

Wednesday,
14th June, 1882

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

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ASSEMBLED FOR THE PURPOSE OF MAKING

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1882.

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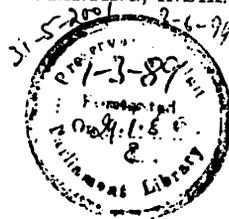
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1883.



Abstract of the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament 24 & 25 Vic., cap. 67.

The Council met at Government House, Simla, on Wednesday, the 14th June, 1882.

P R E S E N T :

His Excellency the Viceroy and Governor General of India, K.G., G.M.S.I., G.M.I.E., *presiding*.

His Honour the Lieutenant-Governor of the Panjáb, K.C.S.I., C.I.E.

His Excellency the Commander-in-Chief, G.C.B., C.I.E.

The Hon'ble J. Gibbs, C.S.I., C.I.E.

Major the Hon'ble E. Baring, R.A., C.S.I., C.I.E.

Major-General the Hon'ble T. F. Wilson, C.B., C.I.E.

The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.

The Hon'ble C. H. T. Crosthwaite.

The Hon'ble W. C. Plowden.

The Hon'ble W. W. Hunter, LL.D., C.I.E.

PANJÁB UNIVERSITY BILL.

The Hon'ble MR. GIBBS introduced the Bill to establish and incorporate the University of the Panjáb, and moved that it be referred to a Select Committee consisting of His Honour the Lieutenant-Governor, the Hon'ble Messrs. Ilbert, Crosthwaite and Hunter and the Mover. He said :—

“In accordance with the permission which was obtained for me by my hon'ble and learned friend Mr. Ilbert, I now beg to introduce this Bill.

“The Bill has been drawn with as much care as was possible from the information which we have on record ; it has also been deemed advisable to follow as closely as we could the form of the Acts already on the Statute-book, and under which the Universities of Calcutta, Madras and Bombay have been founded. The Bill, in accordance with the usual practice, will be printed and published, and we shall no doubt receive the benefit of public criticism upon it.

“There are some points which will doubtless require very considerable care on behalf of the Select Committee, before they arrive at a conclusion on the final form it should take; but these are points which I need not notice in detail on the present occasion.

“The Objects and Reasons published with the Bill will give the public a very general, and at the same time clear, statement of the intention of the Government in bringing in this Bill. My hon’ble and learned friend Mr. Ilbert, in applying for leave to introduce the Bill, shortly stated the circumstances which had led to it, and I do not think that I need now do more than allude to one or two points which have been decided upon since permission to bring in the Bill was granted by the Council.

“Of those points, the first I may mention is that, owing to difficulties of a legal nature which might arise, it has been found necessary to provide in general terms that the University is founded under the patronage of the Governor General, but without stating that the Governor General may be ‘patron’ or ‘visitor.’

“The term ‘patron’ is not one generally used regarding Universities, while the term ‘visitor,’ which is a University term, might give rise to some rather difficult and abstruse questions as to the power of a visitor of a University in this country, as compared with Universities at home—especially the Royal University lately established in Ireland.

“With regard to the appointment of Fellows, a further clause has been introduced, providing for some who may be chosen by the Senate and submitted by them to the Chancellor for his approval. This is an advance on what is the law at present with regard to the other Indian Universities; but I think it is a step in the right direction, and it is certainly one regarding which I should not be surprised if, before long, applications are not made by other Universities to introduce a similar provision. There is a strong feeling that some Fellows should be nominated by the Senate for approval by the Chancellor.

“In the Bombay University, of which I was Vice-Chancellor for nine years, this was to a certain extent arranged by the understanding that the Vice-Chancellor should send in a list of names every year to the Chancellor of those gentlemen who had distinguished themselves particularly with regard to the University, and whose fitness for the position of Fellow was peculiarly known to the Senate and the governing body of the University.

“I would further observe that it was at first suggested, with regard to the appointment of a Chancellor and Vice-Chancellor, that the Governor General should be the Chancellor, and the Lieutenant-Governor the Vice-Chancellor.

This was objected to in the Home Department, on the ground that by this means we should have two ornamental officers at the top ; while the Vice-Chancellor should in all Universities be the principal guiding officer, and should be chosen from that class of the Fellows who are sure to be present during the greater portion of the year at the seat of the University, and who, therefore, by his constant attendance, will secure the continuity of the work in accordance with the principles on which the University is founded. This, it was considered, would not be the case if an officer to be called the Vice-President of the Senate was to be chosen. His Excellency the Viceroy concurred in this view, and thought—especially as he would in ordinary circumstances be very seldom present to take part in the meetings of the University—it was better for him to take the rôle of Patron to the University, and that, while the Lieutenant-Governor is the proper person to be Chancellor, the Vice-Chancellor should be chosen, as above stated, from those officers who are peculiarly fitted for that post.

“ I may also notice that the Bill as drafted certainly does not go into those details which perhaps the public might expect to find in it ; but it has been found by experience that it is never advisable to put into a Bill what can be better provided for by rules and bye-laws, which may be made from time to time, and may require alteration.

“ If an opposite course were adopted, no trivial alteration could be made in any of those rules and bye-laws without recourse to the Legislative Council, which would be extremely troublesome.

“ The consequence is that power is taken in this Bill, as in the other University Acts, to give power to the Senate, with the permission of the Lieutenant-Governor, as Chancellor, and the final sanction of the Governor General in Council, to make bye-laws for meeting all the necessary duties which the University has to carry out, with regard to the appointment of Examiners, the nature of the examinations, the degrees and diplomas which may be acquired, and the manner in which those degrees are to be conferred.

“ The only other matter which I need notice is with respect to the appointment of the Select Committee to whom the Bill is to be referred. The names on the list are those of His Honour the Lieutenant-Governor of the Panjáb, and of my hon'ble friends Messrs. Ilbert, Crosthwaite, Hunter, with the Mover.

“ The choice has been made of these gentlemen because we think that in the person of the Lieutenant-Governor we shall have an able representative of what is required for the Panjáb ; while Mr. Hunter, as specially representing

education in general, and the Commission now sitting in particular, will be a most useful member; as will also be Mr. Ilbert, who represents, if I may say so, the English Universities; and Mr. Crosthwaite, whose knowledge of the country and the wants of the people is perhaps not exceeded by any other member of Council."

The Motion was put and agreed to.

The Hon'ble MR. GIBBS also moved that the Bill and Statement of Objects and Reasons be published in the *Panjab Government Gazette* in English and in such other languages as the Local Government might think fit.

The Motion was put and agreed to.

The Council adjourned to Wednesday, the 21st June, 1882.

SIMLA;
The 14th June, 1882. }

D. FITZPATRICK,
Secretary to the Government of India,
Legislative Department.