice that under the rules of the University, the University has sufficient control over such bodies whose membership is determined by the rules passed by the University. Now, what is the condition of the voluntary organisations that are there. The powers are very very limited. There are rules for the recognition of associations, societies and clubs in the University.

SHRI P. N. SAPRU: I do not want to interrupt the eloquence of my hon. friend Prof. M. B. Lai, but I would

like him to consider the question whether from the point of view of the Constitution the membership of the unions can be made compulsory.

SHRI M. P. SHUKLA (Uttar Pradesh): Everyone of us know that. We need not be reminded about it. We know the Constitution.

SHRI P. N. SAPRU: I am sure my hon. friend Mr. M. P. Shukla, knows the Constitution better than I do . . .

SHRI M. P. SHUKLA: No, I know only much less than you. You are my guru. I only said we need not be reminded of this.

SHRI P. N. SAPRU: I want him to consider this question from that aspect and answer this question.

PROF. M. B. LAL: I am sorry, Madam, I was not trying to be eloquent. I was only just reading certain passages and certain rules from the constitutions of the various bodies. There was no scope for any eloquence at this stage. If my hon. friend wishes to discuss the constitutional question also, I will gladly do so.

THE DEPUTY CHAIRMAN: You want to read it again?

PROF. M. B. LAL: No, I am not going to read again what I have already read. I have only to point out to you that there are rules in the University which provide for and deal with the question of the recognition of associations, societies and clubs in the University. What do they say?

"Associations, Societies and Clubs may be organised in the University for the intellectual, cultural and moral advancement and the physical improvement of their members, they shall function in consonance with the aims and ideals of the University and within the framework of its constitution. They shall also be subject to such guidance and control which the Standing Com-

mittee of the Academic Council may prescribe from time to time."

That is to say, over these voluntary organisations the control of the University is very limited. Over such organisations whose membership is compulsory, the control of the University is very comprehensive. That is what I wish to point out.

It may be said now that over these compulsory organisations we have not been able to exercise proper control. I beg to submit that over voluntary organisations we have been able to exercise less control. I have been a teacher in the Banaras Hindu University and was in charge of discipline in the University. Once I was Proctor of the University also. I may point out to you, that while rules require that no association can function in the University unless it is registered in the University according to certain procedure, I can say that in my time a number of associations were functioning that did not care to approach the Vice-Chancellor or any University authority for registration; and with due respect to the present authorities in the University, I can say that it may be possible for me to point out a number of such voluntary organisations in the Banaras University at this stage. So, I am pointing out to you, Madam, that it is easier for us to exercise control over organisations for whose existence and organisation the University is responsible and we have less control over organisations that are voluntary organisations. If you pass this Statute, (the entire extra-mural life of the University will be in a chaotic condition. We will not be able to promote and better these extramural activities. You would only be able to label Mukut Bihari Lai as a political leader who fishes in troubled waters, not Mukut Bihari Lai as a Professor of a University but Mukut Bihari Lai as a political leader to fish in troubled waters, to organise a party of his own, students of his own, and, therefore, this will not be desirable. My guru, Dr. Sapru, wishes me to

[Prof. M. B. Lai.]

deal with the constitutional aspects. Yes, the constitutional question can easily be dealt with. We have laid down a rule that every student must attend at least seventy-five per cent, of the lectures before he is allowed to appear for the examination. Do you not impose certain restrictions? (Interruption). If Dr. Sapru will give me some time, I will be able to explain my position. I wish to point out that these organisations have all academic importance. If we require our students to undertake a particular course of study, to attend a certain number of lectures and appear in examinations in a particular fashion under the same constitution we can say that a young man can be a student of our University if he joins a particular union and takes part in these extra-mural activities. This will be as good a restriction as the other one and so, I do not think there will be any constitutional difficulty. If there had been any constitutional difficulty I am perfectly sure somebody must have approached Dr. Sapru when he was a Judge of the High Court. This is all that I wish to say.

श्री महावीर प्रसाद शुक्ल : महोदया, मैं इस स्टैच्यूट 60 का विरोध करता हूँ और प्रोफेसर मुकुट बिहारीलाल के संशोधन का हृदय से समर्थन करता हूँ। मैंने प्रवर समिति में भी और इस सदन में भी प्रथम वाचन के समय अपने विचार व्यक्त किये थे। वास्तव में विद्यार्थियों की जो संस्थायें हैं इस देश के सभी विश्वविद्यालयों में, वे जब से विश्वविद्यालयों की स्थापना हुई है तब से चली आ रही हैं और पिछले 50, 60 वर्षों में सारे विद्यार्थी समाज का इन संस्थाओं में वेस्टेड इंटरैस्ट हो गया है। मेरा और जो विरोध है सो तो है ही, लेकिन मुख्य कारण है जामनात्मक। मैं यह समझता हूँ कि मैं अगर विद्यार्थी हो जाऊँ फिर से, तो मैं इसका घोर विरोध करूँगा और अगर कोई विद्यार्थी इसका विरोध करेगा तो वह मेरा समर्थन पायेगा।

मैं यह जानता हूँ कि इस स्टैच्यूट को बना कर के आप न केवल विश्वविद्यालयों के विद्यार्थी को अपितु इस देश के सारे विद्यार्थी समाज को इस के विरोध में खड़ा करेंगे और आपके लिए इस समस्या का सामना करना एक कठिन काम हो जायगा। चूँकि मैं उस दल का हूँ जो शासन चला रहा है, इसलिए उसकी कठिनाइयों को महसूस कर के मैं अपना विरोध इस सदन में चाहता हूँ कि रिकार्ड में आये ताकि यह न कहा जाय कि शासन दल में कोई ऐसा व्यक्ति ही नहीं था जो इस बात को समझ सकता और गवर्नमेंट को इसके लिये आगाह कर सकता कि यह कठिनाई आपके सामने उपस्थित होगी, आपको गोलियाँ चलानी पड़ेंगी, विश्वविद्यालय बन्द करने पड़ेंगे और किसी प्रकार उनको आप मना नहीं सकते हैं। मैं भी विद्यार्थी रह चुका हूँ और जब मैं विद्यार्थी था उस समय यदि कोई कहता कि युनियन आज तक जिस तरह से चली आ रही है उस तरह से न रहे तो मैं अपने जीवन की बलि देकर के भी उसकी रक्षा करता। इसलिये मैं समझता हूँ कि इसमें जो विद्यार्थियों का सेन्टीमेंट है उसको किसी ने व्यक्त नहीं किया। प्रो० मुकुट बिहारी लाल ने और बातें कहीं और उनको मैं दोहराना नहीं चाहता। आप यह देखिये कि किन कारणों से ये संस्थाएँ आरम्भ में चलाई गई थीं। विद्यार्थियों के लिये क्लास और खेल का मैदान तो हमेशा रहता है, लेकिन एक दूसरी जगह है जहाँ वे स्वयं उन चीजों की व्यवस्था करते हैं जो क्लास रूम और खेल के मैदान में नहीं हो सकते। वे साइंटिस्ट्स, पालिटीशियंस, साहित्यकारों और बड़े बड़े लोगों को व्याख्यान के लिये बुलाते हैं और उनकी बातें सुनते हैं। इस काम को कोई वाइस चांसलर या क्लास टीचर नहीं कर सकते हैं। इसी तरह से वे डिबेट्स आर्ग्यूमेन्ट्स करते हैं और सारे देश के विद्यार्थी एक जगह मिलते हैं। इस प्रकार की जितनी एक्सट्रा-म्युरल एक्टिविटीज की जाती हैं, वे इन संस्थाओं के द्वारा चलाई जाती हैं।

केवल कम्पलेशन इस बात का है कि उनसे फीस ली जाती है, इसके अतिरिक्त और कोई कम्पलेशन नहीं है। ऐसी व्यवस्था इलाहाबाद विश्वविद्यालय में लाने के लिये कुछ वर्ष पहले चेष्टा की गई थी और केवल इस कारण से विश्वविद्यालय के शासन को झुकना पड़ा था। तो यह असम्भव बात होगी। क्या आप चाहते हैं कि देश में जो शान्तिपूर्ण वातावरण है विश्वविद्यालयों में, उसको आप संकटग्रस्त करें और बनारस यूनिवर्सिटी से उसको शुरू करें। जहाँ तक मुझे स्मरण आता है, सात आठ वर्ष पहले उत्तर प्रदेश की विधान सभा में इस बात का प्रश्न उठा था कि पंचायत राज एक्ट में जो न्याय पंचायतें कायम हुई हैं, वे हितकर नहीं हैं, इसलिये उनको हटा दिया जाना चाहिये। केवल सन् 1949 में उनकी स्थापना हुई थी और 1953-54 में उन पर विचार हो रहा था। उस समय हमारे आदर्शवादी नेता श्रद्धेय पंडित पंत जी वहाँ के मुख्य मंत्री थे, उन्होंने एक ही तर्क देकर उसको खत्म कर दिया था कि इसमें हजारों आदमियों का वेस्टेज इंटरैस्ट हो गया है और अगर इसको इतनी जल्दी हटा देंगे तो एक बड़ी समस्या पैदा हो जायगी और शासक दल को ऐसी समस्याएँ सोच समझ कर उठाना चाहियें। मैं तो किसी और कारण से नहीं, केवल इस कारण से इसका विरोध करता हूँ कि इसमें एक कठिन परिस्थिति उत्पन्न होगी और इसको आपको फिर मंजूर करना पड़ेगा।

रही बात संविधान की। मैं डाक्टर सप्रू से बहुत नम्रतापूर्वक, बहुत अदब से और आदर से कहना चाहता हूँ कि यह संविधान की धाराएं विद्यार्थी समाज के लिये नहीं लागू हैं, ये देश के प्रौढ़ नागरिकों के लिये हैं। उनका अपना विश्वविद्यालय जो है वह हमारे इस देश का अलग एक विश्व है और उस विश्व के ज नियम हैं उनके अनुसार वहाँ का होता है। वहाँ का विद्यार्थी जब विश्वविद्यालय की प्रिंसिपल्स के बाहर

आये तो वहाँ उसको आप अपने नियमों में बांध सकते हैं, लेकिन वहाँ उसका वही नियम होगा जो आप विश्वविद्यालय के लिये बनायेंगे या विश्वविद्यालय की संस्थाओं को चलाने के लिये बनायेंगे।

SHRI P. N. SAPRU: On a point of personal explanation, I have not definitely suggested that compulsory membership of the unions would be unconstitutional. I only want you to consider . . .

श्री महावीर प्रसाद शुक्ल : मैं बहुत अनुग्रहीत हूँ डा० सप्रू का जो उन्होंने अपने मत को प्रकट कर दिया। मैं यह चाहता हूँ कि यह सदन भी इस बात को समझे। जब आप कोई विधान बना रहे हैं तो इस बात को समझिये कि जनता जिसके लिये आप उसे बना रहे हैं वह उसका किस तरह से समर्थन करेगी या उसका विरोध करेगी। और जितनी बातें आपने कीं, वे प्रोग्रेसिव कीं, प्रगतिशील कीं लेकिन इसको आप रिट्रोसिव प्रतिगामी कर रहे हैं, रिएक्शनरी कर रहे हैं। जो व्यवस्था पिछले 50 वर्षों से विद्यार्थियों के लिये स्वच्छन्दता से अपना संगठन बनाने की चली आ रही थी उसको आप छीन रहे हैं। इससे दूसरी हानि यह होगी कि विद्यार्थी अलग अलग पार्टियों का संगठन बनायेंगे और फिर जैसा कि प्रो० मुकुट बिहारी लाल ने कहा कि सोशलिस्ट पार्टी, कम्युनिस्ट पार्टी, जन संघ, कांग्रेस पार्टी, ब्राह्मण, ठाकुर, मुसलमान, हिन्दू और फिर होस्टलों में कई संस्थाएँ बनेंगी और इस प्रकार यह विद्यार्थी समाज एक तरह से डिसइंटिग्रेटेड विघटित होगा और एक साथ मिल कर काम करना जो वह इतनी संस्थाओं द्वारा सीखता है, उसको वह नहीं सीखेगा और जिस अनुशासनहीनता को दूर करने के लिये आप इतना प्रयास कर रहे हैं, वह इतना बढ़ेगा कि उसकी कोई रोक नहीं रहेगी। इन विद्यार्थी संस्थाओं द्वारा विश्वविद्यालय के अध्यापकगण और वाइस चांसलर पूरा नियंत्रण रखते हैं और जब कभी विद्यार्थी

[श्री महावीर प्रसाद शुक्ल]

किसी कारण उपद्रवित भी हो उठते हैं, तो इन्हीं संस्थाओं के द्वारा उनको संयमित किया जाता है। इसलिये मेरा निवेदन है शिक्षा मंत्री जी से कि वे बहुत गम्भीरता पूर्वक इस पर विचार करें और ऐसा प्रयत्न करें जिससे कहीं कोई उपद्रव खड़ा न हो। आप संविधान की आड़ लेकर ऐसा क्यों कर रहे हैं। मैं कहता हूँ कि संविधान देश के लिये जरूर है, लेकिन उस देश के लिए, जो विश्वविद्यालय का एक छोटा सा देश आप बना रहे हैं, यह नहीं है। वहाँ के लिये आप उनका अपना संविधान और अपने नियम रखिये। जैसे इस देश के लिये हैं कि सभी लोग जो बालिंग हैं वे मतदाता होंगे, लेकिन यह कह दिया जाय कि नहीं, कोई बालिंग कह सकता है कि वह बोटर नहीं होगा, तो भी कायदे से वह बोटर हो जायगा संविधान के द्वारा। उसी तरह से यदि यहाँ यह रहता है कि प्रत्येक विद्यार्थी अपने यहाँ की संस्था का सदस्य होगा और उसके लिये उससे जबरदस्ती चन्दा लिया जायेगा, तो यह कोई ऐसी बात नहीं है जो संविधान के विरुद्ध हो। इस लिये मेरा यह नम्र निवेदन है माननीय शिक्षा मंत्री

SHRI D. THENGARI: Madam, I fail to reconcile the bid for compulsory membership with the spirit of democracy which has been advocated here earlier. This is a student's organisation and its functions are limited. I believe the functions of the Council for Students' Welfare and those of the voluntary organisation are not going to overlap and if anybody is bent upon mixing up politics with education he can do so whether the organisations are voluntary or compulsory. I think it would be more in keeping with the democratic traditions to support the provision.

SHRI M. RUTHNASWAMY: I am opposed to this provision for a stu-

dents' union in an Act of Parliament on the same ground that I opposed the provision for a Students' Welfare Association. These are matters of detailed organisation and it should be left to the University authorities as soon as they begin to function. We should not take this upon ourselves especially as we are converting a compulsory students' union into a voluntary students' union. I do not want to make the flesh of the Education Minister creep but I imagine that this will be one of the first excuses for an agitation in the University. Knowing students as I do, they will think this is an incursion into their rights, an erosion of their rights as students, this converting a compulsory union into a voluntary one. I think we would be well advised and the Education Minister would be well advised to take away this provision from the Act and leave it to the 'future University authorities to organise a students' union on any basis that they like. And moreover if it is going to be a voluntary students' union why should an Act of Parliament provide for it? The organisation of a voluntary students' union must be a voluntary act of the students themselves. The students would gather in the University and approach the requisite University authorities for permission to form a students' union.

And while I am on the subject I should like the word 'union' to be changed because the word 'union' has got political associations with it. The students look upon a students' union as a kind of trade union for students and use it not as an institution of social life but as a means of agitation in the University. On all these grounds I think the Minister would be well advised to withdraw this provision from this Bill.

SHRI DEBABRATA MOOKERJEE: Madam Deputy Chairman, I feel free to confess that I have not been able to follow the thinking that must have inspired the present amendment so* ably moved by our esteemed friend. Prof. Mukut Behari Lai. Madam, T

admit I have the greatest admiration for him. The few days that I have been here, I have been privileged to hear him speak and speak with conviction and a certain amount of flexibility which argues a well-trained mind. I do not think I can pay him sufficiently handsome compliments. In spite of the fact that he possesses, if I may say so with respect, not only the solemnity of Solomon but perhaps also his wisdom, I am constrained to observe that the present amendment goes against his reputation. I have known him these few days as a great champion of democratic ideas. He has been a great teacher; he has had the advantage of associating with numerous students, I believe, generations of students. It is not for me to tell him or to advise him what steps should be taken to mould the student mind and character. But when, he suggests that in order to provide for what he calls effective discipline among students you must put mills round their necks and compel them by all means to become members of a students' organisation, I begin to see a picture which very much militates against the image I have of Prof. Lai in my mind. He is in fact arguing unconsciously for regimentation. He is trying to suggest a remedy which would be worse than the evil which it seeks to cure. He has been in the University for years and years; he has seen the extent and magnitude of student indiscipline and he has thought that there exists a necessity for introducing the amendment which apparently on the face of it gives the impression that he is to favour of regimentation. But if I ask him to look a little closely into the question I think he will agree that, whatever be the motives that have inspired the amendment which stands in his name and which he has moved with his usual eloquence, the purpose for which it has been introduced stands in danger of being completely defeated. It is as I said the first step towards regimentation and the one thing that democracy abhors

vacuum; democracy abhors regimentation. You cannot compel the students, however good your intentions, however laudable your motives, to be herded together and made to pay compulsory subscription. I do not know, Madam, if I am wrong when I say that perhaps nowhere in any University in any part of the world at any time has such a proposition been put forward in such a fashion. You cannot very well expect the student community to take it, I shall use a bad word, sheepishly. Will the student mind not rebel and protest against Prof. Lai's suggestion that they will be compelled to join a body of students' organisation and made to subscribe to its ideals? The ideals to be adumbrated and pursued by men of the like of Prof. Lai will perhaps be wholly unexceptionable; but even so you cannot compel the students to become members of an organisation against their wishes. Madam, India has led the world in many ways. If the suggestion contained in the amendment of Prof. Lai finds a place in the Statute Book I dare say India will be giving a very dubious lead in the matter of shaping the student mind during its formative years. We must remember that whenever we happen to deal with a young mind, a mind that requires to be moulded and nursed with care, we must deal with it gently and lovingly. How many times have I not heard Prof. Lai declare on the floor of the House that students ought to be dealt with properly? But if he proposes to compel them to join a particular organisation even with the best of motives I fear he will be faced with what one may call students' rebellion. And that would lead to unrest and indiscipline instead of curing them. ^{P-M-} Lastly, I think in substance and spirit the amendment goes against the principles enshrined in article 19 of the Constitution. We all know that the article gives us the right of forming associations freely. Would my esteemed friend, Prof. Lai, read into the article

is regimentation. Nature abhors it something which is not there? Would

(Shri Debabrata Mookerjee.) it be a right of free association or a right denied to the students to keep away if they wanted to? Or, to put it in another way, would it not be an obligation, inalienable and inescapable, which would compel them to become members of an organisation and be herded together, so that the authority concerned might exercise effective control upon them? Interests of discipline will not be served in this manner. You cannot with the crack of the whip compel them to do something. You have to tell them what is their duty and what is their responsibility. You cannot reasonably expect that for your red eyes they will quietly listen to you and give you the respect and regard which I dare say of all Deople here Prof. Mukut Behari Lai expects of the student community.

SHRI M. C. CHAGLA: I am really surprised that so staunch a democrat as Prof. M. B. Lai should oppose this Statute. Now, both Prof. Lai and my friend, Mr. Shukla, have argued as if this Statute is intended to abolish or prohibit students' unions. Nothing of the sort. All that the Statute does is that it makes the membership voluntary instead of being compulsory. You can have a students' union. You can have a dozen students' unions. All that the Statute says is that it shall not be obligatory upon any student to join a union. Now, there is no one who believes more in students' unions than I do. I had the good fortune to be at Oxford. I have seen the functioning of the Oxford Union. It is absolutely voluntary and as Prof. M. B. Lai said, it has produced—I do not know how many—many Prime Ministers and Members of the Cabinet and so on, but there it is voluntary.

SHRI G. S. PATHAK (Uttar Pradesh): It has produced one Education Minister of India.

SHRI M. C. CHAGLA: I know, but it is absolutely voluntary. If I am not interested in politics or if I am not interested in debates, I need not

join it. Now what I want is to give complete freedom to students to join or not to join unions or to join such unions as they like. A student may be interested in history. He can join a historical organisation. He may be interested in politics. He can start a political organisation. Why must all students join this organisation? Prof. M. B. Lai, if you please, has advanced the most extraordinary argument that the university has greater control over these organisations than other voluntary organisations. Why should the university have control over these organisations or unions? Students must be free to discuss what they like so long as they are not disloyal or subversive. They can form associations in such manner as they like. They can form associations as they like. Therefore, it is absolutely essential for the freedom and autonomy of the students that there should be no compulsion.

SHRI M. RUTHNASWAMY: Does this not provide for one university union?

SHRI M. C. CHAGLA: No. My learned friend has not read this Statute. It does not ban the formation of any students' union. All that the Statute says is:

"No student shall be compelled to join any students' organisation; nor shall a student be compelled to pay any fee or subscription for any such organisation unless he is a member thereof."

It removes the compulsion. It does not ban any organisation. It does not prohibit any organisation. It does not constitute any organisation. What I say is there should be no regimentation either about joining an organisation or if an organisation is formed in enforcing discipline upon that organisation. I feel certain that in the absence of such compulsion students will join such organisations as they think proper. Many may not join. Many may have the choice of joining one or the other. Many may not ba

able to afford the fees and poor students may be compelled to pay subscriptions to these unions. Therefore, I appeal to the House to consider this. After all, my university is the Bombay University. We have no such compulsory unions. Yet no one would suggest that there is no discipline there. It seems this is common to universities in the North. As far as I know, in the South we do not have these unions where it is compulsory or obligatory to join. What have these unions done? Let me point out what they have done. They have created pockets of politics, of privilege, of power. Subscriptions are collected and I know of some universities as to how these monies collected by these unions are utilised. The Treasurer or the President, who has command over the finance, has tremendous influence in the university. I did not mention some recent incidents, but my friend knows to which incidents I am referring. Those unions have played a very bad role in the life of the university and I think if one thing is going to do good to university administration in this country it is the enactment of this particular Statute

THE DEPUTY CHAIRMAN: The question is:

"That Statute 60 stand part of the Bill."

The motion was adopted.

Statute 60 was added to the Bill.

Annexure

THE DEPUTY CHAIRMAN: Now, we come to the Annexure. There is one amendment, No. 132.

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

132. "That at page 50, line 3, for the words 'Banaras Hindu University' the words 'Madan Mohan Malaviya Kashi Vishwavidyalaya' be substituted."

The Enacting Formula and the Title was adopted.

THE DEPUTY CHAIRMAN: The question is:

"That the Annexure, as amended, stand part of the Bill."

The motion was adopted.

The Annexure, as amended, was added to the Bill.

THE DEPUTY CHAIRMAN: Now, we come to the Schedule. The question is:

"That the Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Schedule, as amended, was added to the Bill.

THE DEPUTY CHAIRMAN: Clause-1. There are three amendments, but the movers are not present.

Clause 1 was added to the Bill.

The question was put and the motion was added to the Bill.

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

"That the Bill, as amended, be passed!"

The question was proposed.

PROF. A. R. WADIA: Madam, I am aware that you have been extremely generous in permitting Members from all sections of the House to have their full say on the provisions of the Bill as well as on the amendments, but I crave your indulgence in permitting me to say a few words just by way of dotting a few "is" and crossing a few "ts". My first point to express my own personal concern over the change of the name. The name has been changed in a very revolutionary fashion. Now, there is something to be said for the historical associations that have grown up round the name. Now, quite apart from what my personal feelings may be, I was in Banaras two days

[Prof. A. R. Wadia.]

and I was very much depressed and distressed to learn that the whole Banaras city and the Banaras Hindu University are terribly agitated over the change of the name. They do not want a change in the name and I understand that telegrams have already been sent to the President, the Prime Minister and the Education Minister, as usual. I know that the civil and police authorities have been putting their heads together to prevent any untoward developments of this agitation. I hope the agitation will not develop, but if it develops there is a chance for the Lok Sabha to do the needful in the matter. Personally why I do not like the change in the name is that the end of this change will be that it is bound to be shortened to read "MMM" . . .

SHRI M. RUTHNASWAMY: It would be "MMMKW."

PROF. A. R. WADIA: ... and people will not know who is Madan Mohan Malaviya in times to come.

My second point is about the election of the Vice-Chancellor. I am perfectly certain that there is no system which is so perfect as to satisfy all the different interests. The Minister has claimed that the method of selecting the Vice-Chancellor by a Selection Committee of three people has worked with success in some universities. But I am also aware that it has not worked so successfully in several other universities. Now there is a chance for this system to work provided certain conditions are fulfilled. One condition is that the three members should really be eminent people fit to select a good Vice-Chancellor, and they should have an open mind. As things are, I do not know how far these three people will be allowed to have an open mind. The Court has been given the power of electing two members of the Selection Committee. I am afraid in this University what will happen is the

same thing as has happened in the election of the American President. The persons elected to the Committee will practically be pledged to support this or that particular person. It is rather unfortunate. Similarly if the nominee of the Visitor has an open mind, I have no objection. But very often it happens that he too is given a mandate. The net result is, and I know on good authority, that in one particular case the Vice-Chancellor was selected even before the members of the Selection Committee were selected. This sort of thing should not happen. Moreover, there is another difficulty that the President or the Visitor is given the right of selecting one out of the three persons. It should be a real choice. That means that all the three persons are equally fit to be the Vice-Chancellor. There is no question of 1, 2, 3; there cannot be a question of priority or of merit. It is there unfortunately where the trouble began in the Banaras University in 1958 when three names were sent up and the Visitor chose the third name, and the Court objected to it that the first two names were passed over and the third person was selected. I do not think it was a fair way of dealing with the problem. My own personal feeling frankly is that the best way under Indian conditions is for the Central Government to take upon themselves the responsibility of nominating the Vice-Chancellor whom they consider fit. The same thing may be done in the States. Instead of throwing the odium on those three persons, the Government themselves should take up the responsibility of selecting the proper person as Vice-Chancellor. Then they will be

responsible to the public, they will be responsible to the Parliament for selecting the right person, and if they select a wrong person, they must be prepared to face the music of criticism of this House or the other House, or of the State Legislature, as the case may be.

My third point is that the success of an Indian university really depends*

on the selection of a proper Vice-Chancellor. It is difficult to say, and I am not prepared to say that an educationist will necessarily prove a good Vice-Chancellor. I know that a Judge of a High Court, Sir Ashutosh Mookerjee, was a conspicuous success as a Vice-Chancellor. But it is my misfortune to know that there is a Vice-Chancellor who has occupied high judicial positions, who has proved a complete failure as Vice-Chancellor. It may be equally true that a retired I.C.S. officer may be an extremely able person, but I am not prepared to say that he is necessarily fit to be a Vice-Chancellor. I do not go by qualifications. I go by the personality of the person concerned. The right person should be selected, and by right person I mean one who has got tact, who has got judgment, who is able to understand the university problems, who can co-operate with the teachers and who can cooperate with the students and understand the students' minds. Such a Vice-Chancellor is sure to make a success. I have listened to the remarks of Mr. M. B. Lai and the Minister about the compulsory membership of the union and about the co-operation from the Professors with the Vice-Chancellor. I agree with Prof. M. B. Lai that no Vice-Chancellor can succeed even if by law he has got autocratic powers unless he has the confidence of his colleagues, of his Professors, and can get the right co-operation from the Professors. If this co-operation is withheld, even the ablest Vice-Chancellor will be helpless in the matter. So it depends upon the personality of the person.

It is a misfortune that the aroma of power politics does not seem to have completely died down. We had echoes of it in the Joint Select Committee. Unfortunately it had echoes of it even on the floor of the House. Moreover, all members of the Banaras Hindu University is that they should give up this idea of power politics. If only there were half a dozen Professors of the calibre of Prof. M. B. Lai, the Banaras University

would not have gone through that terrible experience of 1958. Professors must be good, must be able teachers, must be able to understand the students, must be able to mix with the students, understand their psychology, understand their difficulties, and such a Vice-Chancellor and such Professors will make a conspicuous success of the University. My appeal to all the Professors of the Banaras University is to forget the past and really begin with a clean slate by working for the University, and I am perfectly certain that if they work in that spirit, there is a glorious future for the Banaras Hindu University or, as per the new name, the Madan Mohan Malaviya Kashi Viswavidyalaya.

SHRI M. P. BHARGAVA (Uttar Pradesh): Madam Deputy Chairman, I must congratulate the Education Minister for the fine way in which he has piloted this Bill. He has always had an open mind and was amenable to reason at all stages. Whether the amendments were to his liking or not, if he was convinced that an amendment was necessary, he did not hesitate to accept it. We do agree with Prof. Wadia that with the passing of this Bill the University should start on a clean slate, and the people should forget the power politics and the past, and that is exactly what I want also.

While replying to the debate the hon. Education Minister was pleased to say something about the removal of the Registrar. "What I can suggest is this. There is a provision today in the Banaras University Ordinances under which an employee's services can be terminated by giving four months' notice. No cause has to be shown, and for the information of the House I will read what the provision is. Under conditions of service and terms of appointment, rule 6(5) reads as follows:

"The Executive Council shall be entitled to terminate the engagement of an employee after giving

[Shri M. P. Bhargava]

four months' notice or payment of four months' salary in lieu thereof in the case of employees other than Class IV employees, and seven days notice or seven days' salary in lieu thereof in the case of Class IV employees."

If I may inform the House . . .

THE DEPUTY CHAIRMAN: Mr. Bhargava, you can confine your comments to a general nature. This is the Third Reading.

SHRI M. P. BHARGAVA: General nature? I am referring to a kind of assurance which has been given by the Education Minister, and I am simply reminding him of that. If I may tell the House how this rule came about, it was in 1962 that this rule was introduced by the Executive Council on the insistence of the Registrar. I want that this rule be applied to him before it goes out of the rules under the new Bill. Now, I would read further from the reply of the Education Minister—

"I will persuade the Vice-Chancellor to call a meeting of the Executive Council to consider if there is anything against him and if the Executive Council is satisfied, he can be removed "by giving four months notice".

I only want the Education Minister to reiterate in his reply in the Third Reading that what he has told the House as a sort of assurance will be implemented and action taken by the Executive Council in terms of this assurance before the Bill finally becomes an Act and gets the President's consent. This is all that I have to say as far as the Registrar is concerned.

I wish to tell the University. The Banaras University has the best tradition, it has a name in the national as well as international world. And I hope that this Bill will make it possible for this University, under

the new name of Madan Mohan Malaviya Kashi Vishwavidyalaya, to flourish day by day and be an ideal university to which the whole of the country may look forward.

Thanks.

' SHRI D. THENGARI: Madam, the task we are accomplishing is of great importance. But it is not that I agree with every provision of the Bill as it is being passed now. Personally, we have expressed our differences or opposition to some of the provisions, for example, those that seek to change the original name or to deny new colleges the admission to the privileges of the University or to vest unlimited authority in the Vice-Chancellor. But still, though we continue to hold the same views and are sorry to say that there is no proper appreciation of them here, I say that the task that is being accomplished is really very important. Particularly, so far as the name is concerned, I may inform the hon. Education Minister that I had on the last Saturday and Sunday been to some parts of UP and really the people are agitated over the point, and I should request the hon. Education Minister to reconsider his decision of changing the name because the people have genuine affection and affinity for this particular name, particularly because, as I have said, the name, according to them, denotes a national and not denominational sense. In a way and to a certain extent, this has set a model for the other universities though every university does have—and it is but proper that it should continue to have—its own distinctive characteristics. I must mention here that the success of this measure has been mainly due to the sincere and sustained efforts of our hon. Education Minister and I feel that but for him, the process would not have been so much expedited. We could find in him the rare blend of the democratic spirit and the unyielding idealism.

Now that the Bill is in its final stage, I cannot but pose myself a few

questions. To what extent will we succeed in achieving our broad objectives in the field of education? First of all, we are all aware of the evils that flow from the mixing up of politics with education: Will the provisions of this Bill help us in eradicating or overcoming these evils. The country is confronted with the serious problem of the teacher-and-the-taught relationship. The problem is of supreme importance in that, in the absence of a proper relationship between the teacher and the taught, it would be simply impossible to bring up the younger generation in a healthy atmosphere. Will this Bill help us in bringing about such an atmosphere?

Administration in the educational field is not comparable with administration in the political or the governmental sphere. The contexts differ and so differ the objects. In the sphere of education, what is sought to be achieved is the all-round development of human personality. This necessitates an appropriate balance between democracy and discipline so far as the administration of the educational institutions is concerned. In this respect we have to welcome democracy without allowing it to degenerate into licentiousness, and discipline without allowing it to degenerate into regimentation. We, in India, have a very characteristic example of such 'elastic discipline'—a disciple seeking guidance on the point of his duty in a spirit of perfect discipline—

यच्चेष्टस्यात्रिचितं ब्रूहि तन्मे ।

शिष्यस्तेऽहं

and the guru, after having explained all the pros and cons of the problem in 18 chapters, telling the disciple that the latter should do whatever he is inclined to do after taking into consideration all the facts placed before him.

विमृश्यैतदशेषेण यथेच्छं तथा कुरु ।

This spirit of elastic discipline should be the guiding light of all such measures.

Have we incorporated in this Bill this spirit?

I feel that we should test the success of this measure on this basis and be open-minded enough to introduce amendments further in the light of fresh experience.

Thank you.

SHRI DAHYABHAI V. PATEL (Gujarat): Madam, I am grateful to you for giving me a little time to speak on this Bill. At the outset, I am very happy to see the spirit in which the Minister of Education has tried to be accommodative and to understand the feelings and the sentiments of the Members of this House. It is indeed refreshing that after his coming into the Cabinet and after being there for so many months he has been able to continue with that spirit.

Madam, soon after I came into this House, I had to refer to another university with which I was connected, and Members of this House were surprised at what I had said. I am sure the Minister of Education himself is also familiar with the circumstances in which a person was able to build up a university with hardly any Government support, at which institutions, fortunately, the University Grants Commission looked and helped, seeing the spirit in which the university was built up. In that university, the Vice-Chancellor was removed three years after his first term, whereas at two other places, at Baroda and at Ahmedabad, the Vice-Chancellors nominated by the Government were continued for two more terms of three years each. This is how Government treated people, I mean the State Government of Gujarat, in those days; this is how it treated the people who built up a university and helped the Government, by begging for money, by collecting money. This is how they treated them. I am glad . . .

SHRI P. N. SAPRU: Which university?

SHRI DAHYABHAI V. PATEL: I am referring to the Sardar Vallabhbhai Vidyapith built up by Shri Bhai Lai Bhai Patel, without any Government assistance. Since I am compelled to give the name and the House shows interest, I may say that it was Shri Morarji Desai who would not give any grant at all for two years when he was Chief Minister of Gujarat, and when the . . .

AN HON. MEMBER: Why?

SHRI DAHYABHAI V. PATEL: You better ask him about that. When the Chairman of the University Grants Commission was shown round the university, he said, "It is my misfortune that nobody brought me here when I was Finance Minister. Otherwise, I would have given you any amount of money." His ground was that while the Vice-Chancellors' own accounts—people who teach education, commerce and accounts—are in a bad shape, here is one man who knows how to make a rupee go as far high as Rs. 10. His accounts are in good shape and he has given so much to the country. Why not encourage him? Not only that. He made him Chairman of the Building Committee of the University Grants Commission. But he was removed to make room for whom? To make room for a defeated Deputy Minister of PWD, and because of this, in the second attempt also, that gentleman was defeated when he tried to get into the legislature.

Madam, these are political appointments. Politics mixed with education spoils both. Let us have clean education wherever we want really to give education.

I referred to the State of Gujarat. Let us come to the great State of Uttar Pradesh that has given this country two Prime Ministers. How do things happen there? We are familiar with what happened in the Legislature there and with the type of allegations that Members of the

Legislature and Ministers make against each other, in a language in which nobody would talk in a respectable society, even in drawing rooms. Is the same thing being continued in Universities in this State, Madam? I was a Member of this House when the last Banaras Hindu University Bill came before this House and I was shocked at some of the material that was put before the House. I was feeling so sorry that a University built by the life-long effort of a pure man, of a man of sterling character and application like the late Pandit Madan Mohan Malaviya, had come to this situation. I am very glad that in this Bill the House has agreed to perpetuate his name with the name of this University.

One might argue that perhaps instead of the full name if it was only "Malaviya University", people would have used the name, otherwise people would get into the habit of using only the initials of the name if the name becomes too long. We have in Gujarat the Maharaja Sayaji Rao University. It is referred to as M. S. University. I am afraid when we write the full name of the late Pandit Madan Mohan Malaviya, people will get into the habit of calling it M. M. University. Perhaps the University will itself print its letter heads in that form which I do not think would be very desirable.

Madam, is it not a fact that in a certain University a person, who was guilty of corruption, who could not have been put in charge of even a Deputy Collector's job, was appointed Vice-Chancellor? Has not the Home Minister received letters in this connection and yet this continues? The place needs to be cleaned up. Since the Congress Party continues to shield corrupt people, unfortunately the reflection of this corruption falls even on the Universities. That is the pity of it, Madam.

Why do we want Universities? To give education. But what is the pur-

pose of education? The purpose of education is primarily not to give merely letters but to build the character of the people. Are our Universities doing anything about it? That is the difference between the education that we are giving to our people today and the education that was given in the olden days. In the olden days in this country, we hear of Universities that were maintained by *gurus*, where students used to come and live with them a simple, humble life, where they lived with simplicity and purity and a life of character. Madam, are we doing this today? I would like the Minister of Education, who is giving a new look to many things to give a new look to the educational system as a whole. I am sure he will get support from the whole House if he does something on these lines also.

Madam, one of the first reasons, to my mind, is that character in our country has been undermined. The respect for the guru, whether be a professor or a school teacher, has diminished. Why has it diminished? Because the poor teachers have been reduced to a state where they have to form unions like labour unions. They have to fight for their salaries because now nobody looks to their salaries. I am sure many of them feel the pinch of high prices. Things are difficult. Life is expensive. Books are expensive, and if the teacher has to keep in touch with current topics keep himself up-to-date, he must be given a decent living. But the Government would not move unless somebody forms a union and threatens to strike. So the fault is with the Government. They will give Increment, dearness allowance and other things to clerks and factory workers because they threaten to go on strike but they forget the teachers who are doing a very important and useful social duty. It is they who are responsible for bringing down the standard of education of schools, of colleges and of Universities. Madam. I would like the hon. Education Minister to consider this whole problem in that form.

In the name of secularism we have done away with the religious background which, to my mind, is the most important part of our cultural life. Whether it is Hinduism, whether it is Islam or whether it is Christianity^ we must learn to live together and respect each other but not be irreligious. In England which also prides itself in being called a secular democracy, the State religion is the Church of England. The State supports the Church of England while respecting other Churches and other religions.

SOME HON. MEMBERS: But it is not secular.

SHRI DAHYABHAI V. PATEL: But to my mind a secular State is a State which is irreligious. Is it not?

SOME HON. MEMBERS: No.

SHRI JOSEPH MATHEN: A secular State will respect all religions alike.

SHRI DAHYABHAI V. PATEL: Exactly. That is what I am saying.

SHRI I. K. GUJRAL (Delhi): A Roman Catholic, for instance, cannot be on the Throne.

SHRI DAHYABHAI V. PATEL: Does that make much difference? I think they give better education to children and that is why our people are anxious to send their children to their educational institutions. The Church of England is the largest Church. It builds better character. The Church of England is recognised by the Government. The State supports it. The Roman Catholic Church is not recognised. Not that it is disregarded. On the contrary it is equally respected. The country has chosen a religion which it respects.

SHRI I. K. GUJRAL: There the Government is not secular.

SHRI DAHYABHAI V. PATEL: Here the Government is misleading the people. It is not secular. I am willing to join issue on that point.

THE DEPUTY CHAIRMAN: No more interruptions. Please continue.

SHRI DAHYABHAI V. PATEL: The main point that I wish to make is that the Education Minister has taken the initiative and has tried to reform this State University. I would like him to examine the question not only with regard to this University but other Universities also. It is necessary to raise the standard of education. It is necessary to raise the standard of the Universities. I know that with a large number of students coming in every day, it is difficult sometimes in some places to admit all of them. Is it necessary to admit all of them? Is it not necessary to put some of them to useful work when they have not the calibre to go higher? If a student has not the calibre to become an Engineer with E degree, why should he not be satisfied with a diploma in Engineering and become a useful member of the society? That is the point that I would like to emphasise. Is the present method of examinations in our Universities the right method?

THE DEPUTY CHAIRMAN: Mr. Patel, we are on the Third Reading. You should speak on the pros and cons of the Bill. We are not at the general discussion stage now.

SHRI DAHYABHAI V. PATEL: Yes, Madam, I lost my chance to speak on the Bill. So you will allow me to speak. I would not detain the House very long.

THE DEPUTY CHAIRMAN: There are four more speakers.

SHRI DAHYABHAI V. PATEL: I was only trying to point out, since the Education Minister has taken steps to look into the Bill, particularly with regard to this University: that he might as well examine the question with a new look in case of other Universities also. That is the point I was trying to emphasise, wish the Education Minister would look into the question of education

as a whole and improve the conditions of Universities elsewhere. I am very unhappy at the growing tendency to acquire power over Universities by the Government. The control over universities should be left unfettered if I may say so, with teachers, professors, etc. Select teachers and professors of high learning and high character and leave the rest to them. Unless things go very wrong, as the Education Minister seems to think that they needed in this case—maybe sometimes there is a case for interference, but generally—interference should not be there and has there been a case where Government's interference has made things better? To my mind, Government interference has made things worse. Therefore, the problem has to be studied from that point of view. In any case, I am glad the Education Minister has been responsive to criticism and has tried to be accommodative and I hope that is how the Ministry of Education will proceed further in the matter of reforming the educational system in this country.

THE DEPUTY CHAIRMAN: I do hope that Members will be very brief. This is the Third Reading and most of the Members who are speaking in the Third Reading have had their say during the general discussion and during the clause by clause consideration. Mr. Kumaran.

SHRI P. K. KUMARAN (Andhra Pradesh): This Bill has taken a long time. We had a long and tedious session in the Select Committee and by the time the Bill emerged out of the Select Committee, the Bill as originally introduced, was almost unrecognisable. Now, within the last three or four days, we have further improved the Bill and this was possible only because the Education Minister was receptive to ideas. He did not take a rigid stand. If he stuck to the original draft which the executive had supplied to him, we would have of course passed the Bill but perhaps many of the attendant

problems would have remained as before. Even now we cannot foresee what will happen. Already two Members have warned us—Prof. Wadia warned that Banaras is up in agitation and another Member Mr. Thengari warned that U.P. is agitated. What is the agitation for? They are agitating for dropping the word 'Hindu'. In the Select Committee some of us wanted the word 'Hindu' to be dropped. We never thought of this Madan Mohan Malaviya Kashi Vishwavidyalaya but then we lost by a narrow majority. That is why we had the Dissenting Note. But here I am glad the House has accepted not only to drop it but also to commemorate the memory of the founder of the University. Apart from the communal thing being dropped, the memory of the man who sacrificed and struggled for starting this University has been enshrined. It may be that the name be cumbersome but we cannot help it. There are several universities and colleges where cumbersome names are there and we have to put up with them if the memory of such people is to be maintained. I do hope in this context that the name of the Aligarh Muslim University also will be changed and it will be called Syed Ahmed University. You should commemorate the name of the founder and also drop the word 'Muslim'. I am told now that in the Aligarh Muslim University nearly forty per cent, of the students are Hindus while in the Banaras University hardly forty students are there from Muslims. That is a sad state of affairs. We have seen, during the last month, when our war with Pakistan started, many heroes have sacrificed their lives. The foremost name is that of Hameed. Then there is the name of Keelbr. Christians, Muslims and others, without any religious difference, have sacrificed their lives for the sake of India but that spirit of patriotism, that spirit of secularism should be reflected in the running of our universities also. If that is the idea, I would also like to tell this to the Minister. We call ourselves secular

but there is an element of fear or an element of doubt in the mind of the Muslim minority. This doubt has to be removed and that has to be removed from the school stage onwards and this cannot be removed unless admission to the Banaras University—this Kashi Vishwavidyalaya—is also made liberal as in other universities. This aspect should be kept in mind hereafter. Apart from that, the Communal sentiment—the Hindu feelings—is bound to be there. It may come up in the name of localism. In Aligarh I am told that it was not the Muslim community but the Muslim communalism that was responsible for the trouble. It has taken the shape of localism. It is bound to be in Banaras also. This feeling might take the shape of localism but we should not yield to such things and we should hold steadfast to our principles and, starting on a clean slate, the Banaras University should be able to function as the model university so that we can be proud of the principles we preach about secularism.

PROF. B. N. PRASAD: I must join the previous speakers in giving tributes to our Education Minister who had taken so much pains in getting the Bill come to this stage. There have been prolonged sittings and I suppose possibly thirteen sittings of the Joint Select Committee were there and it has made a tremendous amount of changes in the original Bill. As the Bill has now come out, after all these deliberations, I feel no hesitation in saying that the present Bill is a very improved Bill so far as Indian universities go. I can say that at the moment the constitution of no university will be on the whole as good as that of the proposed constitution of the Banaras University. Naturally there have been certain differences about certain items of the Bill but that is only natural. Wherever there is such a big measure of work involved and so many problems are to be decided, there is bound to crop up differences in the opinions of Members concerned, but

[Dr. B. N. Prasad.]

we have got to look upon the whole thing in a collective manner; and if we do that, we can say that the present Bill is a very improved Bill.

There are certain points about which opinions differ, rather more radically, and one of the things is about the new name of the Banaras Hindu University. It has been pointed out that there is going on an agitation even now in certain parts of the country regarding the proposed name. I may tell the House that I myself had been there only two days back and the agitation is not so much about dropping the word 'Hindu', but about putting such a big name, namely, Madan Mohan Malaviya Kashi Vishwavidyalaya. I may tell you that there is a very serious agitation about this. People say that they were quite prepared to have the name only as Kashi Vishwavidyalaya or in the English version, as Banaras University. I am one of the persons who have been very intimately connected with the Banaras University. I had for about eighteen years served on the Senate, Court and for fifteen years on the Executive Council as an elected Member and not as a nominated Member. I could say that whenever Panditji spoke about the University, he always used the word Kashi Vishwavidyalaya. He never uttered the name Banaras Hindu University. As has been pointed out by speakers, on every brick in that building, which has cost more than several crores, you will find Ka. Vi. Vi.,—'Kashi Vishwavidyalaya'. Now after these discussions, such a big name has been brought into existence. People are naturally feeling very much agitated against this. I may say in a very serious manner that this matter is bound to be discussed in a very different manner when the Bill is sent to the Lok Sabha. So it is my duty to express here the feelings of the people.

SHRI AKBAR ALI KHAN: What is your suggestion?

DR. B. N. PRASAD: My suggestion is that you may restore it to its original name given by the founder of the University, the name 'Kashi Vishwavidyalaya', or if you like, you may have the name 'Banaras University'.

THE DEPUTY CHAIRMAN: Please now wind up. We must finish the Bill today. If the House is willing to sit till 6 o'clock or even beyond, then of course all of you can go on leisurely.

DR. B. N. PRASAD: I shall take only three or four minutes. Now, since the time is short, I need not go into the other details of the Bill. There was one point about which so much agitation had been brought up in the House and many speeches made related to the provision in the Bill against the present Vice-Chancellor and the Registrar. My previous speaker, Mr. Bhargava also mentioned in his speech about this matter. Now that the House has disposed of this matter, one should quite agree with the decision of the House. But it should be noted that so many things have been said in the House, which did not corroborate with facts. I am glad and I am thankful to my friend. Prof. M. B. Lai, who corrected an inaccurate statement that was made about the Registrar. It has been said by certain speakers that they have seen the bunch of testimonials in favour of the Registrar. I may inform the House that this collection of testimonials was made by the Registrar only after the adverse remarks of the Vice-Chancellor were communicated to him. I can give you the dates even if you like.

THE DEPUTY CHAIRMAN: Not now.

DR. B. N. PRASAD: I have got all the dates on which the remarks were communicated to him and the dates on which the testimonials were obtained.

SHRI JOSEPH MATHEN: You may please lay them on the Table of the House.

DR. B. N. PRASAD: I do not want to take more time on this matter. Now during our discussion and speeches it was expected, and even a sort of request was made to the hon. Minister for Education to the effect that it was up to him to see that the old practices, which were so much criticised by so many speakers, were not repeated when this new Act came into force, and with that I shall end this topic. I fully believe that the hon. Minister for Education will look to this matter.

Madam, the Banaras University was a very magnificent university when the late Pandit Madan Mohan Malaviya founded it, and he had complete power over the affairs of the University.

THE DEPUTY CHAIRMAN: A;l these arguments you had laid before the House.

DR. B. N. PRASAD: I am not giving arguments. Please allow me to proceed. You have allowed others without interruption. Let me proceed.

THE DEPUTY CHAIRMAN: This is the third reading and you must be brief.

DR. B. N. PRASAD: Well, I am finishing now. In his time the University consisted of great men of science and letters. Pandit Madan Mohan Malaviya then collected the best scholars from all over India for this University, and you may remember that the scholars were like Shanti Swarup Bhatnagar, Birbal Sahany, Ganesh Prasad, Dhruva, Jadunath Sarkar and so on. Let me hope that, with the new phase the University will be putting on now, the old glory of the Banaras University will be brought back to it. With the help of the hon. Minister for Education, let me hope that those

things which had brought a bad name to the University, would not be-repeated any more.

With these words, Madam, I once more congratulate the Hon'ble Minister of Education for piloting this Bill to a successful end.

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

SHRI I. K. GUJRAL: Mr. Vice-Chairman, at this third reading I am quite conscious that not much is to be said, but I will draw attention pointedly to one or two major points, and one about which I spoke on that clause also is about the name of the University. I know it is very late to re-emphasise the point that perhaps we were not being very wise, if I may use that word, in remaining it completely so different from what it used to be. I had said earlier and I repeat it with your permission that dropping the word 'University' particularly is going to give the impression as if a new university is being founded and my friend, Dr. Prasad, again and again in his speech, had slipped into saying that a new university is being started, and I am sure that that impression is going to prevail in the nation as well, and I really shudder to imagine what would happen to the pride of those who have belonged to this *alma mater* for half a century or more, and who have really learnt from it so much, and also I like to feel that the background and the great name that the Banaras University has built for itself are such a rich tradition which must be preserved at all costs. Not only that. Also I do not see why such a big amendment was called for in order that Pandit Malaviya's name could be associated with the University. But to drop the word 'University' from it is going to do it irreparable harm. In the world today, whether you go to Paris and talk in French, or you go to Germany and talk in German, or even whether you go to far off countries like Mexico and talk in Mexican, the word university*"

[Shri I. K. Gujral.] has certain symbolism about it, and when it is mentioned, and when it is talked about, everyone, knows what 'university' signifies. Perhaps we will always have to say "Vishwa-vidyalaya" that is "University" like "India" that is "Bharat". I think on that analogy we will have to go on repeating everywhere, and I commend to the hon. Minister that, in spite of its being very late here, when he takes the Bill to the other House, he may have second thoughts about it and try to introduce the word "University"—I am sure the Members there will press for it—and if it is called Madan Mohan Malaviya Banaras University, that would be most appropriate, because it would signify what it has stood for. And I also like to mention here that this name of Banaras Hindu University using both the words "Banaras" and "University" was so given when Pandit Malaviya was still alive, and it was with his consent and knowledge that this name was given, and I feel we should do it again and continue both the words "Banaras" and "University" by associating the name of Pandit Madan Mohan Malaviya with it.

DR. M. M. S. SIDDHU (Uttar Pradesh): What about the Cairo University? It is also called Al-Azhar University.

SHRI I. K. GUJRAL: We are in the year 1965 and I may tell my friend that Al-Azhar came into being in 1700 something, and it would be as chaotic if today that name was changed to something different, if they started changing it forgetting the tradition.

DR. B. N. PRASAD: Al-Azhar University is a different university, different from the Cairo University. Both are universities but Al-Azhar is for oriental studies, studies in Arabic etc. Cairo University is a modern university.

SHRI I. K. GUJRAL: I am thankful to Dr. Prasad for correcting him and reinforcing my argument. I hope Dr. Siddhu now understands that the word 'University' is even accepted in Cairo and I also hope that he will take the clue from it and try to do something about it.

I also wish to say that this House deserves a very great commendation in that it has dropped that clause whereunder the Registrar and the Vice-Chancellor had got to be removed. I am glad that we have not taken upon ourselves the role of courts of justice and tried to dismiss them, unlike the courts, without even giving them a hearing.

I would like only to repeat—simply say this thing and sit down—that once again we might give it some sort of rethinking at some stage whereby the words "Banaras" and "University" can also find their places back again in the name of the University as given in this House.

Thank you.

SHRI P. N. SAPRU: Mr. Vice-chairman, I would like to take this opportunity to congratulate my dear friend, Mr. Chagla, on the very able manner in which he has piloted this Bill. He has shown an admirable spirit of accommodation and he has shown that he is receptive to new ideas.

Coming to the Bill itself, I would say that I have reconciled myself to the new name. The one merit which I find now with the name is that it perpetuates the memory of the founder of the University, and the founder of the University was one of the makers of modern India.

May I say also, Mr. Vice-5 P.M. Chairman, that I am glad that we have not acted against the principles of natural justice and we have not persisted in adhering to a clause which was going to remove the Vice-Chancellor and

the Registrar without giving them adequate opportunities of explanation. Also I would like to say that a great deal will depend upon who the Vice-Chancellor of this University will be. I hope in selecting the new Vice-Chancellors, care will be taken to ensure that men of the highest stature are appointed as Vice-Chancellors. When I say stature, I do not mean necessarily Governors or Ministers or Judges, I mean men who are of high academic stature. I think in our universities the primary consideration should be to have men who are academically highly qualified.

Before I conclude, I would like to make a reference to the fact that in the Aligarh University we have got 40 per cent of non-Muslim students. In Banaras University, for reasons for which we may not be responsible, we have got only 40 non-Hindu students. I think that facilities should be provided in Banaras if we are really serious about secularism, for non-Hindu students. I do not see any reasons why . . .

DR. M. M. S. SIDDHU: Is there any bar?

SHRI P. N. SUPRU: There may be no bar, but . . .

DR. M. M. S. SIDDHU:- If it is done on merit, why insist on this?

SHRI P. N. SAPRU: If I am of the majority community, have I always merit? I am afraid Dr. Siddhu is like one of those persons who were responsible for the partition of the country. And it is persons of his calibre in Uttar Pradesh who will be responsible for a further partition of the country.

DR. M. M. S. SIDDHU: I am much more irreligious than you are.

SHRI P. N. SAPRU: I do not profess to be irreligious. I do not profess even to be an agnostic, I am just a rationalist.

DR. M. M. S. SIDDHU: Secular.

SHRI P. N. SAPRU: I hate the word 'secular', I do not use it because people who are not secular use it. It is as a protest against people who are not secular using the word 'secular' that I do not use it.

DR. B. N. PRASAD: Then how do you describe yourself?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): No cross-talk please.

SHRI P. N. SAPRU: It will take me long to describe myself. I would like this question to be taken up seriously. Some attention should be paid to providing facilities for non-Hindu students in the Banaras University.

Next, Mr. Vice-Chairman, I would like to say a word about the students' unions. I had much experience of students' unions. I was very much impressed by the speech of Shri M. P. Shukla who spoke with knowledge of the conditions as they are in U.P. But on reflection I think we have taken the correct stand from the constitutional point of view and we have taken the correct stand from the educational point of view also. I am glad we are going to have an Executive Council on which teachers and students will be represented. I hope this representative council will be really representative and that the students selected to this representative council will be students who will be selected or elected by the students. —

Mr. Vice-Chairman, the question of university education is a vast one and Mr. Chagla is expected to do many things. But he cannot do all the things that are expected of him, because university education is not a concurrent subject. He has, however, given a lead so far as the central universities are concerned. It is for the State Universities to follow the lead given by him. Thank you.

PROF. M. B. LAX, : Mr. Vice-Chairman, no law can ever claim to be perfect and no law can accommodate all points of view in all matters. Therefore, it is possible for all of us to differ from this measure which is emerging from this House, in some matter or 'the other. I have also my own differences with this legislative measure and some of those differences are of a vital character. All the same, I am obliged to the Select Committee, to the Rajya Sabha and to the Education Minister for the attention that they paid to the various suggestions of mine. I can admit that when I joined the Select Committee I never hoped that I would receive that attention that was given to me by the Select Committee and by the Education Minister. I am, therefore, obliged to them all.

At this stage I do not also wish to again highlight my differences and ¹⁰ rebut arguments advanced by the Education Minister in refusing to accept some of my suggestions. I will, however, like to invite the attention of the Education Minister to one of my suggestions, with the spirit of which he fully agreed, i am referring to the suggestion about the promotion of studies in democratic ideals and principles and in secular nationalism. On his appeal I had withdrawn that amendment. That amendment had to be withdrawn when the Education Minister had decided even to drop the sub-clause to which that amendment was moved.

I do, however, feel that that idea of mine can be embodied in clause * of the Banaras University Act and I hope the Education Minister would look into the whole question again. I feel that a mere change in the name of the University would not be able to transform the University and to benefit the University to discharge the duties that it must discharge at the present juncture but if my suggestions are accepted and if the Education Minister is good enough to see that sufficient importance is given to

provide education in democratic principles and ideals and in secular nationalism, the character of the University would emerge and the University would be able to discharge its duties to the nation in a much better way than it would otherwise be able to discharge. Sir, our attention has been drawn to the fact that the number of Muslim students in the Banaras University is not sufficient. I am also sorry for it but I wish to assure this House of one thing. I had been a teacher of the University for twenty-seven years and at least for twenty years out of this twenty-seven years I had played a very leading part in the life of the University and I do not remember a single case where any particular discrimination was made against any non-Hindu or a person was rejected on the ground that he belonged to a religion other than Hinduism. There may be some competition in certain colleges but in certain colleges of our University even that competition is not so keen. If students had been prepared to come to our University with the minimum prescribed qualifications they could have easily got admitted. I will request the non-Hindus of India also to regard Banaras University as their University. They should cultivate that good feeling for this University that they have for any University, they should have as much claim and as much right over the Banaras University as they have over any other University of India.

I have my own misgivings about certain clauses that are incorporated in this Bill but I purposely do not mention what those misgivings are. I was glad when the Education Minister said, while discussing statute 60, that he did not mean to abolish the Banaras Hindu University Parliament or the students' Union or the Lodge Unions, and that he only wished the membership of these Unions to be made optional. I hope that such of the students of the Banaras

University who are agitated or who are likely to be agitated over this statute 60 would keep this idea of the Education Minister in mind and that they would not indulge in destructive agitation but that their concern would take a constructive form. I hope they will see that the Students' Union and other organisations which are universal by compulsion today become universal by the will of the students concerned. In the same way, I am very very sorry, that the name of the founder of the University is dragged in inadvertently in a controversy. I have the profoundest respect for the founder of the University. I know how much of disinterested service he rendered to the nation. He was a man who refused the knighthood, who refused the Home Ministership of the Government of India and who refused even an honorary degree of Doctor of Law* at the hands of an eminent educationist, Mr. Asutosh Mukerjee. Though religious he was, he never wished even for *moksha* or salvation for himself. His only prayer was that he should be born in this mother India so that he may be able to render more and more service to the nation of his. Such a man's name is dragged in controversy. Some of us say that "his name may be commemorated that way and some say that on the ground of the length of the name or on some ground his name should be dropped. I feel absolutely sorry. I proposed in the beginning that the name be not associated with the University. Now that it has been associated and the controversy has arisen, I do not know how the matter is to be handled. The matter is to be handled in a manner befitting the dignity of the founder of the University.

SHRI P. N. SAPRU: Quite right.

PROF. M. B. LAL: I would request all those students and teachers who are agitated over the name of the University to remember that the term "Kashi Vishwavidyalaya" was the name given to this University by the

founder of the University, by a person who had the greatest love for that institution, who loved and died for the University.

SHRI I. K. GUJRAL: Who changed it?

PROF. M. B. LAL: Pardon me, Sir, it was the British Government which passed this law, the Banaras Hindu University Act. He continued to call it as the Kashi Vishwavidyalaya. I hope I will not be interrupted because I am not appealing to this House; I am appealing to the students and teachers of the Banaras Hindu University who are agitated over this question. I will appeal to the teachers and the students of the Banaras University to realise that Kashi Vishwavidyalaya was the name given to that University by the founder of the University, the name is writ large on the bricks out of which the University is built and it appears on the seal which we use every day. I wish the students, the teachers and all those concerned with the University to realise that even if they have certain feelings for their own ancient Indian culture, this name embodies that culture more than the word Banaras. Though it is not possible for me to say that this legislative measure is a perfect measure—I have had the occasion to read the constitutions of the Universities of the world and therefore cannot say that this is more perfect than any other University constitution in the world—I can say that it is a good legislative measure. The students and the teachers of the Banaras University have passed through the agony of interim arrangements for years. They have passed through the agony of the notoriety that they attained due to certain misconduct of theirs in the years 1958 and 1959. I hope the students and the teachers of the University would rise to the occasion, would see that the legislative measure which ultimately emerges out of Parliament is made the basis of a new life and a new reputation for the Banaras Hindu University and

[Prof. M. B. Lai.] that they fulfil the object of the founder of the University and achieve the great vision that was before him. That is all that I have to say, Sir.

SHRI AKBAR ALI KHAN: Sir, I fully associate myself with the feelings just now expressed by my esteemed friend, Prof. Mukut Behari Lai. I assure him that, as regards the Founder of this University, there is nobody in India irrespective of caste, religion or region, who has not got profound regard for that great man. I further assure him that so far as the Banaras University is concerned, the people of India consider it a great Indian national institution and irrespective of religion or region we consider the Banaras University to be our institution, an institution of which we can all be proud. Irrespective of certain bad days that have fallen as they fall on other institutions, I think the record of the Banaras University is such that any University could be proud of. I assure him that with the association of the name I feel that the University will get a new inspiration and a new life. The Madan Mohan Malaviya Banaras University or Kashi Vishwavidyalaya will give this University a new life and a new inspiration to those who join that University. They will all think of Madan Mohan Malaviya, his great qualities, his patriotism, his educational ability, his services to the country, his service to humanity. So I am very happy that the name of the Founder has been associated with this University.

Now I would have been very happy; Prof. Mukut Behari Lai had brought a very good amendment regarding education in democracy, in nationalism and secularism. Now in all matters, and in education in particular, we have to look forward and not backward. We have to see the modern currents; we have to build a new country, a country of the dream of Malaviyaji, Gandhiji and Jawaharlal Nehru. So we have to do our best to see that this University

really becomes not only an asset for all these precious ideas that are in Hinduism and in the Hindu culture but also for modern ideas, for new technology and for new roles of this new democracy of India. So we must try to put this ideology, these high principles, into practice. Let us probe into it and find out why the number of other denominational people is less as pointed out by Sri Kumaran and Dr. Sapru that there are 40 per cent at Aligarh and only 40 at Banaras. I fully agree with the Professor that there is no discrimination; there is nothing of the kind but we must see there are two Universities more or less established at the same time, the Muslim University, Aligarh and this Banaras University. I agree with the suggestion of my friend there. We have also been working towards dropping the word 'Muslim' and to give it the name of Syed Ahmed University and I do hope the Education Minister will in the next session bring the Aligarh University Bill putting in this name of Syed Ahmed ...

SHRI I. K. GUJRAL: University.

SHRI AKBAR ALI KHAN: ... University. I entirely agree with the suggestion of Mr. Gujral. But I tell you when I saw the sentiment of the people I thought it was my duty to submit to it and the Education Minister has also done it. It is the right thing. When the people feel very strongly we are not to insist on our own ideas although we may differ.

Now the only thing I would say is that the previous Education Minister, Dr. Shrimani, used to have consultative educational committee occasionally in Banaras and other places. And through you, Sir, I want to tell that when I went there for the Consultative Committee with the consent of the Vice-Chancellor, Mr. Bhagwati, I went to the students hostels and spent a few hours with them and I received the same affection, the same regard and the same love as I receive when I go to Aligarh. So you

must bring about greater opportunities and more facilities for more and more contacts so that the younger generation may mix with each other, understand each other and try with all the earnestness to build a new India which would be an honour to all of us and which will make an impression on the world about those great ideals for which Gandhiji and Nehru stood. With these words I congratulate the Minister and I congratulate this House also and I think with the cumulative wisdom that has been embodied in this legislation this University will progress more and more. I wish the University the very best.

SHRI M. C. CHAGLA; Mr. Vice-Chairman, I think this is a very eventful occasion because with the passing of this Bill at least in this House the Banaras University which was in the wilderness for the last seven years is going to be restored to a normal constitution and to an autonomous state. I do not think it is right for any University to be administered by a nominated Executive Council and a nominated Court and when the Bill ultimately reaches the Statute Book, as I said, normal conditions will be restored and we will have a unique University functioning autonomously as every University should function.

Now, Sir, the Banaras University is a national University. It is a national University under the Constitution and in changing the name what we have done is to give a name that was in substance correct under the Constitution. The word 'Hindu' was opposed to the constitutional aspect of this institution. Now I want to assure my friends here and I want to assure the teachers and students in Banaras and outside—I was rather worried by what Mr. Wadia said—that no disrespect whatsoever is meant to Hinduism or to the expression 'Hindu', I myself said when introducing the Bill that Malaviyaji used the word 'Hindu' in the wider sense and not a purely communal sense. Today when we

have adopted a secular philosophy, when we are fighting shoulder to shoulder against a foreign aggressor it is necessary to remove any doubt or suspicion about our secularism. Although we have removed the word 'Hindu' we have got the name Madan Mohan Malaviya and the word 'Kashi' both of which represent the highest, the best and the noblest in Hindu culture, Hindu philosophy and Hindu history. Therefore I want Prof. Wadia and other Members of the House to convey to their friends here and outside that no disrespect whatsoever was meant to Hinduism or to the Hindu religion. On the contrary I think this brings out even more emphatically the philosophy and the culture for which the Banaras University stands because as in Aligarh University so—I should not say Banaras University now—in Kashi Vishwavidyalaya they have their own special features, they have their own special characteristics and it is intended that the port, sponsor and principles and ideals.

Now, Sir, you asked me to convey to the Vice-Chancellor the feelings of this House about the conduct of the Registrar or the allegations made against the Registrar, I have already carried out my assurance, I have already written to the Vice-Chancellor what the feelings of the House or a large section of the House were and I have pointed out to him that under the Ordinances as they stand it is open to the Executive Council to consider any allegations against the Registrar, and if they are satisfied by a majority they can give four months' notice to him and terminate his services. I cannot do more than that, because it is for the Executive Council and the Vice-Chancellor to take the necessary action.

Now, I wish to emphasise this fact that although we have changed the name of the University, we have not changed the institution. This University has existed for fifty years. It

[Shri M. C. Chagla.] has very great and glorious traditions. It has had great Vice-Chancellors and great Professors and it has produced great students and I do not want anyone to feel that by changing the name we are breaking the continuity of the traditions of this institution. The change is there because of what I have explained. My friend, Prof. Mukut Behari Lai, says that every brick in this University bears these initials—I do not know about that— "K.V.V"—Kashi Vishwavidyalaya.

PROF. M. B. LAL: I said a great many.

SHRI M. C. CHAGLA; Well, if that is so, I do not see why the students studying there should feel that there is any break in the continuity of the traditions of this institution. All that we have done, as I said, is to adapt the name of this University to the present conditions and to our secular philosophy.

Now, Sir, the success of a university does not depend upon its constitution, nor does it depend upon its administrative machinery. This Bill only deals with the constitution and the administrative machinery. The success

of a university must ultimately depend upon the community of professors and students, who will work in that institution. If that community works with a singleness of purpose, the purpose being the pursuit of knowledge, the pursuit of excellence, then, I am sure that in the years to come Banaras will have even a more glorious record than it has had in the last fifty years.

Thank you, Sir.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): The question

"That the Bill, as amended, be passed." The motion was adopted. THE VICE-CHAIRMAN (SHRI M. P.

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

The House then adjourned at thirty-three minutes past five of the clock till eleven of the clock on Wednesday, the 17th November, 1965.