

4th August 1943

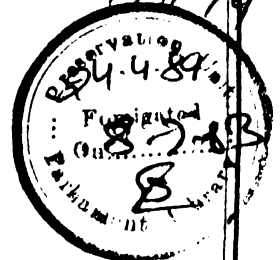
TO
THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume III, 1943

(26th July to 25th August, 1943)

EIGHTEENTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1943



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI
1943

Price Rs. 1 As. 6 or 2s.

LEGISLATIVE ASSEMBLY.

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Deputy President:

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[From 27th July to 19th August, 1943.]

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Mr. K. C. NEOGY, M.L.A.

Mr. HOOSEINBOY A. LALLJEE, M.L.A.

Sir HENRY RICHARDSON, M.L.A.

[From 20th August, 1943.]

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Sardar SANT SINGH, M.L.A.

Mr. N. M. JOSHI, M.L.A.

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LEGISLATIVE ASSEMBLY.

Wednesday, 4th August, 1943.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS.

PETITIONS FROM POSTAL AND TELEGRAPH UNIONS *re* INADEQUACY OF DEARNESS ALLOWANCE.

175. *Mr. Amarendra Nath Chattopadhyaya: (a) Will the Secretary of the Posts and Air Department be pleased to state how many petitions from different Postal and Telegraph Unions he has received regarding the inadequacy of Dearness Allowance?

(b) Is the Honourable Member aware of the fact that in *mofussil* towns and villages in Bengal the price of staple food has gone abnormally high and is higher than that prevailing in the Sudder and Presidency towns?

(c) Is the Honourable Member prepared to follow the steps that have been taken by the Railway Department regarding supply of foodstuff to the Postal and Telegraphs employees from their Departmental Stores at a reasonable price? If not, why not?

(d) Is it not a fact that the Posts and Telegraphs Department, as a communication department, stands almost in the same category with the Railway and deserves every encouragement from the departmental authorities in the matter of food supply?

Sir Gurunath Bewoor: (a) Numerous petitions of this nature have been received.

(b) Prices vary from time to time but Government are aware that they have ruled abnormally high in Bengal.

(c) Steps have been taken to supply essential foodgrains at concessional rates in Bengal and Assam on the lines of the scheme sanctioned by the Provincial Government which has been adopted for all Central Government employees other than Railway employees.

(d) Yes.

Mr. Muhammad Nauman: With reference to this question about the concessional rate, is it on the same lines as the Railways are selling to its employees between 40 to 50 per cent. cheaper than the market price?

Sir Gurunath Bewoor: I understand that in Calcutta and the *mofussil* of Bengal the articles are sold roughly at a concession of about 40 per cent.

Mr. Muhammad Nauman: Is it at the same rate as the railways are giving to its employees or not?

Sir Gurunath Bewoor: The Railway arrangements are quite distinct. The arrangements which we have made are those applied to all Central Government employees and the arrangement is more or less on the lines of the Provincial Government's schemes.

Mr. Muhammad Nauman: I want a definite answer, whether it is on the same lines as the railways? To merely say it is distinct is not enough.

Sir Gurunath Bewoor: I have replied to that already.

Pandit Lakshmi Kanta Maitra: May I know if it is not a fact that the concessional rates allowed to the postal employees are far higher than the concessional rates allowed to other departments of the Provincial Governments? I say that the Provincial Government allows greater concession to their employees than the postal employees?

Sir Gurunath Bewoor: I do not think so. Our scheme is on the same lines as that of the Provincial Government.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member in a position to contradict me if I say that as a matter of fact in the *mofussil* towns of Bengal concessional rates which were allowed to the Postal people are far higher than the rates given by the Bengal Provincial Government.

Sir Gurunath Bewoor: I have already stated the information which is at my disposal. Our scheme is similar to that adopted by the Provincial Governments and so far as I am aware the rates are the same but if the Honourable Member will give me a definite example of the particular station where the rates are different

Pandit Lakshmi Kanta Maitra: Krishnagar, for instance, and the district of Nadia. There the Postal employees are given commodities at rates which are far higher than the rates at which ordinary employees get

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is giving information.

Pandit Lakshmi Kanta Maitra: Has the Honourable Member got any representation from the Postal Unions drawing the attention of the Government to this discrepancy?

Sir Gurunath Bewoor: I have not got any information on the point here at present.

PROMOTION TO LOWER GAZETTED SERVICES ON STATE-MANAGED RAILWAYS.

176. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether promotion to the Lower Gazetted Services on the State-managed Railways is made by the General Managers or the Railway Board?

(b) Is any approved list of candidates who are fit for promotion maintained? If so, how is it drawn up, and who maintains it? If the approved list is maintained by the General Managers, is a copy thereof supplied to the Railway Board? If not, why not?

(c) What are the conditions for adding new names to the approved list? Can such newly added persons get promotion earlier than the persons whose names are already on the approved list?

(d) How many officers who were promoted to the Lower Gazetted Service since the 1st January, 1941, had not been placed on the approved list in the first instance, but were placed on the approved list only when a particular vacancy had to be filled? Does the Honourable Member propose to give full particulars of them?

(e) Who has the power to order the confirmation of persons officiating in the Lower Gazetted Service, and is such confirmation made on the basis of the length of officiating service, or on other considerations? If so, what are those other considerations?

The Honourable Sir Edward Benthall: (a) Officiating promotions are made by General Managers and permanent promotions are made by the Railway Board.

(b) The Railway Board maintain no approved list and have no information of the practice followed by each General Manager in a matter entirely within his discretion.

(c) Does not arise in view of the reply to part (b).

(d) I have no information as stated in the reply to part (b) but if the Honourable Member has any particular case in mind and will give me details I shall look into it. I would, however, add that these posts are filled purely by selection and no employee has a prescriptive right to be promoted to them.

(e) The Railway Board sanction the confirmation of officers in the Lower Gazetted Service on the recommendation of General Managers. Due weight is given to the length of officiating service but the suitability of the individual is the primary consideration.

Mr. Lalchand Navalrai: With regard to these officiating lower grade people, when they are not getting any promotion by the General Manager, have they got a right of appeal to the Railway Board?

The Honourable Sir Edward Benthall: No, Sir, I do not think they have.

Mr. Lalchand Navalrai: Will the Honourable Member give them some relief then by way of appeal.

The Honourable Sir Edward Benthall: I will look into the question.

Mr. Lalchand Navalrai: Thank you. There is a question to raise the lower grade officers to the superior service and that question was pending when I was on the Standing Finance Committee. Has that question been settled?

The Honourable Sir Edward Benthall: I think the Honourable Member is referring to the lower gazetted service. That question has been under the consideration of the Standing Finance Committee for some time. They had what I believe was their final meeting on the 31st. I have not heard the result.

Dr. Sir Ziauddin Ahmad: Have you accepted the findings of the Standing Finance Committee?

The Honourable Sir Edward Benthall: I have not seen them yet.

Mr. Muhammad Nauman: May I know whether the General Managers make recommendations personally or do they constitute any board to give such promotion from the ranks of subordinates to the ranks of officers?

The Honourable Sir Edward Benthall: I understand that this question of recommendations for promotion is very carefully gone into by the General Manager and his officers.

Dr. Sir Zia Uddin Ahmad: I hope the decision of the Government will not be based on communal issues. I want a guarantee on this particular point.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

PROCEDURE re REJECTION OF DEFENCE OF A CHARGE SHEET BY AN EMPLOYEE ON NORTH WESTERN RAILWAY.

177. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that defence of a charge sheet by a Railway employee is either accepted or rejected on the North Western Railway? If so, why are no reasons assigned for rejection?

(b) Do any rules exist which make it obligatory on the part of an officer of the Railway to write a full order giving the gist of charges and his arguments for rejecting the same in full or in part before imposing a penalty on an employee under Rule 1702 of the State Railway Establishment Code, Volume I? If not, is it proposed to frame some such rule? If not, why not?

The Honourable Sir Edward Benthall: (a) I am unable to understand what the Honourable Member has in mind in the first part of the question. The defence offered by employees charged with offences is given full consideration. As regards the second part, a record is maintained of the reasons for the conclusions reached in disciplinary cases.

(b) Under paragraph 1716 of the State Railway Establishment Code, Volume I, a copy of which is in the Library of the House, the authority imposing a penalty is required to maintain a record showing *inter alia* the offences with which the Railway servant was charged and the findings and the reasons therefor. The second part does not arise.

Mr. Lalchand Navalrai: I will try to explain the first part of my question. What I meant is whether any inquiry is made or any committee is appointed to go into the charges against these persons. If so, is any defence being called for and if it is considered by the officer, does he give his judgment with reasons and inform the applicant of the rejection or acceptance of defence?

The Honourable Sir Edward Benthall: I understand it. Each case is gone into carefully on its merits. The defence of the man in question is carefully considered and I understand that the reasons for the decision are recorded.

Mr. Lalchand Navalrai: The point is whether he is informed of the result. My question is whether after rejecting or accepting the defence, the applicant is informed of it or the decision is made known only to office and nobody outside knows anything about it.

The Honourable 'Sir Edward Benthall: The man can certainly obtain the reasons.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

MUSLIM DEMAND OF REGULATING PROMOTIONS ON COMMUNAL BASIS.

178. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that at times without number it has been declared on the floor of the Legislative Assembly that promotions of Railway employees are made strictly in accordance with the seniority-cum-suitability?

(b) Is it a fact that the Muslim demand for promotions on communal basis has been rejected by Government for the reason that it will result in the supersession of senior men?

(c) Are Government aware of the fact that so far as Hindus are concerned promotions are given to them on communal basis?

(d) If the reply to (c) be in the negative, does the Honourable Member propose to peruse letter No. WE/11/40, dated the 28th May, 1940, from the Superintendent, Watch and Ward Department of the East Indian Railway, which reads as under:—

Appeal, dated the 24th May, 1940, from H. W. 979 Abdul Ali of Dhanbad for promotion as Chief Head Watchman.

Please inform the above named that I have no fault to find with his work. The promotion of G. B. Tewari was to adjust community ratios?

(e) Is it a fact that Head Watchman Abdul Ali was superseded by his junior (a Hindu) simply to adjust the community ratio?

(f) Does the Honourable Member propose to consider the question of meeting the Muslim demand of regulating promotions on communal basis? If not, why not?

The Honourable Sir Edward Benthall: (a) It has been stated in the House that seniority-cum-suitability is the basis of promotion to non-selection posts.

(b) The demand for promotion on communal basis has been rejected as, among other things, it will result in the unjust supersession of men merely because they belong to other communities.

(c) Government have no reason to suppose that the facts are as stated by the Honourable Member.

(d) and (e). I have called for information and a further reply will be laid on the table of the House.

(f) No, for the reason I have given in the reply to part (b).

Dr. Sir Zia Uddin Ahmad: Sir, an assurance was given by the predecessor of my Honourable friend that whenever a senior man is passed over on account of his inefficiency, his case will be looked into personally either by the General Manager in the case of subordinate officers or by the Railway Board in the case of higher officers. Is it being carried out in practice?

The Honourable Sir Edward Benthall: I have no doubt that any undertaking is already being carried out but I do not recall that particular statement made by my predecessor. If the Honourable Member will draw my attention to the particular occasion when that statement was made, I will go into it.

GRANT OF INCREMENTS FOR THE PERIOD BEFORE CONFIRMATION TO A STATE RAILWAY NON-GAZETTED SERVANT.

179. ***Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Railways be pleased to state if a State Railway non-gazetted servant appointed as a Guard on the 1st October, 1937 in the scale of Rs. 30—3—45—5—60 and confirmed on the 1st June, 1940, is entitled to annual increments for the period before confirmation? If so, on what pay should he be confirmed?

(b) Is it a fact that different rules are applied in the Allahabad and Lucknow Divisions of the East Indian Railway regarding the grant of increments in cases of the above nature?

The Honourable Sir Edward Benthall: (a) A categorical reply is not possible; various circumstances connected with an individual case may affect the fixation of pay on confirmation. As a general rule, officiating service counts for

increment and in the case quoted, if there are no other disturbing factors, the employee would have earned two increments before confirmation.

(b) I have called for information and a further reply will be laid on the table of the House in due course.

SIKHS IN HIGH SALARIED POSTS OF EXTERNAL AFFAIRS DEPARTMENT.

180. *Sardar Sant Singh: Will the Honourable the Leader of the House please state the number of posts in the External Affairs Department carrying salaries of Rs. 300 *per mensem* and over and the number of Sikhs getting that salary?

The Honourable Sir Sultan Ahmed: The number of men in the External Affairs Department Ministerial Establishment drawing monthly salaries of Rs. 300 or more is 41, of whom 2 are Sikhs.

Mr. Muhammad Nauman: May I know what is the number of the Muslims there?

The Honourable Sir Sultan Ahmed: I want notice of that question.

SIKHS IN HIGH SALARIED POSTS IN SUPPLY DEPARTMENT.

181. *Sardar Sant Singh: (a) Will the Honourable Member representing the Supply Department please state the number of posts carrying salaries of Rs. 400 *per mensem* and over, exclusive of local allowances, in his department in all its Sections and the number of Sikhs employed on those salaries?

(b) Is there any deficiency in the quota of Sikhs? If so, how is it proposed to make up that deficiency?

(c) Is it a fact that Selection Boards for recruitment to the Department were constituted from time to time? If so, was a Sikh ever appointed on such Selection Boards?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The information asked for by the Honourable Member is being collected and will be laid on the table in due course.

COMMUNAL REPRESENTATION IN SUPPLY DEPARTMENT.

182. *Sardar Sant Singh: (a) Will the Honourable Member representing the Supply Department kindly lay on the table the following information as it stood on the 15th July, 1943:

Office.	Post.	Total number of posts.	Number of		
			Hindus.	Muslims.	Sikhs.
D. G. Supply.	(i) Directors				
	(ii) Deputy Directors				
	(iii) Assistant Directors				
	(iv) Progress Officers				
	(v) Assistant Progress Officers				
	(vi) Other Gazetted Posts				
	(vii) Superintendents				
	(viii) Assistants-in-charge				
	(ix) Assistants				
	(x) Stenographers and Steno-typists				
Main Secretariat.	(i) Gazetted Superintendents				
	(ii) Assistants-in-charge				
	(iii) Assistants				
	(iv) II Division Clerks				
	(v) Stenographers				

(b) What steps do Government propose to take to obtain an adequate representation of Sikhs in the above services?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) A statement giving the required information is placed on the table.

(b) Since the majority of gazetted posts in the Directorate General of Supply are posts of a specialised character, it is not possible to adhere strictly to any communal proportions. Every effort is, however, made to secure an adequate representation of the minority communities, including Sikhs, in the service. As regards Ministerial posts, it will be seen from the statement that, having regard to the communal proportions laid down by the Government of India for the representation of "other minority communities" in the services, the Sikh community is generally adequately represented.

Statement showing the posts held by members of various communities in the Directorate General of Supply and the Main Secretariat, Supply Department.

Office and Post.	Total No. of posts.	Hindus.	Muslims.	Sikhs.
<i>Directorate General of Supply--</i>				
(i) Directors	15	2	..	..
(ii) Dy. Directors	40	16	2	1
(iii) Asstt. Directors	40	31	5	1
(iv) Progress Officers	10	7	..	..
(v) Asstt. Progress Officers	11	8	3	..
(vi) Other Gazetted Posts	73	36	12	3
(vii) Superintendants	18	14	3	1
(viii) Assts.-in-Charge	47	36	10	..
(ix) Assistants	206	149	44	7
(x) Stenographers and Steno-typists	91	74	12	4
<i>Main Secretariat--</i>				
(i) Gazetted Supts.	13	6	5	1
(ii) Assts.-in-Charge	2	1	1	..
(iii) Assistants	66	42	14	2
(iv) Second Division Clerks	58	38	14	3
(v) Stenographers	26	17	6	..

Sardar Sant Singh: May I ask the Honourable Member to state if it is a fact that practising lawyers from all over India have been invited to occupy some of the high gazetted posts in his Department?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: I have no information on the subject, but if it is a fact, I should not be surprised.

Sardar Sant Singh: Is there a dearth of practising lawyers among the Sikhs who could be called in for filling these posts?

(No reply was given.)

VERIFICATION OF THE *bona fides* OF SIKHS RECRUITED IN SUPPLY DEPARTMENT.

183. ***Sardar Sant Singh:** Will the Honourable Member representing the Supply Department kindly state if the *bona fides* of Sikhs recruited in the various Branches of the Supply Department are verified in accordance with the procedure laid down by the Home Department?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The information asked for by the Honourable Member is being collected and will be laid on the table in due course.

PROCEDURE *re* DISPOSAL OF APPEALS ON BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

184. ***Syed Ghulam Bhik Nairang:** (a) Is the Honourable the Railway Member aware of the fact that great dissatisfaction exists among the non-gazetted staff on the Bombay, Baroda and Central India Railway about the method and procedure adopted by the administration of that Railway regarding the disposal of appeals in the matter of punishment and supersessions?

(b) Is it a fact that replies to appeals preferred by the non-gazetted staff to the General Manager and other appellate authorities on that Railway are generally—"The General Manager sees no reason to interfere with the decision

of so and so; the appellant may be informed accordingly," or "The General Manager sees no reason or justification to revise his decision or orders, etc., and the appellant may be informed accordingly"?

(c) Is it a fact that the types of replies mentioned in (b) *supra* do not rebut the arguments relied upon by the appellants or quote rules, etc., under which the General Manager or any other appellate authority has thought it fit to reject their appeals?

(d) Is it a fact that the appellate authorities in a sister department—*via.*, the Posts and Telegraphs Department—have been strictly warned through a circular letter issued by the Director General, Posts and Telegraphs of the Government of India, not to give stereotyped replies to appeals, but to deal with them in a judicious manner giving reasons and arguments as well as quoting rules in the replies?

(e) Do Government propose to take similar action in the case of B., B. and C. I. Railway employees in the matter as mentioned in (d)? If not, why not?

The Honourable Sir Edward Benthall: (a) No.

(b) I have no information.

(c) Government recognise this and therefore have already issued orders that appellate authorities should record the grounds of appeal and brief reasons for dismissing it.

(d) I understand that more or less similar orders have been issued by the Director-General, Posts and Telegraphs, but have been unable to trace the provision that rules should be quoted.

(e) Does not arise in view of the reply to part (c).

Dr. Sir Zia Uddin Ahmad: The Honourable Member on the floor of the House gave us to understand that he is going to appoint some person of a judicial mind to look into the case of these appeals. Has such an officer been appointed on any Railway?

The Honourable Sir Edward Benthall: No, Sir, I did not make that statement.

Dr. Sir Zia Uddin Ahmad: When we discussed the question of appeals on the occasion of the Railway Budget while discussing a cut motion on that subject, did not the Honourable Member give us an assurance on that point?

The Honourable Sir Edward Benthall: No, Sir, I gave no such undertaking.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

DESIRABILITY OF APPOINTING A 'JUDICIAL' MAN TO DEAL WITH APPEALS ON BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

185. *Syed Ghulam Bhik Nairang: (a) Will the Honourable the Railway Member please state, if it is a fact that on the Bombay, Baroda and Central India Railway no arrangements have been made so far for the appointment of a 'Judicial' man to deal with appeals?

(b) Do Government contemplate taking suitable action in the matter by taking on loan a 'Judicial' man for the purpose from any Provincial Government, in view of the widespread dissatisfaction and discontent among the staff in this matter? If not, why not?

The Honourable Sir Edward Benthall: (a) Yes.

(b) No. They are not aware of any serious discontent as alleged and do not consider that any action is called for.

NON-ADVERTISING OF VACANCIES IN SUBORDINATE CADRE ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

186. *Syed Ghulam Bhik Nairang: (a) Is the Honourable the Railway Member aware that vacancies in the subordinate cadre on the Bombay, Baroda and Central India Railway are not advertised as required by the State Railway Establishment Rules and the practice followed on other State Railways?

(b) If the reply to (a) be in the affirmative, what action does he propose to take in the matter? If none, why?

The Honourable Sir Edward Benthall: (a) I understand that in some cases, the vacancies are not advertised.

(b) The Railway is taking steps to introduce State Railway procedure in this matter and they will be asked to expedite them.

DESIRABILITY OF ESTABLISHING A SUBORDINATE SERVICE COMMISSION ON BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

187. ***Syed Ghulam Bhik Nairang:** (a) Is the Honourable the Railway Member aware that recruitment of the non-gazetted staff on the Bombay, Baroda and Central India Railway is still going on by the different heads of departments individually and in many cases by the District and junior officers and that there are serious complaints in this connection?

(b) Do Government propose to order the establishment of a "Subordinate Service Commission" on the Bombay, Baroda and Central India Railway on the lines of the one already existing on the North Western Railway? If not, why not?

The Honourable Sir Edward Benthall: (a) The answer to the first part is in the affirmative, and to the second part, in the negative.

(b) No. When the results of the experiment on the North Western Railway are available, Government will be in a position to consider the feasibility of establishing similar commissions on other Railways.

RE-EMPLOYMENT OF RETIRED GUARDS, DRIVERS, ETC.

188. ***Mr. Govind V. Deshmukh:** Will the Honourable Member for Railways please state:

(a) if the Guards, Drivers, Foremen and Loco Inspectors who retired some years ago have now been employed on the Railways; if so, why; and

(b) if he is aware of the discontent amongst the staff of the class mentioned above who were working before these retired men were taken up in service?

The Honourable Sir Edward Benthall: (a) I do not know the exact categories of staff but am aware that retired technical staff have been re-employed in their original posts.

(b) It is possible that some persons who hoped to achieve promotion to the particular posts feel discontented.

Mr. Govind V. Deshmukh: With regard to the latter part of (a), if guards and drivers have been employed, why so?

The Honourable Sir Edward Benthall: Because there is a great need for such people at the present time.

Mr. Govind V. Deshmukh: May I know if anything is being done to advertise for recruits and educate persons in this particular avocation?

The Honourable Sir Edward Benthall: Certainly. Recruitment goes on but retired technical people are of special value in times of stress.

Mr. Govind V. Deshmukh: May I take it that at this time the Government think that a sufficient number will not be coming forward to fill up the vacancies and to meet the necessary wants?

The Honourable Sir Edward Benthall: The percentage taken back is not very large and varies on different railways. Where the administrations have found it desirable to take back retired technical people of experience that has been done.

Mr. Govind V. Deshmukh: Am I right in thinking that the education necessary for these guards and drivers and foremen is such that a recruit cannot acquire within two or three months?

The Honourable Sir Edward Benthall: Experience is a most valuable thing.

DESIRABILITY OF FIXING RATES FOR WORKERS UNDER MILITARY SEWING WORK CONTRACTORS.

189. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable Member representing the Supply Department please state if it is or it is not a fact that the military sewing work is carried on at some places by Ordnance Factories, while at some places it is given to the contractors, who distribute it to sub-contractors and who in their turn get the work carried out by tailors?

(b) Is it or is it not a fact that the rates given to the contractors are more or less the same as are given directly to tailors in the Ordnance Factories? If not, what is the real condition?

(c) Is it or is it not a fact that in the contract system the real worker gets much less than what he would have got from Government directly?

(d) Is it or is it not a fact that Government have prescribed no margin of profit to the middlemen, with the result that they eat up most of the profit and the real worker gets much less?

(e) Is it or is it not a fact that this underpayment to tailors has resulted in great discontent amongst them, for example, at Agra the tailors had to take resort to strike even, and the number of tailors actually working had been reduced from 10,000 to 3,000 within the last few months?

(f) In view of the importance and urgency of the war work as well as the necessity of giving the actual worker his due, do Government consider the advisability of either getting all the work done through the Ordnance Factories or fixing a certain percentage of rates for the contractors which should be given to the actual workers? If not, why not?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) All materials are cut at Ordnance Clothing Factories and the cut components are issued to contractors for fabricating, except at Shahjahanpur where 75 per cent. of the output is made up by operatives working within the factory and at Sialkot where approximately 60 per cent. of the output is made up within the factory, the balance being obtained from contractors. In the majority of cases, contractors are responsible for having the cut components sewn under their own control. In some cases, sub-contractors are employed.

(b) The fabrication rates paid to contractors vary from Circle to Circle. Generally speaking, they are higher than the rates paid to tailors working in Ordnance Clothing Factories.

(c) Investigations carried out by Cost Accounting Officers show that in some cases a worker's earnings for garments are less when he works for a contractor than in cases where the work is done in a Government factory.

(d) No margin of profit has been prescribed for middlemen. This subject is under investigation by Labour Welfare Officers who have instructions to see that the complaints of operatives submitted through the Tailors Unions are fairly dealt with.

(e) Two small strikes have taken place at Agra; neither of which lasted for more than a few hours. The representations of the Tailors Union in Agra have been referred to the Labour Commissioner in the United Provinces.

(f) The question of centralizing this work in Ordnance Clothing Factories has been considered, but since the capacity of these factories is fully booked, and there is need for rapid expansion of clothing production to meet war demands, the utilisation of contractors is unavoidable. I do not consider it practicable to fix a percentage of the contract rates which shall be payable by the contractors to their employees. Every effort is, however, being made through the Labour Welfare Officers to remedy the grievances of operatives employed by the contractors.

Qazi Muhammad Ahmad Kazmi: What are the exact means which the Government contemplate taking so as to remedy the grievances of the operatives?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: The Labour Welfare Officers are looking into this matter, and the dispute is now before the Labour Welfare Officer and the Labour Commissioner of the United Provinces.

DESIRABILITY OF RAISING THE SALARY AND PRIVILEGES OF EXTRA DEPARTMENTAL SUB-POST MASTERS.

190. ***Qazi Muhammad Ahmad Kazmi:** (a) Will the Secretary for Posts and Air please state if it is or it is not a fact that Extra-Departmental Sub-Post Masters in the Postal Department are not allowed any casual leave, pension or gratuity and advantages of the Provident Fund, Life Assurance, etc., like the other staff of the Postal Department?

(b) Is it or is it not a fact that their scale of pay is ordinarily Rs. 20, 25 or Rs. 50, but in practice it never exceeds Rs. 80, and this includes contingency and house-rent, while the other Sub-Post Masters get Rs. 35—3—185 with extra contingency allowance and house-rent allowance?

(c) Is it or is it not a fact that the hours of duty of the Extra Departmental Sub-Post Masters are seven hours per day in addition to the time spent in conveyance to and from the Police Station or the Guard Room, etc., which takes one additional hour, while the hours of duty of the Departmental Sub-Post Masters are eight hours only?

(d) Is it or is it not a fact that the functions of both these officials are similar? If not, what is the difference between the two?

(e) In view of the patience of, and hard work that is carried out by the Extra-Departmental Sub-Post Masters, do Government consider the advisability of bringing their salary and other privileges on a level with that of the Departmental Sub-Post Masters? If not, why not?

Sir Gurnath Bewoor: (a) Yes, except that Extra-departmental sub-postmasters are eligible for the benefits of the Postal Life Insurance Fund.

(b) Extra-departmental Sub-Postmasters are not given any scales of pay. They are paid allowances which vary. Ordinarily the maximum is Rs. 30 but in exceptional cases Rs. 40 per month. The allowance covers expenditure on house-rent and contingency. Departmental Sub-Postmasters are on different time-scales of pay which vary according to locality. They get a contingent allowance but the house rent is met direct by the Department.

(c) No. The period of duty of Extra-departmental Sub-Postmasters has not been fixed; it varies in different offices and is generally less than that of Departmental Sub-Postmasters who have to perform duty for eight hours daily.

(d) The functions are similar but the difference lies in the volume of work performed.

(e) No, Sir. Extra-departmental Postmasters are generally persons who have independent sources of income apart from the emoluments they receive from the Posts and Telegraphs Department and in view of the comparatively light work which they have to perform. Government see no justification to raise the emoluments to the level of Departmental Sub-Postmasters. If in any office in charge of an Extra-departmental Agent the work increases, that office is converted into a Departmental office.

Qazi Muhammad Ahmad Kasmi: Is there any chance of promotion for these Extra-departmental Postmasters?

Sir Gurnath Bewoor: No, Sir. They are Extra-departmental Postmasters and nothing more.

Qazi Muhammad Ahmad Kasmi: What are the independent sources of income so far as the Government are aware of these gentlemen?

Sir Gurnath Bewoor: Some of them are pensioners, some are shopkeepers, some are zamindars.

Qazi Muhammad Ahmad Kasmi: If they work efficiently and have worked for a sufficiently long time, would not the Government consider the advisability of giving them the regular terms of Government service?

Sir Gurnath Bewoor: The whole essence of Extra-departmental Sub-Postmastership is that it is a cheaper arrangement where the work is light. If the work is heavy we employ departmental sub-postmasters.

DEATH OF TWO PERSONS HANGING ON THE FOOT-BOARD OF A TRAIN NEAR WADRI STATION.

191. ***Qazi Muhammad Ahmad Kasmi:** (a) Will the Honourable Member for Railways please state if the news of the death of two persons who were hanging on the foot-board of the 139 Up train, by dashing against the signal post near Wadri Station on the 3rd July, as published on page 4 of the *Hindustan Times*, Delhi Edition, dated the 5th July, 1943, has been brought to his notice?

(b) What steps, if any, do Government contemplate taking to stop the recurrence of such tragedies?

The Honourable Sir Edward Benthall: (a) Yes.

(b) I am satisfied that Railway staff do everything in their power to stop this unauthorised form of travel and I hope that the publicity given in this case will discourage the public from risking their lives in future.

Sardar Sant Singh: May I know if the Honourable Member has got information about the total number of deaths during last year, due to travelling on the footboards of railway carriages?

The Honourable Sir Edward Benthall: No.

Mr. Muhammad Nauman: May I know if the Honourable Member has information that such accidents have happened every day on every line, and have the Railway Board got any information that such accidents are happening on the E. I. Ry., B. N. Ry., N. W. Ry., etc.?

The Honourable Sir Edward Benthall: Yes. Travelling outside the carriage is, of course, an unauthorised form of travel and those who adopt that form of travel must accept responsibility for any accidents.

Mr. Muhammad Nauman: Are Government not prepared to take such action as will make it impossible for anybody to travel in such a manner, because if the passengers cannot understand things, it is the Government's duty to make them understand?

The Honourable Sir Edward Benthall: Well, Sir, it is really a most difficult thing to prevent passengers from getting on the outside of carriages if they want to do so. It is the guard's duty to stop them from doing so, but if the guard turns a single passenger off the carriage, and moves on to another carriage, the man merely gets on again behind him. If passengers will adopt this unauthorised form of travel, they must accept responsibility. It is impossible to put a sufficient number of men on the line, in these times, to stop them from doing so. This will hold up the train service still further.

Mr. Muhammad Nauman: Is not the railway competent to take action? To commit suicide is a crime, and if eventually the passenger is going to be killed, it is attempting to commit suicide and it is the Government's duty to see that such things do not happen.

Dr. P. N. Banerjea: Is not such travelling due to extreme congestion in the railway trains?

The Honourable Sir Edward Benthall: Yes.

Dr. P. N. Banerjea: What steps have Government taken to prevent or relieve to some extent such congestion?

The Honourable Sir Edward Benthall: Government have for some considerable time carried out a campaign asking people not to travel. It has had unfortunately very little effect.

An Honourable Member: Eat less, travel less . . .

The Honourable Sir Edward Benthall: If people persist in travelling in this manner, they must, as I have said before, take the consequence of their action.

Dr. P. N. Banerjea: People travel because of the need to travel. Travelling has become so inconvenient now-a-days that unless they find it absolutely necessary they do not travel.

Mr. K. O. Neogy: Does the Honourable Member realise that such a reply could not have been given by an Indian Member?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

BLOCK ON THE PROMOTION OF CERTAIN TYPISTS IN DIVISIONAL OFFICES.

192. ***Bhai Parma Nand:** (a) Will the Honourable the Railway Member be pleased to state if it is not a fact that the Railway Board have passed orders regarding the representation of minority communities (Communal proportion) to be applied to the appointments of stenographers by promotions from the ranks of clerks as well as by direct recruitment? If so, what is then left as the channel of promotion beyond grade II (Rs. 95/-) for typists in Divisional Offices, as they are not ordinarily taken as clerks in such offices?

(b) When in all Government Departments, such as Postal, Military, Civil, etc. no category of staff is blocked at the above rate of pay (Rs. 95/-), can it be

the intention of the Railway Administration to treat the typists in Divisional Offices as an exception?

(c) Is it not a fact that stenographers are termed as technical staff? If so, why is it that no combined seniority list of typists knowing shorthand in Divisions and Headquarters Office is prepared as has been done in the case of other technical staff, such as draftsmen?

The Honourable Sir Edward Benthall: (a) The answer to the first part is in the affirmative. As regards the second part, posts of higher grade Stenographers are open to grade II typists if they can achieve such promotion on merit subject to communal reservations.

(b) I am not aware of the position in other Departments but there is generally no justification on the basis of work for allotting a higher grade than grade II for typists.

(c) The answer to the first part is in the negative. The second part does not arise; but I may add that the question of having combined or separate seniority lists for Headquarters and Divisions is a matter of detailed administration within the discretion of the General Manager.

Mr. Lalchand Navalrai: May I ask what then is the prospect for these men when they reach Rs. 95?

The Honourable Sir Edward Benthall: I am afraid that unless they can qualify as stenographers there is a tendency for them to get blocked.

Mr. Lalchand Navalrai: Are they allowed to qualify themselves further?

The Honourable Sir Edward Benthall: Yes, as stenographers.

Mr. Muhammad Nauman: When they entered the service was there a definite undertaking that they would not go beyond Rs. 95?

The Honourable Sir Edward Benthall: I presume that they were aware of the conditions of service when they entered it.

SUPERSESION OF SENIOR CLERKS OF THE OFFICE OF DIVISIONAL SUPERINTENDENT, LAHORE.

193. ***Sardar Sant Singh:** (a) Will the Honourable the Railway Member please state the rules governing the promotion of clerks from lower grade to higher grade on the North Western Railway?

(b) Is it a fact that the section seniority is a normal course for promotion to the higher grade from grade I to grade IV? If so, is it a fact that persons occupying 16th, 17th and 20th places in the general seniority list of the office of the Divisional Superintendent, Lahore, have superseded the senior claimants? If so, does the Honourable Member propose to make enquiries and to redress the grievances of the superseded persons by asking the authorities to observe the rules?

The Honourable Sir Edward Benthall: (a) The principle is seniority subject to fitness in non-selection posts, and merit with due weight to seniority in selection posts.

(b) Promotion from Grade I to Grade II is generally made on a combined seniority list for the whole office and to Grade III and IV on a branch seniority list. As regards the second part, it is not understood which seniority list is referred to. I understand however that certain promotions not in the strict order of seniority have been made to temporary posts created in connection with Grain Shops. As these have been made on the basis of suitability, I do not propose to take any action.

Sardar Sant Singh: May I ask the Honourable Member if suitability is a condition of promotion, why in a particular case senior Sikhs and Hindus have been superseded by a junior Muslim?

The Honourable Sir Edward Benthall: In this case that is not a correct statement of fact. The facts are that two clerks and not three were promoted from Grade II and one was a Hindu and one was a Muhammadan. They were promoted for work in connection with the starting up of the Grain Shops.

Sardar Sant Singh: May I ask if it is not a fact that Sikhs have been superseded who are 4 and 5 in the list and whose turn it was to be promoted according to seniority?

The Honourable Sir Edward Benthall: This was a special case where suitability was the main criterion.

Sardar Sant Singh: May I ask the Honourable Member if he will direct the General Manager not to make this a precedent but to promote the Sikh to that post?

The Honourable Sir Edward Benthall: This is a special case in connection with the starting of the new grain shops.

Mr. Muhammad Nauman: Is it a fact that Mussalmans have been superseded before this on the question of efficiency?

The Honourable Sir Edward Benthall: I expect that both Hindus and Mussalmans were superseded in this case.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

MINIMUM QUALIFICATIONS FOR RECRUITMENT OF CLERKS FOR NORTH WESTERN RAILWAY HEADQUARTERS OFFICE, LAHORE.

194. *Mr. H. M. Abdullah: (a) Will the Honourable Member for Railways please state: (a) whether he has seen the advertisement which appeared in the *Civil and Military Gazette*, dated the 26th March, 1943, issued by the North Western Railway Subordinate Service Commission, inviting applications for recruitment of clerks for the North Western Railway Headquarters Office, Lahore;

(b) Whether it is a fact that the minimum qualifications shown in the advertisement were Matriculation, Second Division;

(c) Whether it is a fact that on other State-Managed Railways no condition of Division is imposed and the minimum qualifications are a pass in the Matriculation Examination of a recognised University or the Junior Cambridge or equivalent Examination as laid down in Rule 56 of Appendix II to State Railway Establishment Code, Volume I;

(d) Whether it is a fact that due to the pitching of minimum qualifications as Second Division matriculates, a sufficient number of Muslim candidates possessing the requisite qualifications could not be secured; and

(e) If the reply to parts (a), (b), (c) and (d) be in the affirmative, whether Government propose to take up with the North Western Railway Subordinate Service Commission the question of fixing the minimum qualifications in the case of clerks?

The Honourable Sir Edward Benthall: (a) and (b). Yes.

(c) I have no information about all Railways but am aware that some Railways only prescribe a pass in Matriculation or equivalent examination. It is, however, open to a railway to prescribe a qualification higher than that laid down in Appendix II of the State Railway Establishment Code, Volume I, if it considers such a course desirable.

(d) I understand that the difficulty experienced in obtaining the required number of Muslim recruits has in some cases been attributed to the reason referred to by Honourable Member.

(e) No, because the qualifications are prescribed by the Railway administration, who, as I stated, are entitled to fix them higher than those laid down in the Code. I understand, however, that where serious shortages occurred, the North Western Railway lowered the qualification to Matriculation III division.

Mr. Muhammad Nauman: May I know whether the Honourable Member is aware of any other railway where it did say a certain division, and is it not a fact that in the case of Christians and Anglo-Indians the only qualification required was a working knowledge of English?

The Honourable Sir Edward Benthall: I should require notice.

Mr. Muhammad Nauman: You have notice of that in this question because naturally when a question is asked, you do not want that we should state all the arguments there?

The Honourable Sir Edward Benthall: I suggest that if the Honourable Member wants more information he should put another question.

Mr. Lalchand Navarai: If the qualification is lowered, as the Honourable Member said, in some cases, was it to give place to the Mussalmans to the disadvantage of Hindus?

The Honourable Sir Edward Benthall: No. It is entirely at the discretion of the railway administration, and, as far as I am aware, it is equitably administered.

Mr. Muhammad Nauman: Is it not a fact that it was done just to give them their share as fixed by the Home Department?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

RECRUITMENT OF TICKET COLLECTORS, GRADE I, ON NORTH WESTERN RAILWAY.

195. ***Mr. H. M. Abdullah:** Will the Honourable Member for Railways please state:

(a) whether he has seen the advertisement for recruitment of Ticket Collectors, Grade I, on the North Western Railway, which was issued by the North Western Railway Subordinate Service Commission and which appeared in the *Civil and Military Gazette*, dated the 4th March, 1943;

(b) whether it is a fact that, out of the 35 vacancies, 21 vacancies were reserved for Muslims, nine for Anglo-Indians and one was available for Hindus; and

(c) if the reply to part (a) be in the affirmative, what is—

(i) the total number, separately, of applications received from each community;

(ii) the number of candidates selected by the Commission for interview;

(iii) the number of candidates finally selected by the Commission; and

(iv) the number of candidates to whom free Railway Passes were issued to attend the selection at Lahore?

The Honourable Sir Edward Benthall. (a) Yes.

(b) Yes, one unreserved vacancy was open to all communities including Hindus.

(c) (i) Muslims 412, Hindus 167, Other Minority Communities 54, Anglo-Indian 1.

(ii) 364 (Muslims 236, Hindus 89, Other Minority Communities 39).

(iii) 76 (Muslims 39, Hindus 25, Other Minority Communities 12).

(iv) 299, the remaining 65 candidates selected for interview were local men.

PROMOTION OF A NON-MUSLIM GRADE III CLERK AS STENOGRAPHER ATTACHED TO D. G. M. P., NORTH WESTERN RAILWAY HEADQUARTERS OFFICE, LAHORE.

196. ***Mr. H. M. Abdullah:** Will the Honourable Member for Railways please state:

(a) whether it is a fact that sometime in 1930 it was decided that the stenographer, Grade IV, attached to the C.P.O. (now D.G.M.P., North Western Railway Headquarters Office, Lahore) should be borne on the cadre of the Personnel Branch of that office;

(b) whether it is a fact that the then incumbent of the post was subsequently selected and appointed as a Head Clerk of the Personnel Branch, that the post of Grade IV vacated by him was filled by a non-Muslim who was substantively in Grade I, and that the claims of the Muslim Grade III Clerks employed in the Personnel Branch, Headquarters Office, were ignored;

(c) whether it is a fact that the claims of the Muslim Grade III Clerks, referred to in part (a) above, were ignored on the plea that the post though borne on the cadre of the Personnel Branch was reserved for a clerk-cum-steno, and that the representation made by them was rejected;

(d) whether it is a fact that in 1942 Grade IV post of a stenographer again fell vacant, and that the non-Muslim D.G.M.P. promoted a Grade III clerk of the Personnel Branch to Grade V against the said post without imposing the condition of steno-typist;

(e) whether it is a fact that the non-Muslim D.G.M.P. is utilising the previous incumbent of the post as his stenographer who is now in Grade V, and that a non-Muslim Grade III Clerk, who was promoted to Grade IV against that post, is not doing any stenography work; and

(f) if the reply to parts (a), (b), (c), (d) and (e) be in the affirmative, what the reasons are for imposing different conditions when considering the claims of Muslims and non-Muslims for promotion to one and the same post, and what action Government propose to take for safeguarding the interests of Muslims in such cases?

The Honourable Sir Edward Benthall: (a) No, the decision referred to was taken in 1932.

(b) The reply to the first two parts is in the affirmative; as regards the third part, there was no question of ignoring the claims of the Grade III Muslim clerks as none of them possessed the prescribed qualification.

(c) Yes.

(d) Yes, when the then incumbent of the post who was a Muslim was transferred to the Railway Board's office. As regards the second part, a clerk of the Establishment Branch was appointed temporarily against the post in Grade IV, not grade V as stated in the question, but subsequently it was decided to allow him the higher grade only during the periods he would have officiated in the higher grade in the Branch.

(e) A previous incumbent of the post is occasionally used by the Deputy General Manager, Personnel, as stenographer when office stenographers are not available. The reply to the second part is in the affirmative.

(f) Different conditions have not been imposed when considering the claims of Muslims and non-Muslims for the post. The qualifications laid down for the post have to be changed when the requirements of the service so demand. Government can see no necessity for taking any special action.

Mr. Lalchand Navalrai: Is it a fact that they are first made temporary and then made permanent and in that way they supersede the others—the permanent people?

The Honourable Sir Edward Benthall: No Sir, I do not think that is the case. If the Honourable Member will care to give any instances, I will look into them.

Mr. Muhammad Nauman: Was it not possible to get any Muslim in the same grade?

The Honourable Sir Edward Benthall: No, Sir. There was no individual with the required qualification of clerk *cum* stenographer.

MUSLIM REPRESENTATION IN APPOINTMENTS OF HEAD CLERKS, GRADE V AND ABOVE, ON NORTH WESTERN RAILWAY.

197. ***Mr. H. M. Abdullah:** Will the Honourable Member for Railways please state:

(a) whether it is a fact that an undertaking was given to this House on the 24th and 25th February, 1931, that due regard to the adequate number of Muslims will always be given while making appointments to the posts of Staff (Personnel) Officers, Office Superintendents and Head Clerks on the State-managed Railways; and

(b) if the reply to part (a) above be in the affirmative, how far the undertaking has been implemented in filling the appointments of Head Clerks, Grade V and above, on the North Western Railway, since 1931—the communal composition of Head Clerks, Grade V and above (excluding Superintendents) as it stood on the 31st March, 1931, 1939, and 1942, be given separately of each branch and office?

The Honourable Sir Edward Benthall: (a) The statement made in the House in 1931 was that it was Government's desire to see the Muslim community adequately represented in such posts when suitably qualified and senior employees belonging to that community were available.

(b) I have no reason to believe that the administrations have not been implementing this desire of Government. I regret, however, I cannot undertake under present conditions to collect the information required by the Honourable Member.

Mr. Muhammad Nauman: Is the Honourable Member prepared to send a circular once more to the railways reminding them that they should keep this in mind? We are afraid that they are not keeping it in mind.

The Honourable Sir Edward Benthall: I am informed that they are.

UNSTARRED QUESTIONS AND ANSWERS.

PROMOTION OF WORKS CLERKS IN THE RAILWAY BOARD SCHEME FOR RELIEF OF GRADE I STAFF ON NORTH WESTERN RAILWAY.

37. Mr. Lalchand Navalrai: (a) With reference to the Honourable the Railway Member's reply to my starred question No. 307, asked on the 15th March, 1948, in regard to promotion of Works Clerks in the Railway Board's 1941 Scheme for relief of Grade I staff on the North Western Railway, will he be pleased to state which authority grouped the three categories of staff Nos. 11, 12 and 13, referred to in the Railway Board's letter of September 1941? If the above categories were grouped by the Railway Board, does the Honourable Member propose to lay a copy of the letter on the table of the House?

(b) Has relief been given to all the three categories of staff, viz., Works Clerks, Time Keepers, and Assistant Sub-Divisional Clerks? If so, does the Honourable Member propose to lay a statement giving information for each division and category, separately?

(c) If the Works Clerks and Time Keepers were borne on the common seniority list as stated in reply to part (d) of question No. 307, asked on the 15th March, 1948, how does the Honourable Member reconcile this with the opening sentence of paragraph 3 of the General Manager's Circular letter No. 522-E/442, dated the 30th June, 1942, that it was proposed to have a common seniority list for the future?

(d) In view of the statement by the General Manager referred to in part (c) above, is it proposed to give relief to Works Clerks as a separate category in the Railway Board's scheme for relief, and to amalgamate the seniority, if so desired, only with effect from the date of issue of the General Manager's letter of the 30th June 1942? If not, why not?

The Honourable Sir Edward Benthall: (a) Government are not prepared to discuss details contained in correspondence between them and their subordinate offices.

(b) Relief has been given as a whole to the three categories specified. Government have no information of the individual promotions made.

(c) Government are not aware that any discrepancy exists.

(d) Does not arise.

ALLOCATION OF EXPENDITURE ON NORTH WESTERN RAILWAY MEDICAL DEPARTMENT.

38. Mr. Lalchand Navalrai: (a) With reference to the Honourable the Railway Member's reply to unstarred question No. 40, asked on the 2nd March, 1948, in regard to the money spent on the Medical Department of the North Western Railway, will he be pleased to state whether, in view of the abnormal rise in prices of medicines, medical stores etc., it is a fact that adequate medical relief is not being provided on the North Western Railway, although there is an average expenditure of 7 or 7½ pias per patient per day? What steps are proposed to be taken to meet the situation?

(b) In view of the fact that 81 per cent of the total expenditure is appropriated by the "Personnel" of the Department and 19 per cent is left for medicines, equipment, contingency, diet, etc., is it proposed to revise the allocation of expenditure? If not, is it proposed to make allotment of extra funds? If not, why not?

The Honourable Sir Edward Benthall: (a) No.

(b) No; but if the necessity to increase the provision for medicines should arise, the necessary funds will be provided.

LEAVE RESERVE FOR THE EMPLOYEES IN SUBORDINATE SERVICE IN KARACHI DIVISION.

39. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that the employees in the subordinate service in the Karachi Division of the North Western Railway experience difficulty in getting leave? If so, why?

(b) Is it proposed to increase the leave reserve to ensure actual grant of leave to employees? If not, why not?

(c) If the reply to the first portion of part (a) above be in the negative, how is it that some of the employees proceed on leave without its previous sanction?

(d) How is such absence treated?

(e) How many instances of the employees availing themselves of leave in the manner referred to in part (c) have happened during the half year ending the 30th June, 1948, and what is the number of employees belonging to each community so involved?

(f) How is it proposed to remedy the situation created by the unauthorised leave taken by the staff?

The Honourable Sir Edward Benthall: (a) Government are informed that on the N. W. Railway in general the position regarding leave to subordinate staff is satisfactory and that the Karachi Division is no exception.

(b) No, because it is considered adequate.

(c) Absence without leave is not necessarily the result of inadequate leave reserves.

(d) Each case is dealt with on its merits.

(e) 31 subordinates, Muslims 19, Hindus 8, Sikhs 3 and Anglo-Indian 1.

(f) The disciplinary aspect will be examined. No other special action is called for.

PASS PRIVILEGES FOR ADOPTED CHILDREN OF A NORTH WESTERN RAILWAY EMPLOYEE.

40. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether the adopted children of an employee of the North Western Railway are entitled to pass privileges?

(b) Is it a fact that such passes are not allowed to an adopted son if the employee has his own daughters?

(c) Is the Honourable Member aware that a son can be adopted by a person even if he has his own daughters? If so, why are passes refused to adopted sons in that case?

(d) Is it proposed to bring Railway rules in conformity with the law on "Adoption"? If not, why not?

The Honourable Sir Edward Benthall: (a) and (b). The pass privilege is admissible to one adopted child, irrespective of whether the employee has or has not natural-born children of his own.

(c) and (d). In view of the reply to (a) and (b) I have assumed no reply is required to (c) and (d).

COMMUNAL PERCENTAGE OF OFFICERS ATTACHED TO THE DIVISIONAL OFFICE, MORADABAD.

41. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways be pleased to state:—(a) the strength of the senior and junior scale officers of all branches (including Medical, Accounts, Engineering) attached to the Divisional Office of the Moradabad Division of the East Indian Railway; and

(b) what the percentage is of Europeans, Anglo-Indians, Muslims and Hindu officers therein?

The Honourable Sir Edward Benthall: (a) and (b). The attached statement gives the required information.

Statement showing the communal composition of Senior and Junior scale officers on the Moradabad Division.

Department.	No. of Officers.														
	Junior Scale.					Senior Scale.					Total.				
	Hindus.	Muslims.	Europeans- Anglo-Indians.	Parsis.	Total.	Hindus.	Muslims.	Europeans- Anglo-Indians.	Parsis.	Total.	Hindus.	Muslims.	Europeans- Anglo-Indians.	Parsis.	Total.
1. Civil Engineering	2	...	1	...	3	2	...	...	...	2	4	...	1	...	5
2. Signal Engineering	...	...	...	...	...	...	...	1	1	...	...	...	1	1	
3. Transportation (Traffic) and Commercial	1	...	...	...	1	1	1	...	2	2	...	1	...	3	
4. Transportation (Power) and Mechanical Engineering Department	1	1	...	...	2	...	...	1	1	1	1	1	...	1	3
5. Medical	...	...	...	...	1	...	...	...	1	1	...	...	...	1	
6. Accounts	...	...	...	...	1	...	...	...	1	1	...	...	...	1	
7. Personnel Branch	...	...	...	...	1	...	...	...	1	1	...	...	...	1	
Total	4	1	1	...	6	6	...	1	1	8	9	1	2	1	14
Percentage										64.4	7.1	14.3	7.1	7.1	100

HINDU AND MUSLIM HEAD CLERKS IN DIVISIONAL OFFICE, MORADABAD.

42. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please state: (a) What the strength is of the Head Clerks of the various Branches of the Divisional Office of the East Indian Railway, Moradabad; and

(b) How many amongst them are Hindus, Muslims and others?

The Honourable Sir Edward Benthall: (a) and (b). Information has been called for and a reply will be laid on the table of the House in due course.

COMMUNAL REPRESENTATION IN CERTAIN STAFF OF THE MORADABAD DIVISION.

43. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please state: (a) What the strength is of the staff in the grades rising upto Rs. 250 in the Moradabad Division of the East Indian Railway; and

(b) how many amongst them are Europeans, Anglo-Indians, Hindus, Muslims, Parsis, Sikhs and others?

The Honourable Sir Edward Benthall: (a) and (b). Information has been called for and a reply will be laid on the table of the House in due course.

MUSLIM CONTRACTORS IN ENGINEERING BRANCH OF THE MORADABAD DIVISION.

44. **Mr. Muhammad Azhar Ali.** Will the Honourable Member for Railways please state the strength of the Muslim Contractors on the approved list of the Engineering Branch of the Moradabad Division of the East Indian Railway during 1940, 1941 and 1942, and what their strength is now in 1943?

The Honourable Sir Edward Benthall: The information asked for is not available.

GRIEVANCES OF PILGRIMS TO ROORKEE DURING *Urs Sharif* OF PIRAN KALIAR.

45. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please state what restrictions were imposed by the Railway Department on pilgrims to Roorkee during the *Urs Sharif* of Piran Kaliar this year?

(b) What was the estimated gathering, and what was the actual gathering that travelled by rail?

(c) Is it a fact that the intending passengers to Roorkee had to buy tickets for longer distances in order to reach Roorkee?

(d) What extra income was made by the Railway on account of this extra expenses incurred by the passengers in buying tickets for longer distances?

(e) Is it a fact that tickets were not issued from Booking Offices for Roorkee and so people were compelled to travel without tickets and thus had to pay fine on their arrival at Roorkee?

(f) How much excess fare and fine charges were recovered during the *Urs Sharif*?

The Honourable Sir Edward Benthall: (a) A restriction was imposed not by the Railway Department but by the Government of the United Provinces under the Defence of India Rules, prohibiting carriage by rail to certain specified stations of persons intending to take part in Piran Kaliar *mela* at Roorkee.

(b) The number of passengers during the period of *mela* with restriction in operation, was estimated at approximately 5,000. The actual number of passengers by rail, however, was about 12,000.

(c) A large number of passengers evaded the restriction by buying tickets to stations beyond the restricted zone and detraining at Roorkee.

(d) Information is not available.

(e) During the restricted period—13th March, 1943, to 23rd March, 1943,—tickets were not issued by stations to Roorkee except to persons who could satisfy the Railway Administration that they were going to Roorkee otherwise than for the purpose of taking part in the fair. As at all times, passengers detected arriving at Roorkee without tickets, were charged the fares and the excess charges recoverable under the Railway Rules.

(f) The total amount on account of excess charges so recovered from 12th March, 1943, to 23rd March, 1943, is about Rs. 2,500.

GRIEVANCES OF PILGRIMS TO ROORKEE DURING *Urs Sharif* OF PIRAN KALIAR.

46. Mr. Muhammad Azhar Ali: (a) Will the Honourable Member for Railways please state whether it is a fact that no restrictions were imposed on pilgrims to Hardwar during the various *melas* held in 1943?

(b) What various *melas* have taken place at Hardwar during this year (1943), and what was the total gathering on each occasion?

(c) Are Government aware that the ordinary interests of the travelling public belonging to the Muslim community are not properly looked after?

(d) Is it a fact that during the return of pilgrims from Roorkee, tickets were indiscriminately sold and no proper arrangements were made for the clearance of passengers resulting in injuries to ladies and children due to overcrowding?

(e) Is it a fact that the Railway officials were vindictive towards the pilgrims because they had come contrary to the orders of the Railway Administration and so they treated them very harshly and denied them the ordinary facilities like drinking water, etc.?

(f) What was the total number of passengers who returned by rail from Roorkee?

The Honourable Sir Edward Benthall: (a) Yes.

(b) The *melas* held at Hardwar and the total number of passengers (inclusive of the normal regular passenger traffic) are given.

Name of <i>Mela</i> .	Dates of <i>Mela</i> .	Total rail traffic in 1943.
Lohri and Makar Sankranti	11th to 17th January, 1943.	10,509
Sivaratri	1st to 7th March, 1943.	Figures not available.
Dikhauti or Baisakhi	12th to 18th April, 1943.	21,039
Gurukul anniversary	23rd to 26th April, 1943	7,903
Dashehra Jaith	10th to 15th June, 1943	25,861
Sawan <i>mela</i>	17th July to 16th August, 1943.	<i>mela</i> still not over.

(Pooranmashi *Mela* is held every month at Hardwar but the gathering in this connection is not considerable and figures of traffic for these monthly *melas* are not maintained.)

(c) No.

(d) Tickets during the outward rush from Roorkee at the end of the *mela* were sold in accordance with the available room on trains as ascertained from enquiries made over the Control telephone, in respect of each train. Clearance of passengers was thus regulated and tickets were not issued indiscriminately. No case of injuries on account of overcrowding came to notice and none has been reported to the railway authorities.

(e) No. All reasonable amenities were available at the station. Drinking water arrangements in particular were adequate, 13 additional watermen being provided at Roorkee during the *mela* period.

(f) The total outward traffic from Roorkee from 12th March, 1943 to 23rd March, 1943—the period of the *mela*—was 25,000 passengers.

PARTIES SUPPLIED WITH MACHINERY FOR CHEMICAL INDUSTRIES AND PRODUCTION OF POWERALCOHOL.

47. Mr. K. C. Neogy: Will the Honourable Member representing the Supply Department be pleased to refer to Starred Question No. 278, dated the 10th March, 1943, and Starred Question No. 413, dated the 29th March, 1943, and furnish a statement giving—

(a) the names of parties to whom the machinery connected with the Chemical Industry is being allocated, together with the approximate cost of such machinery, and the kind of chemical expected to be manufactured in each case; and

(b) the names of the parties to whom the plant and machinery for the production of power alcohol may have been supplied, together with the approximate cost of the said plant and machinery in each case?

The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar: (a) No machinery has yet been allocated to the Chemical Industry. The second and third parts of the question do not arise.

(b) No plant and machinery for production of power alcohol has been supplied to any firm. The second part of the question does not arise.

COMMITTEE ON PETITIONS.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that under sub-order (1) of Standing Order 80 of the Legislative Assembly Standing Orders the following Honourable Members will form the Committee on Petitions, namely: (1) Syed Ghulam Bhik Nairang, (2) Mr. M. Ghiasuddin, (3) Sardar Sant Singh, and (4) Mr. N. M. Joshi.

According to the provision of the same Standing Order the Deputy President will be the Chairman of the Committee.

STATEMENT OF BUSINESS.

The Honourable Sir Sultan Ahmed (Leader of the House): May I be permitted, Sir, to make a statement? The progress made with the current agenda in the last two days has been disappointingly slow and even allowing for the fact that my Honourable Colleague the Commerce Member has decided to defer the moving of his Resolution on devastated areas to the next Session, it is clear that if we adhere to present arrangements, little, if any, time will be available on Monday and Tuesday next week for the food debate. We understand that the House as a whole would be most averse to the relegation of the food debate to days later than Monday and Tuesday. We, on the other hand, could not acquiesce in the deferment of outstanding items of legislative business to days later than Monday and Tuesday. In the circumstances, Sir, we propose to defer the discussion of the war situation from tomorrow to Wednesday in next week and His Excellency the Governor General has indicated his willingness to cancel the allotment of Friday in this week for non-official Resolutions and to allot Thursday in next week in lieu of that day. Consequentially, we will proceed with the items on the current agenda tomorrow and on Friday, and I would earnestly appeal to all sections of the House to co-operate in securing such progress as will leave the whole or at all events the greater parts of Monday and Tuesday next week available for the debate on the food position. In view of these proposals, I would request you, Sir, to direct the House to sit on Wednesday in next week for the transaction of official business.

Mr. President (The Honourable Sir Abdur Rahim): I direct that on Wednesday next week Assembly will sit to transact official business.

THE DELHI UNIVERSITY (AMENDMENT) BILL.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume further discussion on the motion that the Bill further to amend the Delhi University Act, 1922, as reported by the Select Committee, be taken into consideration.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, the complaint has been made just now by the Honourable the Leader of the House that the work in the Assembly is going on slow.

Mr. President (The Honourable Sir Abdur Rahim): I am sure the Honourable Member will not make it slower.

Mr. Lalchand Navalrai: But it should be acknowledged that all that we are trying to do is very essential; it is a very important piece of work. Therefore, we should not be charged with anything. I can immediately make one promise that I will not waste the time of the House. I will curtail my speech as much as I can and I will touch only on essential points. I have no intention of coming in the way of other Honourable Members who wish to speak on this very important measure. I should like those Honourable Members, especially non-officials, who were on the Select Committee to come forward and say how they have accepted all the propositions contained in this Bill.

I was saying yesterday when the House rose for the day that no opportunity is given to the University to express its opinion on this Bill which introduces all sorts of innovations in the present structure. Since then a promise was made that it will be done. Today a pamphlet was put into my hands which contains the opinions of the University of Delhi. From this I find that the University itself is in favour of many of the amendments that are embodied in the Bill. I shall not deal with them now. They will come in their own turn. But reading the minutes of the meeting of the Delhi University, I find that they also say that the initiative for the appointment of the Vice-Chancellor should proceed exclusively from the University, that it should be at their instance and not on the motion of the Chancellor.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member said all that yesterday.

Mr. Lalchand Navalrai: Now coming to the other question, namely, three years degree course, I must say that I do not agree with what the University says. I do not find here what actually the Court of the University said on this Bill. I do find what the executive council has said. There is no doubt that the executive council have agreed with the Government in giving a trial for three years degree course. But allow me, Sir, to say that this opinion is not frank. This opinion was influenced, rather they were cowed down by higher authorities to give their assent to three years degree course. I have also some experience of how opinions are obtained in the University. I have very bitter experience.

Mr. President (The Honourable Sir Abdur Rahim): I do not think the Honourable Member is justified in imputing motives to people who are not here to defend themselves.

Mr. Lalchand Navalrai: I only say why they have given the opinion. I am entitled to give my reasons why they have given such opinion.

Mr. President (The Honourable Sir Abdur Rahim): But the Honourable Member is imputing motives.

Mr. Lalchand Navalrai: I say the opinion they have expressed is not frank. Am I not entitled to do so?

Mr. President (The Honourable Sir Abdur Rahim): That is a different matter.

Mr. Lalchand Navalrai: With regard to three years degree course, I would ask the House to give consideration to the practical difficulties in the way. What is the present course? First of all there is the Matriculation. Then there are four classes in the College. First year—F.A., then the Intermediate and then two years B.A. The change that is introduced now is the preparatory course for one year and then three years degree course. That again comes to four years, just as it is four years now. They are changing the name of Intermediate into preparatory. But the difficulty is this. At present if a student passes the Intermediate, he can get admission into the medical course or the engineering course or the B.A. or B.Sc. course. What will be the course left for the boys who gets through the preparatory course? First of all he passes the matriculation, and afterwards he passes the higher standard. All this will be in the school. When he goes to the college, he appears for the preparatory course. Then he remains for three years more to get a degree. After this preparatory course, a boy cannot get admitted to the engineering or the medical course, he can only go to the polytechnic course which has been newly created in Delhi. After passing the preparatory examination, if the boy goes to any other University, he will not be considered to have passed the Intermediate. I am told that Government is recognising the polytechnic course. But this applies only to Delhi area and not to other Universities. If Government say that a boy who passes the preparatory course in Delhi will be admitted to engineering, medical and other courses in other Universities, then that is a different matter. Otherwise, the boys will be at a great disadvantage, if they go to other Universities. Does not this disturb the whole system of education in India? Of course, if the boy after passing the preparatory comes back to the Delhi University, of course there is no medical course here nor engineering course. They will be taken only to the B.Sc. course. I submit these difficulties should be looked into. It is no use saying this is a better system than the present one.

The second point is this that all that the University wants to do in Delhi it can do by retaining the intermediate class under the present system and under the present law, and therefore that will be better because I do not find much difference except with reference to the preparatory ways of preparation between the two systems. My submission is that it is not necessary to make this amendment in order to introduce the new three years' degree course, but even under the original clause of the Act this scheme can easily be introduced.

Now when the Government of India originally proposed to the University to consider the matter it never suggested that the Act should be amended because it was believed that it could be introduced without any amendment. I hope I am correct in that. The present Vice-Chancellor came to believe that it was necessary to abolish the intermediary examination and it is this that is responsible for the amendment of this section, but even the proposed amendment does not abolish the intermediate examination. For the purposes of admission to a degree course, another examination for the purpose is being added.

Mr. President (The Honourable Sir Abdur Rahim): What is the Honourable Member reading from?

Mr. Lalchand Navalrai: I am reading my own notes. I think I am entitled to make notes?

Mr. President (The Honourable Sir Abdur Rahim): Yes, as part of his speech.

Mr. Lalchand Navalrai: The new three years' degree course can be introduced under the existing Act as follows. Admission to the college can be made after the matriculation examination as at present. The college can have an examination at the end of the first year and the courses of study can be made complete in themselves as at the University of Bombay. The students can then be prompted to the next higher class in that university. The following three years of college life can be organized on a single basis as is proposed in the University of Delhi with courses extending over three years. The University can hold an examination at the end of one year and call it Part I or the Intermediate, and then after two years further study a student can take his degree. This would necessitate the least dislocation with the existing organisation of university education all over the country and students can migrate from and to this university without difficulty. Nor will there be any problem of admission provisional or otherwise after the intermediate, which in a number of Indian universities is an admission stage to the courses. My object is this that the similarity between the two systems requires no amendment.

I will now proceed with one or two other matters with reference to the statutes. The first amendment relates to the constitution of the Executive Council and follows the recommendation made by the university itself, namely that the two Professors should be elected by the Academic Council and the women co-opted by the Executive Council. This would reduce the number of the nominations by the Chancellor. We have no objection to two ladies being taken on in the university but what we say is this that they should not be nominated. In these days nomination is not a proper way of doing things. Further, we say let them be co-opted by the Academic Council and be members of that body.

Coming to the other point with regard to the constitution of the Selection Committee, I think, and all colleges agree, that it is a slur on them to lay down in a statute that a person elected by the Academic Council shall not be connected with any college. The existing statute gives each college representation on the Selection Committee. It would be very wrong to say that there should be no one taken from the other colleges. At present the system goes on and I think it will be depriving them of the representation that they have.

There is a suggestion that teachers on the Staff Colleges be recognised in accordance with their qualifications and what is being done at present is different. Neither the Selection Committee nor the Executive Council should be carried away by personal considerations. I believe some safeguard for teachers is necessary. It is not enough that an appeal should lie to the Chancellor.

Then I come to the withdrawal of the recognition of the colleges. Under the existing statute recognition cannot be withdrawn except with the approval of the Court. As this is not proposed, the Executive Council is to exercise this power. There should be some statutory safeguard that this power will not be abused. It is not enough that an appeal should lie to the Central Government. The least that would meet the case is that the decision of the Executive Council to withdraw recognition be made by not less than by two-thirds

[Mr. Lalchand Navalrai.]

of the majority. I have one suggestion here. I find that the question of suzerainty of the authority over the university is being confined and given to the Executive Council. Well, Sir, I do not like that. The Court should not be ignored. The Court should be given the powers of suzerainty. The Court should be the final authority on university questions. As a matter of fact we find matters of much less importance are given to the Court, *e.g.*, the withdrawal of the degrees and diplomas. Is it that it is easy to get a decision from the Executive Council, or is it that the Chairman or the Vice-Chancellor seeing that he has a few members to deal with feels that it will be easy for such a provision to be made? Therefore, I am submitting that the Court's powers should not be reduced. May I show a justification for that? Under section 17 of the present Act, we find that the first authority that has been put down by the Legislature is the Court, and then the Executive Council, the Academic Council and the others.

One other matter and I am done. It is the withdrawal of the degrees and diplomas. Under the existing ordinance the services of a teacher in the employ of the university can be dispensed with only by the decision of two-thirds of the members of the Executive Council present at the meeting, and this is a part of their agreement of service. It would be extraordinary if a college can dismiss by a bare majority as it is now proposed.

These are the difficulties we have. Many more will come forward from the other Members. As I said, I have no intention unnecessarily to go on and I mean no slur or any reflection. I have only frankly stated things which have not been so stated by the university authorities.

Khan Bahadur Sheikh Habibur-Rahman (Nominated Non-Official): Sir, this is an amending Bill regarding the University Act of an unfortunate province which has been unrepresented in this House for a long time. I belong to this province and since I am present here today it is my duty to express my views regarding this Bill. The motion before the House is that the Report of the Select Committee be circulated for the purpose of eliciting public opinion thereon. I feel that it will be delaying things and no useful purpose will be served if we circulate the Bill for eliciting opinion. Honourable Members of this House must be aware that there are three kinds of universities in the country,—affiliated, unitary and federal. So far as the Delhi University is concerned it is federal, and I understand that there is no other federal university in the whole country except Delhi University. Naturally, therefore, the Act, statutes and ordinances of a federal university must be different from those of the other universities in the country.

Mr. Lalchand Navalrai: How is it federal? What do you mean by that?

Khan Bahadur Sheikh Habibur-Rahman: Of course it is federal. Therefore, as I said, its statutes, etc., must be different from those of other universities; and I therefore do not see any reason why the opinions of the other universities which are working on different lines should be called for. That is one ground of my opposition to this motion.

Sir, I was not a Member of this House when this Bill came up last time but what I have gathered from the speeches of Honourable Members is that there were several controversial points including four major points. One was regarding the appointment of a whole-time salaried Vice-Chancellor, another with regard to the three-years degree course, third with regard to additional four nominations on the Executive Council and the fourth about the power of granting and withdrawing recognition of colleges by the Executive Council. After going through the Report of the Select Committee I feel that the members of that committee have gone into all these questions irrespective of the fact whether they are major or minor, and they have made several amendments in the original Bill. I therefore see no reason to delay this measure and circulate the Bill for eliciting opinion. I understand that this is a step which the Delhi University have

taken for the betterment and development of this university and I am sure Honourable Members will agree with me that delaying the passing of this Bill will mean delaying the betterment and the development of the university itself. I therefore request and appeal to all Honourable Members not to oppose this Bill for the sake of opposition or for the sake of delaying it.

Sir, I oppose the motion.

Mr. J. P. Sargent (Government of India: Nominated Official): Sir, I must admit that I rise this morning in a somewhat shaken condition to address this House. This is partly due to the natural nervousness of a very new Member speaking in this Assembly only for the second time but my agitation on that account is less than it would otherwise have been because I have a very lively recollection of the kindness and indulgence with which I was listened to by Members of all parts of the House on the previous occasion. My second cause for agitation arises from the spate of amendments which in spite of the labours of the Select Committee this measure has provoked. When I was listening yesterday to the Honourable the Mover of the amendment for circulation speaking so feelingly about the hardships of examinations and advocating so warmly the compartmental system, I wondered whether he was going on to suggest that the amendments for which he himself is responsible should be taken on the compartmental system. But my main reason for agitation is that it has been suggested both on this occasion and on the previous occasion when this Bill was under discussion, and suggested by gentlemen who are not only friends of mine but for whose opinions on all educational matters I have the highest regard, that the Government of India under the malign influence of persons like myself, who may be suspected to know little and care less about the Indian system of education, is trying to rush through a measure, which some people have described as reactionary and others as revolutionary, in an ill-considered and hasty manner.

Now, Sir, what are the real facts with regard to this? So far as I myself am concerned, I hasten to plead guilty to the fact that ever since I became interested in Delhi University and in the Delhi reorganisation scheme the latter has had my whole-hearted support; it has it now, and it will continue to have it whatever the fate of this measure may be, because I believe that we are endeavouring to do in Delhi something which will not only be of advantage to Delhi University but may also give a most valuable lead in regard to the future development of university education throughout the whole of this country.

Now, Sir, if the main principle, on which I wish to speak mostly, of this reorganisation scheme and the principle which it is the aim of this measure to confirm, consolidate and promote, namely, the three years' degree course, were an idea of my own, I should have great hesitation in pressing it against the view of any Member of this House whom I know to be interested in the cause of education. But without going into details I would only remind the House, as I did on the previous occasion, that the principle of the three years' degree course, which involves the gradual disappearance of the intermediate course, has received endorsement I think from every competent body which has considered the question of university education in this country for the last 25 years, beginning with the Calcutta University Inquiry Commission, better known as the Sadler Commission, and ending with a committee which was set up in 1938 or 1939 by the United Provinces Government to consider the organisation of universities in that area. In between these two it has received consideration on several occasions by the Inter-University Board, and in 1934 and 1939 by the Universities of India Conference. It has also been endorsed by the Central Advisory Board of Education.

I did for one moment find myself in complete agreement with my Honourable friend Mr. Lalchand Navalrai and that was when he said that this was an important measure. It is an important measure and I hope that at any rate those in this House who know me would not suspect me of supporting an

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educational movement which I realize as well as any one else is calculated to affect the lives and prospects of hundreds of young men and women in Delhi University and, if our example is followed as I hope it will be, thousands of young men and women in this country generally. People may ask—and it is a very fair question—why if this three years course is so desirable, has it not been introduced in Universities which are older and more firmly established than the University of Delhi. There is a good reason for that, and that reason is implicit, or explicit in fact, in a proviso which was adopted at the conference of Indian Universities in regard to the introduction of this scheme. They said that the scheme for a three years course should not be introduced unless the high school system of the country could first be reorganized. That is an obvious necessity. As has been pointed out in this House, the object of this change is to raise and not lower the standard of Universities, and unless it is possible to do in the high schools the work which is at present being done in the first year of the Intermediate course and, we hope, ultimately in the whole of the Intermediate course, instead of raising the standard of your Universities you will be lowering it. Now, I am quite aware that the question of the re-organization of the high schools presents a serious problem, not merely of organization but also of finance in certain areas and I have reason to believe that these problems have made people hitherto hesitate to undertake this tremendous task.

Mr. Lalchand Navalrai: We want to hear on that.

Mr. J. P. Sargent: But in Delhi we are in a position to re-organize the high schools and it is actually being done at the moment. Therefore, if we can fulfil the condition precedent and carry out the idea which has received universal commendation, in educational circles, it seems to me that we are doing a good thing rather than a bad one.

Reference has been made to the views of the Delhi University or its three principal bodies; which were before the Select Committee and, I think, Members who have seen them will say—I am not myself going to take up the point as to why they arrived at these conclusions; I did not myself suspect that any undue pressure was being brought to bear on myself or other members—that, generally speaking, the University bodies are in agreement with this proposal of the three years course and have endorsed it, atleast with divergent opinions on two matters which are matters of detail, although extremely important—I refer to the method of selecting a wholetime Vice-Chancellor should the need arise and also the question of the method of granting recognition or withdrawal of recognition to colleges. Apart from those matters about which I will say nothing as they will presumably come before the House in connection with the amendments tabled on those particular points, the University have endorsed the proposals contained in this measure as useful to the carrying out of the re-organization scheme on which they have already entered.

Now, Sir, it may be suggested, and I think it has been suggested, that it was quite unnecessary to embark upon an important change of this kind which might turn out to be to the detriment of a flourishing institution which has been doing excellent work in the educational field. My Honourable friend, the Vice-Chancellor of Aligarh University, referred yesterday to the importance of inspections of Universities being carried out from time to time. I need hardly say, I agree with him and it so happened that shortly after my arrival in this country I was put on a committee for inspecting the colleges of Delhi University. That inspection is provided for under the Statutes of the University. I may say that during the course of the investigation we came across certain facts in connection with the administration of certain colleges which I am sure would be most disconcerting to all people interested in education if at this late stage I thought it desirable to refer to them. This I certainly do not propose to do in view of the changes for the better which have already taken place in the general administration of the colleges, but it certainly left me, as I am sure

it left my colleagues, under no doubt that certain changes in the general constitution and arrangements of the University and colleges were called for in the interest of everybody concerned. Another matter, about which most of those who have sat on the bodies of Delhi University for the last five years have been left in no doubt, was that the University was, in fact, very largely dominated—I won't say by the colleges—but by certain colleges, and I have heard Honourable Members of this House call attention on more than one occasion to the necessity for so altering the constitution of the University that all the colleges, and not only one or two, should have an equal voice in its general management. Now, Sir, in obedience to the suggestion which was made, I will endeavour not to be longer than I could help, and I will not attempt to say much more on the question of the general merit of the main principle of the re-organization scheme, which has been the primary cause of this Bill—that is the introduction of the three years course.

It may however be asked why, in any case, is speed necessary. Well, I myself think that this has already—I expect that some Members will not agree—received the full consideration which a measure of this importance deserves. But there are other reasons why it seems to me that if it can be shown that reasonable consideration has been given to this Bill, it is desirable and important that it should be brought into operation as soon as possible. I am not anxious at all to make personal references, but, as you know, I have worked in close co-operation with the present Vice-Chancellor in connection with the changes which have been taking place in the University. The present Vice-Chancellor—whether we agree with his views or whether we do not—I think everybody will agree, is devoted heart and soul to the interests of the University. In spite of the fact that his term of office as Chief Justice in this country has expired, he is staying on here in an entirely honorary capacity solely in order that he may see further on its way this re-organization scheme in which he has such a keen personal interest. But, Sir, he is not likely to be at our disposal indefinitely and if this measure is endorsed, then I feel that even the opponents of it will agree that there is no one in this country more likely to carry it to a successful issue than the present Vice-Chancellor.

Then, Sir, there is another factor worth considering. Reconstruction in the post-war period is in the air—and certainly it has been in the air in my office now for a considerable number of months—and it seems to me that in any scheme that we may prepare and submit for the consideration of the appropriate authorities, it is extremely important that we should be able to point in fact to a measure of reform in University organization which has already, as I have said before, received general commendation in principle, from persons interested in the future welfare of our Universities. It would very much help—for as all people know a practical example is worth a great deal more than mere precept,—if in suggesting ideas for reconstruction to Provincial Governments and others concerned we can point to the fact that an experiment in carrying out the idea of the three years Course together with the necessary re-organization of high schools is actually in operation in the city of Delhi.

Then, Sir, there is a third reason, which again is a personal one. I feel a very considerable responsibility that Government on my advice have given a good deal of money already to enable this scheme to be put into effect and will. I hope, circumstances permitting, give the additional funds which we estimate as necessary to carry the thing to fruition. My Honourable friend, Mr. Lalchand Navalrai, yesterday spoke sternly and it seemed to me almost indignantly, about the expenditure of money during war time on educational purposes. I am quite sure that his apparently indignant manner was only an endeavour to conceal his kind heart, because unless he happened to vote against it, about which I have no knowledge, the provision of this extra amount which during the last four years have increased the grant to the Delhi University by 150 per cent. and the grants to colleges by a similar sum has received the approval of this Assembly.

Mr. Lalchand Navalrai: I have never objected and I will never object, but I will see how you will be able to get this amount.

Mr. J. P. Sargent: Government have provided this amount and I say that we hope to provide more and I shall make no apology for using whatever influence I possess to persuade the Finance Member, the Standing Finance Committee, this Assembly and the Government of India to provide money for useful education even in war time, for I feel, and I am sure most of you feel, that it is the younger generation which will be called upon more than ourselves to repair the ravages of the last 4 or 5 years.

Having said so much already, perhaps I may have your indulgence if I turn for a minute to some of the detailed issues which have been raised in the course of this debate. But before doing so, I should like to try and allay some unnecessary fears which have been expressed both in this House and outside in regard to certain aspects of this Bill. I have been told that we are reverting in this measure to the idea of a unitary university, which found its place in the preamble to the original Act, but which has never, in fact, been the character of the Delhi University. I can only say that, so far as I know,—and I can speak for myself at any rate and the Vice-Chancellor in this matter—this idea is entirely erroneous. We both belong to a certain university for which, in spite of its reputation as the home of lost causes, we both have a great veneration and affection, and if there is anything that is less representative of the idea of a unitary university than the University of Oxford, or as I believe my Honourable friend, Dr. Sir Zia Uddin Ahmad will agree, than the University of Cambridge, I should be glad to have it pointed out to me. It has also been suggested that by proposing to repeal section 7, sub-section (2) of the original Act, by which every teacher of the university must be attached to a college, we aim at creating two classes of teachers within the university, a university class of teachers and a college class of teachers, the interests and status of the former being superior to those of the latter. There again I can only say that nothing I am certain is further from the intention of the university scheme than that. In fact, some Members present will know that the object of the reorganisation scheme as well as the object of the conditions which were imposed in connection with the increased Government grants to Colleges have been to ensure superior salaries, superior conditions of service and closer contact with the university to the teachers of the Colleges. In fact, every teacher of a college who is recognised for our grant must in future be a teacher of the university also, and I know it is the hope that with the increased standard which better conditions will produce, the college teachers will increasingly be selected for the major academic offices of the university for the Readerships and we hope sometimes for the Professorships also. Therefore the idea that there is any object in this Bill to create a class of university teachers who have no interest in the colleges, who regard themselves as superior to the college teachers and who will annex the plums in the university at the expense of the college teachers is a complete illusion. It is the desire, at any rate, of the present Vice-Chancellor, it is certainly the desire of myself and many of my colleagues on the university bodies that the distinguished men we are now appointing as professors and readers in the university should be attached to and should feel that they have a real personal interest in the colleges of the university. That is the practice of my own university, it is the practice, I believe, at Cambridge University, and I am quite certain that the attachment of professors to individual colleges is not only good for the professors but it is extremely good for the standard of scholarship in the colleges themselves. I should like to state that, so far from wishing to alter that practice, we in fact wish to emphasise and enlarge it. The difficulty as it stands of seeing that every teacher must be attached to a college will, I think, be quite obvious. There will be some cases where a teacher may not perhaps desire to be attached to a college. Teaching in science and law is already

undertaken by the university. A more important factor is, that if university teachers are to be attached to the colleges, they must be fairly distributed over all the colleges. And I need hardly elaborate the difficulties that might arise. For instance, when the next professorship fell vacant and it might be in Sanskrit, while the turn to have a professor attached might be that of Anglo-Arabic College. Granted the right intention, the obvious advantage of the method proposed in the Bill for dealing with a matter of this kind will not, I think, need any further commendation to this House.

There is perhaps one other possible source of misapprehension, to which reference has already been made. The Select Committee, in recommending particularly the constitution of the selection of the committee for the recognition of college teachers as teachers of the university have suggested that the members of that committee should not be connected with any college. I have been extremely distressed to hear that any of my colleagues on the staffs of our colleges should regard that as in any way a slur on themselves. It is quite clear that in such a matter where the interests not merely of individual teachers but also of colleges are concerned, you must have all the colleges represented on a committee of this kind or none. The Selection Committee, as the Delhi University Enquiry Committee of 15 years ago pointed out, to discharge its function efficiently, must be a reasonably small body, and it was felt, and I am quite sure that the opinion is correct, that if it was a question of having all the colleges or none, it was better to have none, because otherwise the body would be an unwieldy one, that being so, it was desirable in the interests of public confidence to make it perfectly clear that the Selection Committee would be a body unconnected with any college. Whether that decision is right or wrong I do not propose to argue now, but what I do wish to make clear is that there was no reflection of any kind intended on any member of the staff of any college in the university.

Now, Sir, with regard to the university itself I do not attach much importance to educational nomenclature, but we do aim at steering the middle course between the two main types of university in this country at the moment, that is, the unitary type and the affiliating type. If my Honourable friend who spoke last would prefer to call it a Federal university, I am quite prepared to fall in with his views, but the point I am anxious to make is that the university we have in mind is something between the unitary type on the one hand and the affiliating type on the other. My learned friend, the Vice-Chancellor of the Aligarh University, no doubt regards this as an anaemic idea since he presides over a university which is entirely unitary, where the university itself is supreme and where I have no doubt the word of the Vice-Chancellor is law. On the other hand, I think that my other distinguished educational friend in this Assembly, Dr. Banerjee, who is accustomed to those great open intellectual spaces which are known to the world as the Calcutta University, will probably feel that our object is to shackle academic freedom in the bonds of authoritarianism. Where two such distinguished educationists differ so widely, I think we are on safe ground if we steer a middle course between their opinions.

The Honourable the Mover of the amendment for circulation referred yesterday to a very important point, on which he has my entire sympathy. But my Honourable friend, Mr. Chatterji, whose speech by its clearness and conciseness I can safely say delighted all Members in this House, has given an answer to that particular point. All of us who look forward to post-war prosperity in this country realise that the development of technical education must be a most important factor in our educational arrangement. As Mr. Chatterji has pointed out, we have established in Delhi a technical institution of the first rank. I say of the first rank advisedly because it is of the first rank already, although it has been only in operation for a year or two. We hope it will go on from strength to strength and I visualize that in front of that institution may lie the same path which has been followed by

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distinguished technical institutions not only in my own country but in many other parts of the world and that ultimately if Delhi University, as I have no doubt it will, should think it desirable to establish a Faculty of Technology, it will look to the Delhi Polytechnic in that capacity. As Honourable Members know, probably one of the outstanding technical institutions in England is the Manchester College of Technology and the Manchester College of Technology constitutes the Technological Department of Manchester University. I am only expressing a personal opinion here but I wish to assure Maulvi Abdul Ghani that this question of technical education is not in any way ruled out, but is in many ways encouraged by the proposal which is now before us.

I wish to refer to one other point, because it is an important one and because I quite appreciate the feelings of uneasiness which Members of this House may feel on this point. It is the question as to the arrangements, if this change is introduced, which will have to be made to absorb into the new system of the Delhi University students coming from outside or to facilitate the entry into other universities of students who have had their preliminary education in the University of Delhi. That admittedly is a complicated business and it can only be carried through with good will on both sides. As soon as, by passing this Bill, you have put the university itself in a proper position by adopting clause 11 of the Bill amending section 36 of the Act, which requires as a condition of entry to a Degree course in the Delhi University the possession of an Intermediate certificate, the Intermediate Course will no longer exist and the Delhi University would then be in a position to approach the other universities with regard to reciprocal arrangements which will facilitate the transfer of students. It seems to me that there will be two categories of students in each case. If you take the students coming from other universities to Delhi, some of them will possess a matriculation certificate which, of course, is in principle at any rate one year below the new higher school certificate of the Delhi High Schools Examination Board which will admit to the three year course. Now those students can either enter the 11th class in one of our organised high schools or they can enter the preparatory course in the Delhi University, so long as that may continue. In any case they will lose no time. But so far as the degree course is concerned, students coming from other universities with an Intermediate qualification, will, until we raise the standards of the Delhi schools to the Intermediate level, in principle, be one year in advance of the normal students entering the three years course of the Delhi University. I believe, and I have very good authority for saying this, that the Delhi University will be prepared to admit such students into the second year of the degree course. That, I think, will cover those two categories without unfairness to any one.

Now, Sir, with regard to students going from Delhi who possess the higher school certificate of the Delhi Board, which will be the matriculation for the purpose of the new three years course, we are hoping that as an act of reciprocity universities elsewhere will be prepared to admit those students into the second year of their Intermediate courses. With regard to the other category of students moving from Delhi, arrangements will have to be made for those who after passing the 11th class take the pre-medical course of one year in the University or the pre-engineering course of one year at the Delhi Polytechnic to be admitted on completion of their courses to the degree classes in the medical or engineering colleges elsewhere. Here again, we hope that reciprocity will take place and that those students will be regarded as having the necessary qualifications.

I have no reason, Sir, to be pessimistic about the question of reciprocity, because I think I am right in believing—and I have a good deal of reason to believe so that universities up and down the country are watching what we are doing in Delhi with sympathetic interest and in many cases, I think, with a tinge of envy and since they have all committed themselves to the principle of this course, it is reasonable to assume that they will not take up

an attitude of opposition, particularly when we are carrying out the very thing which they have themselves commended. Once the University is in a position, having amended its own Act and statutes, to regularize its own conditions of admission, which is one of the reasons for the promotion of this Bill, it will then be in a position—as I know it is its intention—to make proposals to other universities. I hope that the fear expressed by my Honourable friend Mr. Chatterjee that retaliatory legislation might be necessary in this instance will not actually materialise.

Now, Sir, I have only one or two more words to say. I was concerned to hear the Honourable the Vice-Chancellor of the Aligarh University express the opinion that the logical outcome of this scheme would be the abolition of the Delhi colleges. I see no reason to share any misapprehension of this kind. Why should it lead to such a result? As a matter of fact, we have improved the condition of the college teachers. We have given them representation on the governing bodies of their colleges without disturbing the majority representation of the bodies which have hitherto carried on those colleges. We have carefully discussed this with the representatives of colleges with a view to avoiding the creation of any ill-will between their teachers and themselves. We have by increased grants improved the conditions of service and removed a lot of the causes of ill-will which have hitherto existed. Then again, under the new system, we are looking forward to an increased era of co-operation between the colleges and the university. In the system which we have outlined, whether it is a federal university or not, we have the conception of a corporate unity, of a place where the university is mistress in its own house but where the colleges are honoured and responsible members of the household to whose views the gravest consideration will be given when any questions of importance or otherwise arise. I can see no reason why the changes proposed should not promote a great and happy future for the University of Delhi, provided that all concerned are prepared to work this experiment in the right spirit. After all in all educational and other matters, this question of attitude, this question of spirit, is the fundamental fact. We have had opposition to this scheme and I am very glad of it, because during the four years during which the reorganisation scheme has been under consideration, our critics have shown us many ways of improving it and I hope we have not been too foolish not to benefit by it. But once a decision has been reached and once the ship is launched on its voyage, we cannot look for success unless we have the help of all those who, having expressed their opinion without getting it accepted, still find themselves members of the University. I hope that their co-operation will be ensured. I have reason to hope that it will. At the same time, I do hope that no people, however much they may disagree, will endeavour to sabotage the experiment once it has been seriously launched. In fact, I want to make an appeal to all concerned to give this a fair trial. Let us go forward in hope, keeping our eyes fixed on the vision of an All-India University of the very first rank. I may not know much about education and I may know still less about India, but I know enough to say this with confidence that about education above all other matters and in India perhaps more than in any other country the old maxim remains true that the letter killeth but the spirit giveth life.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I ask one question about the migration of students from Delhi University to other Universities? Whatever the Honourable Member has said today was just the same about which I felt apprehensions yesterday. If he reads clause 11 with section 30 of the Act, he will find that those things do not convey the same idea as the Honourable Member has been pleased to place before us today. Will he be willing to add a proviso after clause 11 to make this point clear. He said clearly that the Intermediate examination of other Universities will be equivalent to secondary higher education, which means that clause 12 of other Universities will be equivalent to clause 11 of the Delhi University.

Mr. President (The Honourable Sir Abdur Rahim): The Government will, I suppose, consider the suggestion.

Sir George Spence (Secretary, Legislative Department): I move that the question be now put.

Mr. M. Ghiasuddin (Punjab: Landholders): Sir, I can quite see the impatience on the part of some Honourable Members, especially Honourable Members to my left, to shut us all up, but I do hope that as this is a very important measure, all sections of the House will be given a fair hearing. I am the first speaker who has had a chance to speak from my Party and I do think that it is not right that an attempt should be made to shut the Members up. I promise that I will be very brief and I do not intend to take more than a few minutes of the House.

Now, Sir, coming to the Bill, I wish the Honourable Members of this House to judge this motion only from one point of view, namely, whether any useful purpose will be served by postponing the consideration of the Bill and sending it again for public opinion or is it at all necessary to do so? The only way I want the Honourable Members to judge this measure is whether it is an improvement on the existing state of things or not. If it is an improvement, then my submission would be that it should be passed as soon as possible and no time should be lost. The Honourable the sponsor of this Bill does not claim that it is a perfect thing, and, speaking for myself I do not think it is perfect. But is there anything perfect in this imperfect world? It would be a sad day if a Bill was passed which was thought to be the last word and our energies could not make an improvement upon it.

Now, I will refer to a few improvements that suggest themselves to me in this Bill. One is about the appointment of the Vice-Chancellor. This Bill opens the door for the appointment of a permanent Vice-Chancellor though it does not make it obligatory. It is a thing which is prevalent in many universities where they have a paid Vice-Chancellor. And as far as I can see, the method of selection is very good. As a matter of fact, better men than myself have said so. I am referring to the Honourable the Vice-Chancellor of the Aligarh University whose opinion on matters like these is respected and rightly respected by everybody. Even he appeared to approve of this new method and the proviso whereby we can have a permanent Vice-Chancellor. There are times when one cannot get the services of a public man. If they are not paid, naturally they cannot give the whole of their time, however eminent they may be. In that case, it is necessary to have a permanent Vice-Chancellor, and after a great deal of experimenting in the Punjab, this thing was introduced.

But there is one matter over which I myself respectfully differ from the Honourable the Vice-Chancellor of the Aligarh University. He said that the recognition of teachers will give undue power of interference by the Delhi University in the management of the colleges. Those Honourable Members who had the honour of sitting on the Select Committee know the numerous representations they received from the low-paid professors of the Delhi University. It is no secret that some of the college authorities are treating their staff in a most shameful manner. These people are under-paid and they are supposed to work hard and to give up their position and all that. Besides, their tenure of office is not secure. Now, Sir, as my Honourable friend Dr. Banerjee and other persons who are in the profession of education know, no person can do any justice to teaching unless his mind is easy from the financial worries and he knows that his tenure of office is secure. I welcome this idea that the Delhi University should have a right of interference in the matters of colleges to see that justice is done to those who are rendering a great service. The Government of India have a Department called the Department of Labour, where our Honourable friend Dr. Ambedkar looks after the interests of the labourers and he has a right to interfere where he sees that the employers are not doing justice to their employees. I plead on behalf of these black-coated workers and I think they are badly paid and they might with justice be put under our Honourable Member for

Labour. I do hope that the University authorities will interfere in matters like this and will not grant recognition to colleges where they know that the learned men of the colleges are put on what in labour parlance is called the starvation wage. This is one improvement and I hope this improvement will be put in force as soon as possible and I hope this House will not take more time than is absolutely necessary to put this measure through on that account.

There is another little matter which I consider important and it is the representation of women on the Delhi University. I know that the thing is not very satisfactory in this regard according to the Minute of Dissent signed by Mrs. Ray. In her opinion the method of nomination by the Chancellor is not right and it should be co-option by the executive council. This is a matter of opinion. I attach a great deal of weight to the opinion of my Honourable friend Mrs. Ray. I know how keenly she feels the interest of women, we all know that, but this is a small matter, the first and foremost thing is the opening of the doors to women and once they get in, we can see what method is the best, nomination by Chancellor or co-option or election or any other method. But this a very good principle and I do hope that it will be adopted. I hope that by these few points I have shown that the Bill is an improvement on the existing state of affairs and therefore it should be taken up without delay, and if it is not perfect, as I am sure it will not be perfect, nothing is perfect, then surely an amending Bill could be brought forward either by private Members of this House or by the Government and the defects can be remedied.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural) : What do you mean by private Members?

Mr. M. Ghiasuddin : It is a well known parliamentary expression. It means non-official members as opposed to officials belonging to Government. Therefore I say that this Bill should be taken into consideration and passed as soon as possible. If there are defects, they can be remedied later on.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural) : Mr. President, I welcome the second excursion of my Honourable friend the Educational Adviser to the Government of India into politics. He is essentially an expert. I wish he had been an expert with more of politics in him. Politics has been defined, Mr. President, as the science of Government, and a Government to be efficient should always be practicable. Sir, my Honourable friend Mr. Sargent while speaking on the motion for reference of this Bill to the Select Committee in the last Session said : "it is fair to admit and I have always had this lightly on my conscience that any builder should begin from the foundations. In Delhi, however, we decided to rebuild the house from the roof, for what I hope are good and satisfactory reasons". Sir, this is an admission of the haste with which the Government have launched this measure of reforms. I wish his advice to the Government would have been to follow the path of wisdom. Mr. President, experts are always full of their own ideas. They are obsessed with their own notions and they do not look at practical side because of their, to quote another expression of my Honourable friend Mr. Sargent, "egotistical" mind. That, Sir, is the trouble with the present measure. My Honourable friend Mr. S. C. Chatterji, whom I should like to compliment on his speech, said yesterday that I had given my support to the three years degree course to be tried as an experiment. I still hold that view. I am willing to be guided by the opinions of experts where a certain policy is concerned, but I refuse to be guided and I refuse to suspend my judgment where the question of giving practical shape to that policy comes in. As has been pointed out, the opposition of this House to the passing of this Bill in the form in which it is today, at least our objection is not to this measure of suggested reform in University education, but it is to the haste with which this reform is intended to be carried out. Let me tell you, Sir, that the best of reforms have failed in the past because of excess of impatience on the part of those who have tried to achieve those reforms. My Honourable friend Mr. Tyson while speaking in the last Session on the motion for circulation of this Bill for eliciting public

[Nawabzada Muhammad Liaquat Ali Khan.]

opinion, stated, "we have embarked in the case of the University of Delhi on an educational experiment which is intended to give a lead to the Universities of India and I do not understand how opinions relating to considerations in other educational centres would be particularly helpful with respect to this Bill." If I may point out Mr. President, this is a very wrong impression which my Honourable friend Mr. Tyson has. This scheme can never succeed unless you have the co-operation and good will of other Universities in the country. It is not right to suggest that this is a matter which is confined entirely and solely to the province of Delhi. I would show in a minute by giving facts and figures that already this haste with which this scheme is being pushed through is retarding the progress of University education in Delhi Province. The Government, I fear, have not really taken the trouble of finding out how best they can achieve the co-operation and good will of the people with regard to this matter. The scheme has been introduced in the University of Delhi this year. Because of this haste, University education in Delhi has suffered. I am not quite sure whether the Honourable Educational Adviser is in possession of these figures or not but I would, for the enlightenment of the House, like to quote certain figures with regard to admissions in all the colleges that are affiliated to this University. I have collected the figures from five colleges, men's colleges where education is given in higher studies.

In the second year class which is equivalent to the preliminary class of the new three-years degree course, in the previous year there were 791 boys and this year there are only 257; in other words, after three years for B.A. the boys who will sit for examinations will be out of this 257, whereas in previous years the number used to be nearly 800. Then, Sir, in the first year class the admission to these five colleges in the previous years used to be in the neighbourhood of 800; in the preparatory class this year the admissions have been only 359. It may be pointed out by my Honourable friend the Educational Adviser that some boys have sought admission in the secondary high schools. I have not ignored that fact and I have got figures here that I have collected from 14 secondary high schools in Delhi; I have not been able to get figures for two high schools. In these 14 high schools the number of boys that have been admitted so far has been only 206. This shows that this haste in the enforcement of this three years' course without making a proper plan has adversely affected university education in the province of Delhi. Sir, a person with an uncharitable mind would accuse Government of having deliberately launched upon a policy which is intended to discourage higher education in this province; but I on my part do not accuse the Government of deliberate action for this purpose though I do suggest that this retrogression in higher education has been the outcome of the hasty action which Government have taken in this matter. It is an admitted fact that a large number of students from Delhi have gone and sought admission either in the Punjab University or in Aligarh.

My Honourable friend Mr. Chatterji, another expert in education, brushed aside unceremoniously the question of migration of students from one university to another. He said this is a matter which the university can tackle. This is as I have shown how the university has tackled this matter and this is the state of affairs in the University of Delhi today. Therefore when we pressed this matter last time and are bringing forward again a motion for circulation it is not because we are unsympathetic to the measure of reform which is intended to be introduced but because we feel that to give practical effect to this reform and to make it a success it is necessary to examine it from all points of view and to get not only the co-operation but the good will of all the other universities. My Honourable friend Sir Zia Uddin Ahmad pointed out that to describe the province of Delhi as a province which is cut off from the rest of India is not quite correct. Delhi today is the capital of India and its population is no longer confined to the people who are actually residents of Delhi. There are a very large number of people who are employed in Delhi in one profession or another who are always moving from province to province; and this situation that has arisen, this fall in

the number of students in the university is due to the fact that those parents who are in Delhi and who are not quite sure how long they are going to be here are nervous as to the future of their sons and wards. My Honourable friend Mr. Sargent,—I welcome that statement of his,—has suggested that certain measures will be taken which would make it easy for the students to seek admission from Delhi University to other universities and *vice versa*. But I submit, Sir, that before embarking on this measure they should have secured that concession from the other universities. It is not satisfactory for the students who come and study in this university to remain in the air with regard to their future. Mr. Sargent as an expert in education may be able to build a house without any foundation even on sand and have it hanging in the air, but a student who has to think of his future cannot afford to try this experiment. Therefore I submit that Government were wrong and were obsessed with their own idea during the last session when they opposed the motion for circulation, and they would be equally wrong if this time with their automaton votes they defeat this motion and leave the position in the state in which it is now.

My Honourable friend Mr. Chatterji suggested,—and here I wish to invite the particular attention of the Educational Adviser,—that Government had placed large funds at the disposal of the university to distribute to the colleges. I am not quite sure what the extent of that fund is but I have a feeling,—and I hope my friend will correct me if I am wrong,—that the Educational Adviser has not received that amount of money from Government which was expected a year ago; and I will give one concrete instance. In the rules for grants-in-aid that were supplied to the various colleges when the opinion of the governing bodies was sought it was stated that the number of students to each teacher would be from 12 to 20. Now I happen to be closely connected with one of the small colleges. We made our calculations on that basis and we found that if Government were going to give us a grant on this basis we could undertake this new burden on our shoulders. The decision,—and I only hope it is not a final decision of Government,—is that now the proportion will be one teacher to every 20 students. Now this is a device, Mr. President, to save some money because the Educational Adviser, has not received that amount of money from the Government which was expected, when this scheme was launched. Now I submit for your consideration and for the consideration of this Honourable House, how do the authorities expect a small college to run like our college, the Anglo-Arabic College with about 200 students who will be admitted for this three years' course with ten teachers? If this college is to maintain its position as it is today, then it cannot do so unless it has at least fourteen teachers, and we have today on the staff at least fourteen and one Principal. Now, Sir, what would be the result? The result would be that this college which has been struggling to rise to the standard of other colleges will become a third rate college. My community is a very poor one. It cannot afford to fork out money so that those sitting in authority may try their experiments. We were assured—and I am referring to this because my Honourable friend, Mr. Tyson, referred to this in the last debate that we had—at that meeting which was held at the then Education Member, Mr. Sarker's house, that as far as the finances of the colleges were concerned, the Government will see that they are not in a worse position than what they are today. So I submit, Mr. President, that what Mr. Chatterji has suggested is partly correct. I dare say if the Government of India were in a position to place a larger sum of money at the disposal of the Educational Adviser, he would be able to see that the colleges did not become less in quality but would be better than what they are today. Therefore, Sir, all these are matters which need very careful consideration. All these are matters which need thorough enquiry and it is for that purpose that my honourable friend, Mr. Abdul Ghani, has moved this motion for circulation, which is before this honourable House.

Sir, my Honourable friend Mr. Ghasuddin, I am afraid, was not quite fair to the governing bodies of all the colleges when he made a sweeping statement that these bodies were treating their staff in a very bad manner.

Mr. M. Ghasuddin: I did not say all.

Nawabzada Muhammad Liaquat Ali Khan: There may be, there are, black sheep in every fold, but let me tell you, because I can only speak from personal experience, that as far as the governing body of our college is concerned, I make bold to say that during the last three years that I have had the honour of being associated with that body not a single instance can be brought forward, and I challenge anybody to bring forward a single instance where any member of the staff has been treated unjustly. On the other hand I can give instances where the members of the staff have let us down. Sir, any governing body which wants that the institution over which it has control should function satisfactorily must have the full co-operation of the members of the staff and it must see that justice is done to every individual member of the staff. There may have been some cases, one or two, where perhaps a governing body may have treated its members of the staff unfairly, but on the whole I can say that the members of the staff of the colleges of this university have really nothing to complain about.

Now, Sir, this scheme of the Government has put a very great burden on the colleges. It has prescribed certain scales of pay and certain grades for the various members of the staff, and now I submit that unless my Honourable friend, Mr. Bargent, can exercise that influence which he has with the Government as a whole and secure some more funds, I can tell him that it will be impossible for at least smaller colleges and their governing bodies to run the institutions under this new scheme of theirs.

Sir, I will not take more than two minutes. I am sorry to detain the House when it is just quarter past one. But in the larger interests of saving the time of the House, I think I would like to finish before we adjourn.

All that I can say is this, that the facts that I have stated go to show that there has been unnecessary haste in enforcing this measure and I ask the Government not to consider that our criticism is unfriendly. Our criticism is with the feelings of friendliness. We want this scheme to succeed but let me tell you it will not succeed because of your impatience. It can only succeed if you can get the willing co-operation and goodwill of everyone concerned.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, many of us pointed out on the second reading of this Bill that it contained many provisions of a reactionary and undesirable character. The Select Committee removed some of these provisions and modified others so that the Bill as it has been placed before us today is in a comparatively improved shape. But there are still several features which are of an objectionable character. The first of these relates to the appointment of a salaried Vice-Chancellor. Sir, I am one of those who do not see eye to eye with the Government in regard to the need for having a salaried whole-time Vice-Chancellor for the Delhi University. My view is that a salaried Vice-Chancellor does not command the same confidence and does not enjoy the same respect as an honorary Vice-Chancellor, and this has been our experience during the last 80 or 90 years. In most of the Universities at the present moment, there are honorary Vice-Chancellors, and these honorary Vice-Chancellors have rendered conspicuous services to their respective Universities. It has been suggested that in a teaching University there is the need of a whole-time Vice-Chancellor. I am unable to accept that view. The Calcutta University is a teaching University, in fact it is the largest of the teaching Universities in India; but in Calcutta we have so far managed with an honorary Vice-Chancellor. The question of a paid Vice-Chancellor has on several occasions been mooted in Calcutta; but we have always rejected that proposal, and we are not sorry for having rejected that proposal. Now, Sir, if a big University like the Calcutta University can manage with an honorary

Vice-Chancellor, I do not see why a small—almost tiny—University like the Delhi University cannot do without a salaried Vice-Chancellor, that is a point on which there is fundamental difference between myself and the Government.

But if the Government and their experts have come to the conclusion that the Delhi University cannot do without a salaried Vice-Chancellor, then I would urge that there is no necessity for providing that the initiative for the appointment of such a Vice-Chancellor may come from the Chancellor or the Government. The initiative in such a case should come from the authorities of the University itself, namely, the Executive Council and the Academic Council. These are the bodies who have been entrusted with the actual administration of the work of the University, and they know much better than the Chancellor of the University whether a paid Vice-Chancellor is required or not. It would be wrong on the part of this legislature to make any provision which may result in thrusting a paid Vice-Chancellor on the University of Delhi against the wishes of those persons who have been entrusted with the duty of carrying on its actual work. I, therefore, have proposed in my note of dissent that the provision relating to the appointment of a paid Vice-Chancellor should not emanate from the Chancellor, for the Chancellor of the University cannot be expected to know much about the actual administration of the University. He will have to depend on the Member in Charge of the Education Department or perhaps the Secretary to the Department, and I should be very unwilling to accept the advice of these gentlemen, however estimable they may be, in preference to the advice which may be given by the Executive Council and the Academic Council of the University.

As regards the procedure to be adopted with regard to the selection and appointment of a salaried Vice-Chancellor, I agree in the main with the other members of the Select Committee and with the members representing Government. But there is a defect in the language that has been used in the Report framed by the majority of the members and I would request that this defect should be removed.

Coming to the three-years degree course, I confess that this is a question on which there may be honest differences of opinion. I will be the last person to charge the Government with any dishonest motive in bringing forward that proposal. But we will have to consider to what extent it is practicable in the present circumstances in India to give effect to that proposal. We will have also to consider what will be the actual effect if the proposal is given effect to just at the present moment. Now, my Honourable friend, Dr. Sir Zia Uddin Ahmad, who agrees in principle with the view that there should be a three-years course, has pointed out the practical difficulties in the way of giving effect to such a proposal. He referred to the question of migration. This was discussed by me in great detail in the course of my speech during the last Session, and I will observe only this at the present moment, that the question of migration will give rise to the greatest difficulties.

The Delhi University, it should be remembered, is located in the capital of India which draws large number of persons from different provinces. The services under the Central Government include members who belong to all the different provinces of India. So long as you have not made full arrangements with the provincial universities we should not introduce a system which will place the sons and wards of the servants of the Central Government in positions of difficulty with regard to their own universities. Now, Sir, it has been pointed out that the population of Delhi has recently increased to a very large extent; but what has been the effect of that on the admission of students into this university? My Honourable friend, the Deputy Leader of the Muslim League Party, emphasised the fact that, in spite of the increase in the population of Delhi, there has been during the current year a great decrease in the number of students admitted into the Delhi University. And what has been the cause of this decrease? The cause has been the suspicion in the minds of the guardians of the students that there will be great difficulties placed in their way of their

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wards getting admission into their own universities after they have gone through some of the examinations or have read for a number of years in the Delhi University.

You should take adequate steps to ensure that there would be no difficulty in the way of the admission of the pupils of the Delhi University into the other universities. My Honourable friend, Mr. Chatterji, who made his maiden speech yesterday, suggested retaliatory action. But is that the proper method of solving difficulties? Perhaps my Honourable friend took his inspiration from the speakers who spoke on the Reciprocity Act Amending Bill on the South African question. But he forgot the great difference that existed between the inter-relations of the universities of India and the relations which at present subsist between India and those Dominions and Colonies which discriminate against Indians. In connection with this matter it was not retaliatory action that we decided upon from the very start. We tried to convince them of our rights, we had consultations with them, we went on deputations to those Colonies and Dominions, we sent our best representatives to them as our agents, and ultimately when after years of negotiations we failed in our attempt to get justice from them we decided upon a policy of retaliation. But that would not suit the relations between the Delhi University and the other universities. The migration of students from one university to another is based on the question of equivalence. You have to convince the other universities that your degree course, your method of teaching, your system of supervision, your resources for research work, are equal to those of the other universities, you have to prove that your standard is not inferior to theirs, and then you can ask for an equivalence from those universities. I would suggest, therefore, that, before you think of retaliatory action, you should take other kinds of action, namely, you should try to secure their willing co-operation and their good will before you start on a new venture. There is a great deal of inter-relation between the Delhi University and the other universities, and the greater the amount of this inter-relation, the better it is for the country. We should not think it proper for one university to stand against the other universities. Suppose we accept the advice that has been expressed by my Honourable friend, Mr. Chatterji, what would be the result? There are eighteen universities in India, and if the Delhi University decides to take up a position of isolation and separation from the other universities and flouts them, what would be the result? The result is sure to be that the Delhi University will be cornered, and that will mean, not prosperity and success for this university, but its utter ruin.

Mr. S. O. Chatterji (Nominated Non-Official) : May I say that I made that remark in a light-hearted manner? I never suggested seriously that the Delhi University should have recourse to retaliatory measures of any kind.

Dr. P. N. Banerjea: Sir, I accept the explanation which has been given by my Honourable friend. He says that he referred to retaliatory action in a light-hearted manner. But the question which we are considering now is one of the greatest importance and on the discussions of such a question there is no room for light-hearted talk. (*An Honourable Member*: "Forgive him for his frivolity".) I am prepared to do that.

This is one main ground for accepting the motion for circulation which has been moved by my Honourable friend Mr. Ghani. We should have frank and free consultations with the other Universities and we should try to bring about an arrangement under which the students of any of the universities should not suffer in the slightest degree.

Sir, I suggested towards the end of the debate on the last occasion that the Universities of India should at least be consulted. I urged that even if circulation could not be made throughout the country, at least the universities of India should be consulted, and Mr. Tyson gave the reply that the Universities would be consulted, if that would meet our point. I think that was the language used by him, if I remember aright.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): I said that if the motion for circulation was not pressed and it was withdrawn, I would endeavour to secure the opinions of the universities, not merely of the Delhi University. These are not the exact words but they represent the gist of what I said.

Dr. P. N. Banerjee: I shall find out the exact words. My friend's position is that the circulation motion was pressed and therefore he decided not to consult the other universities. This is retaliatory action. Is it not? (*An Honourable Member:* "With a vengeance".) Yes, I am sorry that Mr. Tyson took that attitude on that occasion and I hope he will avail himself of an opportunity of revising his attitude at the present moment. Nothing will be lost if there is some delay in having this Bill passed.

My Honourable friend Mr. Sargent observed that there was a consensus of opinion in favour of the introduction of the three-years course and he referred to the Educational Conference Resolution. He had the fairness to admit that this Educational Conference added a proviso to that Resolution to the effect that the system should not be introduced unless active steps were taken to guard against any deterioration of the standard of efficiency. Now, Sir, my Honourable friends have observed that there will be no deterioration in the standard of efficiency so far as the University of Delhi is concerned. I accept their word. But what about the other universities? Both Mr. Sargent and Mr. Tyson told us that this Bill would give a lead to the other Universities. But how will it give a lead to the other Universities? Here the number of secondary schools which feed the Delhi University is small. (But in Bengal the number of secondary schools is over 1,500, and we should consider what a huge amount of money will be required to improve the conditions in these schools. Where will this money come from? Is the Government of India prepared to provide the sum? And, then again, it is not merely the provision of the money. It is also necessary to ensure that you get the proper sort of teachers in the secondary schools,—teachers of the same calibre in the schools as you can find in the colleges or the universities. All these are matters which require careful consideration and my apprehension is that there is a likelihood, almost a certainty, that there will be a substantial deterioration if this particular provision of the Bill is given effect to, without taking adequate measures of a safeguarding character.

Then, Sir, I come to the question of the composition and powers of the different bodies of the Delhi University. It is sought to change the composition of the Executive Council by the addition of four more members. It is also sought to take away some important powers, namely, the powers of affiliation and disaffiliation, from the Court and vest those powers in the Executive Council. I am not satisfied that it is desirable to increase the number of members of the Executive Council which already has a somewhat unwieldy size. As regards the method of increasing its size, I have a great deal of difference with the Government. The Government view is that there should be a representation of the Professors of the University. But how many professors are there in the University? They are: three salaried and two honorary Professors, altogether five. And these members are to elect two out of their number. Now, this reminds me of the pocket boroughs which existed in England before the year 1832. There were very few electors in these constituencies but these electors sent representatives to the British Parliament. If you read the debates which took place on the occasion of the Reform Act of 1832, you will find how strongly this system of pocket boroughs was condemned by all fair-minded men in England. And now after the lapse of more than a hundred years you want to create pocket-boroughs in India. Is that right? And, then, again you say that the Professors have interests, distinct and separate, from those of the other teachers of the University. This is wrong. I was myself a Professor for a long time and I know that my interests were intimately connected with the interests

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of the other teachers in the University. I would have certainly refused it if I had been given special representation as a Professor. The moment you create separation and distinctness of interest, you create a rivalry between the professors and the other teachers and that vitiates the atmosphere of the University. That would be a very wrong thing to do. The Professors are the natural leaders of the entire staff of the university; and if they behave well, naturally they would be elected as the representatives of the whole body of teachers. Therefore, I suggest that even if you decide to have two more men on the executive council, these two Professors should come as the representatives of the academic council on which the whole body of teachers is represented.

Coming to the representation of women, it seems that the Government view is that women are not adequately represented on the executive council of the Delhi University. If that be so, I would not object to the representation of women. But what about the method of representation? Nomination by the Chancellor is not the right mode of selecting the proper persons to serve on the executive council. Therefore, the Academic Council, which is likely to be more in touch with the educated women of this province than the Chancellor, should be given the right to elect the women members.

Sir, it is on account of the haste and hurry with which the Bill has been sought to be pushed through and it is due to the proposed method of election of certain members of the Executive Council that the impression has gone abroad that the real purpose of this Bill is not the improvement of education in the province of Delhi but to extend the power of the Government of India over that university. Sir, whether this impression is correct or not, it is for the Government to say. I should like to emphasise that it is not their word but their action which will dispel this impression if it is a false one.

Sir, with regard to the curtailment of the powers of the Court, which is an important body of this university, it has been regarded as an unwieldy body: But if that is an unwieldy body, the Senates of the different universities like the Calcutta University and the Bombay University should also be regarded as unwieldy bodies. It is these bodies which have been entrusted with the work of affiliation and disaffiliation of colleges. I know that in Calcutta no difficulty has ever occurred in regard to such affiliation and disaffiliation. Why should any difficulty occur here in Delhi? The province of Bengal is a large one and the Calcutta University embraces within its jurisdiction also the province of Assam. If members of the Senate can come from the different parts of Bengal and Assam to attend meetings of their Senate and participate in its deliberations, I do not see why the members of the Court of the University of Delhi, most of whom are local men, cannot attend its meetings and perform their duties to the satisfaction of all concerned.

Sir, these are some of the objectionable features which still remain in this Bill. But there are certain other matters which have not been provided in this Bill. Several Members from this side of the House pointed out that there was no provision for technical education, no provision for medical education, no provision for engineering education and so forth. And I may go further and say that there is very little provision for research. Now, when you are amending not merely a few sections of this Bill but also all the statutes, you should provide for those branches of study which are not provided for at the present moment. Therefore, it seems that the present Bill is inadequate for the urgent needs of the people of this province. It is inadequate also for another purpose. I have heard again and again, and I have received numerous letters and I have also read in the newspapers, that there is a great deal of mismanagement in some of the colleges affiliated to the Delhi University. Now, what is the provision in this Bill for removing this mismanagement? I find none. I know that a great deal of dissatisfaction existed among the educated public of India with regard to the situation in the Delhi University which prevailed some years ago. In recent times, through the active efforts

of the present Vice-Chancellor and by making various amendments in the statutes or regulations matters have been greatly improved. Great credit is due to Sir Maurice Gwyer for what he has done to place the Delhi University on a more satisfactory footing. But he has not been able to do all that is needed. Perhaps his hands were tied; perhaps he had not all the authority required for doing it. It is now the time for us to consider the whole matter. At the present moment I understand that the teaching staffs of most of the colleges have to work in an atmosphere of subserviency, and that very little freedom is allowed to them. If that be the case, I should like to know what would be the effect of their subserviency on the pupils whom they help to bring up. Will the pupils who come out of this University be able to show that amount of courage and independence which are required for a free citizenship of a free India? In one College affiliated to this University, mismanagement has assumed the most serious proportions, but the Government has not thought fit to bring forward a Bill for taking over the management of this college from the hands of its present trustees and vest it in the University for a number of years. I mean the Ramjas College. If the Government had brought forward a Bill for providing for the proper management of this College, I for one would have wholeheartedly supported the Government. But this Government lacks the courage and lacks also the straightforwardness to come out with a Bill for removing mismanagement from this College. In that college what is the present state of things? Teachers are often not in grades, their salaries are not paid for months together; they have no place on the governing bodies. In fact, there is no properly constituted governing body in this college. The Professors and the lecturers are removed without any due cause being assigned for such action and they have to remain in the college just like domestic servants. This is a very unsatisfactory state of things and a single day should not be lost before this state of things is remedied. I am also told that there is one gentleman in Delhi who is the President of the governing bodies of three colleges affiliated to this University. We, as economists, have always condemned monopoly in the economic field. But are you not prepared to condemn such a monopoly in the educational sphere, which is far more dangerous than monopoly in the economic field? But is there any provision in this Bill to remove this monopoly? None. So, Sir, I say that this Bill is quite inadequate to meet the needs of the present situation in Delhi.

Before I conclude, I should like to say a word about communal representation. I wish my Honourable friend Dr. Sir Ziauddin Ahmad had not raised that question. I have very great regard for him and I have worked with him in a spirit of cordiality and goodwill for a long number of years. Now, Sir, this question is a very controversial one. I do not say that there is nothing to be said in favour of this matter and that everything is to be said against it. But it is a very controversial question, and it is not relevant to the issues which face us at the present moment. I have as many friends among the Muslims as I have among the Hindus and in the Calcutta University I have times without number taken up cudgels in favour of the reasonable claims of my Muslim friends. I have supported again and again their election to the various University bodies. But, Sir, I am afraid that a statutory provision of communal representation is not a very desirable thing. There should be other ways by which the legitimate claims of the Muslims should be met. If the citizens of Delhi who are interested in the educational development of the Province have not done their duty in this respect I would advise them to change their policy. But I would request my Honourable friends on this side and the Government on the other not to insist on communal representation as part and parcel of the provisions of this Bill.

Sir, the net effect of the Bill, if it is passed through the Legislature in its present shape, would be to strengthen the hands of the Government over the Delhi University. I do not like this, I am a believer in the autonomy of the Universities. Universities can render service to the people only in an atmosphere of self-government. You should not interfere with

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 their independence either directly or indirectly. But, I find that the net effect of the amendments in the constitution of the different bodies of the University would be to place greater power in the hands of the Government and to reduce the power of the University bodies. That would be a very unsatisfactory state of affairs. It may be urged, and it has been urged that in future we will have self-government in this country, that the Government of this country will consist of our own men, and that therefore we should not object to greater control by Government. But I do not agree with that view. I want the autonomy of educational institutions to be preserved even when the Government of this country becomes an independent government, because in the future Government most probably the party system will prevail, and I will not place any educational institution under the control of a party government.

Sir, I beseech the Government not to proceed with the Bill in its present form. We will support the Government in all its legitimate desires, but I would ask the Government to consider seriously the various aspects of the question and allow the Bill to be circulated in order that public opinion may be fully and freely expressed upon it.

Mr. J. D. Tyson: Sir, my task in replying to this debate has been facilitated by the help I have received from various parts of the House, particularly in two admirable maiden speeches and by the intervention of my Honourable friend the Educational Adviser. Sir, after some of the speeches to which we have listened yesterday and today the House will perhaps forgive me if I recall what we are discussing. We are discussing a motion for consideration of the Bill as reported by the Select Committee and a motion for circulation of the Bill for opinions by the 31st December. The Select Committee to which the Bill was referred in the budget Session proposed a few changes, neither so many nor so drastic as to justify republication, and it recommended that the Bill be passed as now amended. The Select Committee have tendered that advice after considering the views of the Delhi University, views which were circulated to Honourable Members last night, views which will be found to favour the changes both in the Act and in the statutes proposed in the Bill except on certain points specified. I think it would be fair to say from these opinions that the University welcome legislation generally on the lines of the Bill, subject to the exceptions that they have taken. And in the light of that and of the recommendation of the Select Committee that the Bill be passed I feel that the onus of justifying any further delay in proceeding to consideration clause by clause lies heavily on those who urge that course. The House already decided in March last against circulation and I am entitled to ask the House to scrutinise carefully the reasons for which circulation is now again advocated.

Mr. B. B. Gupta (Cities of the United Provinces : Non-Muhammadan Urban): Was the Bill ever circulated before? Otherwise how were the opinions received from the universities?

Mr. J. D. Tyson: I think perhaps my Honourable friend was not in the House on the last occasion, but what happened was that I undertook to send the Bill to the University of Delhi to obtain their opinion before the Select Committee met. In Select Committee we had the opinion of the University of Delhi only; it was obtained in that way.

Now, Sir, my Honourable friend Maulvi Abdul Ghani who moved for circulation seemed to found his case on what was not in the Bill rather than on what was in the Bill. He does not find in the Bill provisions for the encouragement of technical education, for the regulation of the examination on the compartmental system or for a changed outlook on the part of the university teachers towards their students. He would like to see these in the Delhi University. But to this my answer must be that while these things for which he hankers may very well be desirable they are not for the most part susceptible of, or

suitable for, inclusion in the Act or statutes, and in any case the Bill did not profess to do these things. Mr. Lalchand Navalrai on the other hand objects to the Bill quite frankly for what it does contain. He dislikes many things in the Bill; he does not like the three-years degree course; he has never made any secret about his misgivings about the three-years degree course; he does not like the proposals about recognition and taking away recognition from colleges; he does not like the proposal for a whole-time Vice Chancellor; he does not like the Bill at all, and I do not think he would like it any better if it is circulated and we have to consider it again. Mr. Lalchand Navalrai dealt with most, if not all, of these matters when the Bill was before the House last. He is entitled of course to his views and he is entitled to defeat the Bill; but I am afraid I did not find anything in his speech that constituted an argument for circulation, and I take it he was really arguing against the consideration of the Bill. Well, Sir, the Select Committee was against him and I hope the House will agree to give further consideration to the Bill in spite of Mr. Lalchand Navalrai's misgivings.

I come now to my Honourable and gallant friend, the learned Doctor from Aligarh. The amendment which Sir Zia Uddin rose to move was for the recommitment of the Bill to the Select Committee,—perhaps the same Select Committee,—because as he was at some pains to explain to the House, certain changes which are sought to be effected in the Bill are of a nature so drastic that they cannot be inserted merely by amending various clauses at the consideration stage, and he wishes to have the Bill redrafted. In particular he specified the arrangements necessary to secure the freedom of migration to and from Delhi with its three-years degrees, the distribution of powers between teachers and non-teachers in the control of the university purse, and the reservation of a proportion of places for Muslims in the various bodies that guide the destinies of the university. All these, he considers, are select committee points rather than matters for amendment at the consideration stage. Now, Sir, the House will recollect that in March last I moved for reference of this Bill to a Select Committee and with the approval of the learned Doctor and of his Party I included his name and that of the Deputy Leader of his Party in the Select Committee. I recognise the moderation and the friendly tone with which this debate is conducted and I do not wish in any way to rake up old scores; I shall say no more than is necessary for the immediate purposes of my present argument. But the House will remember that neither the learned Doctor nor his colleague sat on my Select Committee, and their names were withdrawn at the last moment.

Mr. Deputy President (Mr. Akhil Chandra Datta): Order, order. That amendment of Sir Zia Uddin has been overruled and therefore not moved. This point therefore ought not to be discussed.

Mr. J. D. Tyson: Dr. Sir Zia Uddin, I gather from his speech, is going to support the motion for circulation on the ground that the whole thing should be circulated and brought back to this House and redrafted.

Mr. Deputy President (Mr. Akhil Chandra Datta): That is quite another motion, not a motion for recommitment to the Select Committee.

Mr. J. D. Tyson: Well, Sir, I would ask the House whether, when I proposed the learned Doctor for my Committee and he first accepted and then refused, it now lies in his mouth to say, "We in our Party have brought a string of amendments not suitable for inclusion in the Bill at the consideration stage. They were not considered by the Select Committee,—they are really Select Committee points,—and we must now insist on not going on with the Bill but put it all into the melting pot so that we can have another chance". Sir, he has had his chance of sitting on the Select Committee. I very much regret.—

[Mr. J. D. Tyson.]

I regretted it at the time and I do not cease to regret it,—that we did not have his help and the help of his colleague on our Select Committee when all these matters might have been raised. They have now come up as amendments; but I submit that after withdrawing from the Select Committee he cannot now come to the House and say that these are matters which were not in the original Bill, they should have been discussed in the Select Committee and the House should have further time for the consideration of them. In another way. Sir, when I have said that, I do not wish in any way to depreciate the value of Dr. Sir Zia Uddin's contribution to the debate. We always listen to him with attention on this matter of university education in which he has such long experience. I would only add, Sir, that I value the support that I have derived from his blessing of the principle of the three-years course and the principle that the Vice Chancellor should be chosen by the Chancellor in consultation with the Committee of References. I believe, Sir, that really Dr. Sir Zia Uddin is more than half on my side.

Now, Sir, coming to the Deputy Leader of the Muslim League, Nawabzada Liaquat Ali Khan, he made several points this morning. He said that he was sympathetic—I think his speech showed that he was sympathetic—to the principal object of the Bill before the House, but he was afraid that we were prejudicing the favourable outcome of the experiment by our precipitancy in rushing the Delhi scheme through before the ground was thoroughly prepared. Well, Sir, I apologised, so far as the Bill goes, to the House for bringing it up at short notice at the end of the last Session. But that was the Bill. It cannot, however, be contended that the Delhi reorganisation scheme has been rushed through, and that it has not been under consideration for a very long time. It was approved in principle by Government in 1940. The University then took it up and prepared ordinances and the ordinances were accepted by the Court about this time last year,—in 1942. During the course of examination and of preparation of the requisite ordinances, the University were all the time looking out to see what amendments they would require in the Statutes and perhaps even in the Act, and it was when they had cleared the ground there that they came up for the present Bill. In actual fact, Sir, I am advised that the University need this Bill to enable them to carry on. They have had a preparatory class in existence for one year and that class is now due to begin its three-years degree course. Section 36 (1) of the Act as it stands at present provides that students should not be eligible for admission to a course of study for a degree unless they have passed the intermediate examination of an Indian University, and there is no intermediate examination in Delhi now.

Then, Sir, the Deputy Leader of the Muslim League cited as proof of the alarm that has been created by the very proposals that are now before us and as presaging the decline of the University if we proceeded at what he would doubtless describe as break-neck speed, certain figures to show that admission at present has gone down. Well I have not had time to examine all these figures. I am not for a moment doubting the accuracy of the figures that are quoted but I would like to make some comments on them.

In the preparatory class during the year that has just finished, there were over 700 students. Of these 344 have failed in the qualifying examinations and naturally they cannot, until they have passed them, proceed to the first year of the degree course. 366 have passed, of whom, my friend says, 257 have applied to join the first year class. Now, Sir it is a fact that the 4th August, this very day, is the day officially fixed for the closing of the lists, but I am told that it is also a fact that admissions go on for another month, and as those 366 students are in a preparatory class with this course definitely in view, I think it is fair to assume that some of the balance between 257 and 366, the majority of them I should imagine, will still come forward. More than that,

I said 844 students have failed in the examination. I understand that it has been decided to hold another examination—a kind of “compartmental” examination—to enable these people to have another try, and that will be held in October, in time for those that pass to join the class.

Nawabzada Muhammad Liaquat Ali Khan: Will the standard of examination be lower?

Mr. J. D. Tyson: They will certainly have more time to prepare. I hope the standard will not be lower.

Even as regards the figure of 791, which was quoted as the comparative figure for last year, I would say that those people had been through the examination hall once only. Many things happen in examinations—there is always wastage—and the ones who have passed this year, i.e., the 366, are persons who have been through the examination twice in the same period. I should also add another small factor. I do not ask the House to attach undue importance to it. Some of the people who would normally have gone to the intermediate class will now go to the Delhi Polytechnic. I think even, so, there are definite indications, as my friend has pointed out, that there is a decrease in the figures, but I think that any change of this kind is bound to have that effect initially. Parents want to be careful. They do not want to take the risk, and in this particular case I am bound to say that those who have had their misgivings about the whole scheme have certainly not been shy of giving publicity to them, and one cannot wonder therefore if parents have at the outset been a little nervous.

As regards the assistance that is being given to colleges, I can only say that I have looked up the grant that is being given to the Anglo-Arabic College and whereas it was Rs. 15,900 last year, it is about Rs. 25,000 this year.

Nawabzada Muhammad Liaquat Ali Khan: And the expenditure according to your new scheme?

Mr. J. D. Tyson: Yes, the expenditure has gone up. But I imagine the fees have gone up also.

Nawabzada Muhammad Liaquat Ali Khan: No.

Mr. J. D. Tyson: I come to the Leader of the Congress Nationalist Party. In his closely reasoned speech Dr. Banerjea has reiterated difficulties about the Bill which he has mentioned before in the House and embodied in a minute of dissent to the Select Committee's report. I know he has great misgivings about the three-years course, on the practical side at all events. He fears that migration one way or the other will be impracticable. Well, Sir, it is very difficult for a layman to pronounce upon this matter, but I find that the University itself does want the three-years degree course and wants it now. As a matter of fact it launched it a year ago when it started the preparatory class. I understood my friend, Dr. Banerjea, to say: What is the use of Delhi going on with a pioneer experiment when other Universities in India, as far ahead as he can see, for financial reasons if none else, will never be able to follow this good example? But I hope that he will not deny to Delhi the chance of doing something which is good in itself merely because difficulties in doing it elsewhere prevent other Universities from following suit.

I appreciate, Sir, that the Leader of that Group does not like some points in the Bill, but I do not feel that he has made out any case for circulating as opposed to opposing the Bill or amending it in its various clauses. I submit, therefore, that no case has been made out for circulating the Bill and I am afraid I cannot accept the Maulvi Sahib's motion.

Nawabzada Muhammad Liaquat Ali Khan: May I ask a question? Will the Honourable Member enlighten the House if the Select Committee has accepted any of the proposals that were put forward by the Court and the Executive and Academic Councils of the University of Delhi. Let me tell the Honourable Member that the answer is no.

Mr. J. D. Tyson: I am not prepared to answer that straight off.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Mr. President (The Honourable Sir Abdur Rahim): The question is :

"That the Bill be circulated for the purpose of obtaining opinion thereon by the 31st December 1943.

The Assembly divided :

AYES—28.

Abdul Ghani, Maulvi Muhammad.
Abdullah, Mr. H. M.
Azhar Ali, Mr. Muhammad.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Bhutto, Mr. Nabi Baksh Illahi Baksh.
Chattopadhyaya, Mr. Amarendra Nath.
Choudhury, Mr. Muhammad Hussein.
Datta, Mr. Akhil Chandra.
Deshmukh, Mr. Govind V.
Eesak Sait, Mr. H. A. Sathar H.
Gupta, Mr. R. R.
Ismail Khan, Hajee Chowdhury Muhammad.
Kailash Bihari Lall, Mr.

Kazmi, Qazi Muhammad Ahmad.
Lalchand Navalrai, Mr.
Liaquat Ali Khan, Nawabzada Muhammad.
Maitra, Pandit Lakshmi Kanta.
Murtuza Sahib Bahadur, Maulvi Syed.
Nairang, Syed Ghulam Bhik.
Naqman, Mr. Muhammad.
Neogy, Mr. K. C.
Raza Ali, Sir Syed.
Siddique Ali Khan, Nawab.
Umar Aly Shah, Mr.
Yamin Khan, Sir Muhammad.
Zafar Ali Khan, Maulana.
Zia Uddin Ahmad, Dr. Sir.

NOES—45.

Ahmad Nawaz Khan, Major Nawab Sir.
Aiyar, Mr. T. S. Sankara.
Ambedkar, The Honourable Dr. B. R.
Bentham, The Honourable Sir Edward.
Bewoor, Sir Gurunath.
Bhagchand Soni, Rai Bahadur Seth.
Chapman-Mortimer, Mr. T.
Chatterji, Mr. S. C.
Daga, Seth Sunder Lall.
Dalal, Dr. Sir Ratanji Dinshaw.
Das, Pandit Nilakantha.
Ghiasuddin, Mr. M.
Griffiths, Mr. P. J.
Gwillt, Mr. E. L. C.
Habibur-Rahman, Khan Bahadur Sheikh.
Haider, Khan Bahadur Shamsuddin.
Imam, Mr. Saiyid Haider.
Ismail Alikhan, Kunwer Hajee.
James, Sir F. E.
Jawahar Singh, Sardar Bahadur Sardar Sir.
Joshi, Mr. D. S.
Kamaluddin Ahmad, Shams-ul-Ulema.
Khare, The Honourable Dr. N. B.
Lalljee, Mr. Hooseinbhoy A.

Mackeown, Mr. J. A.
Maxwell, The Honourable Sir Reginald.
Miller, Mr. C. C.
Muazzam Sahib Bahadur, Mr. Muhammad.
Mudaliar, The Honourable Dewan Bahadur Sir A. Ramaswami.
Noon, The Honourable Malik Sir Feroz Khan.
Pai, Mr. A. V.
Piare Lall Kureel, Mr.
Raisman, The Honourable Sir Jeremy.
Ray, Mrs. Renuka.
Richardson, Sir Henry.
Roy, The Honourable Sir Asoka Kumar.
Sargent, Mr. J. P.
Shahban, Khan Bahadur Mian Ghulam Kadir Muhammad.
Siva Raj, Rao Bahadur N.
Spear, Dr. T. G. P.
Spence, Sir George.
Sultan Ahmed, The Honourable Sir.
Thakur Singh, Major.
Trivedi, Mr. C. M.
Tyson, Mr. J. D.

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The question is :

"That the Bill further to amend the Delhi University Act, 1922, as reported by the Select Committee, be taken into consideration."

The Assembly divided:

AYES—46.

Ahmad Nawaz Khan, Major Nawab Sir.
 Aiyar, Mr. T. S. Sankara.
 Ambedkar, The Honourable Dr. B. R.
 Benthall, The Honourable Sir Edward.
 Bewoor, Sir Gurunath.
 Bhagchand Soni, Rai Bahadur Seth.
 Chapman-Mortimer, Mr. T.
 Chatterji, Mr. S. C.
 Choudhury, Mr. Abdur Rasheed.
 Duga, Seth Sunder Lall.
 Dalal, Dr. Sir Ratanji Dinshaw.
 Das, Pandit Nilakantha.
 Ghiasuddin, Mr. M.
 Griffiths, Mr. P. J.
 Gwilt, Mr. E. L. C.
 Habibur-Rahman, Khan Bahadur Sheikh.
 Haidar, Khan Bahadur Shamsuddin.
 Imam, Mr. Saiyid Haidar.
 Ismaiel Alikhan, Kunwer Hajee.
 James, Sir F. E.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Joshi, Mr. D. S.
 Kamaluddin Ahmad, Shams-ul-Ulema.
 Khare, The Honourable Dr. N. B.

Lalljee, Mr. Hoosseinbhoy A.
 Mackcown, Mr. J. A.
 Maxwell, The Honourable Sir Reginald.
 Miller, Mr. C. C.
 Muazzam Sahib Bahadur, Mr. Muhammad.
 Mudaliar, The Honourable Dewan Bahadur Sir A. Ramaswami.
 Noon, The Honourable Malik Sir Feroz Khan.
 Pai, Mr. A. V.
 Piare Lall Laureel, Mr.
 Rajaman, the Honourable Sir Jeremy.
 Ray, Mrs. Renuka.
 Richardson, Sir Henry.
 Roy, The Honourable Sir Asoka Kumar.
 Sargent, Mr. J. P.
 Shahban, Khan Bahadur Mian Ghulam Kadir Muhammad.
 Siva Raj, Rao Bahadur N.
 Spear, Dr. T. G. P.
 Spence, Sir George.
 Sultan Ahmed, The Honourable Sir.
 Thakur Singh, Major.
 Trivedi, Mr. C. M.
 Tyson, Mr. J. D.

NOES—28.

Abdul Ghani, Maulvi Muhammad.
 Abdullah, Mr. H. M.
 Azhar Ali, Mr. Muhammad.
 Bajoria, Babu Baijnath.
 Banerjes, Dr. P. N.
 Bhutto, Mr. Nabi Baksh Ilahi Baksh.
 Chattopadhyaya, Mr. Amarendra Nath.
 Choudhury, Mr. Muhammad Husain.
 Datta, Mr. Akhil Chandra.
 Deshmukh, Mr. Govind V.
 Essak Sait, Mr. H. A. Sathar H.
 Gupta, Mr. R. B.
 Ismail Khan, Hajee Chowdhury Muhammad.
 Kailash Bihari Lall, Mr.

Kazmi, Qazi Muhammad Ahmad.
 Lalchand Navalrai, Mr.
 Liaquat Ali Khan, Nawabzada Muhammad.
 Maitra, Pandit Lakshmi Kanta.
 Murtuza Sahib Bahadur, Maulvi Syed.
 Nairang, Syed Ghulam Bhik.
 Nauman, Mr. Muhammad.
 Neogy, Mr. K. C.
 Raza Ali, Sir Syed.
 Siddique Ali Khan, Nawab.
 Umar Aly Shah, Mr.
 Yamin Khan, Sir Muhammad.
 Zafar Ali Khan, Maulana.
 Zia Uddin Ahmad, Dr. Sir.

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed to the consideration of the Bill clause by clause. The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Dr. Sir Zia Uddin Ahmad: Sir, I move:

"That in clause 3 of the Bill, after sub-clause (a) the following new sub-clause be inserted and the subsequent sub-clause be re-lettered accordingly:

"(b) In section 4 of the said Act, in sub-section (2) (a) after the word "University" the words "or in a College mentioned or recognised by the University" shall be inserted."

We had similar difficulty in Aligarh. We first started the Aligarh University as a uni-collegiate university. The moment we established colleges

there, it became necessary to modify this particular clause because the section as it stands says: to hold examinations, to grant and confer degrees and other academic distinctions on persons who have pursued a course of study in the university or are teachers in educational institutions. Suppose a person has not pursued a course of study in the university but he has pursued a course of study in a college recognised by the university. Then, I do not know whether under this particular clause they will be entitled to get the degrees and diplomas. This question is practically a question of law. In order to clarify the position, it is very desirable to add these words. We did add these words in the case of the Aligarh University as soon as we established colleges there.
 Sir, I move:

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 3 of the Bill, after sub-clause (a) the following new sub-clause be inserted and the subsequent sub-clause be re-lettered accordingly:

'(b) In section 4 of the said Act, in sub-section (2) (a) after the word "University" the words "or in a College mentioned or recognised by the University" shall be inserted.'

Mr. J. D. Tyson: I do not think this amendment is at all necessary. I have not been able to learn from the learned Doctor why this is necessary. We think that it is covered already—that "people who have pursued a course of study in the University" covers those who have pursued a course of study in a college which is maintained or recognised by the University. We have no misgiving that there is any difficulty there.

Dr. P. N. Banerjee: The misgiving arises from the fact that in the University you have a separate body of teachers known as the University professors, whereas in the colleges, there is a distinct body called the teachers and therefore in order to clarify the position it would be better to accept the amendment which has just been moved by my Honourable friend Sir Zia Uddin Ahmad. It would make the position quite clear and no room for ambiguity will be left.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That in clause 3 of the Bill, after sub-clause (a) the following new sub-clause be inserted and the subsequent sub-clause be re-lettered accordingly:

'(b) In section 4 of the said Act, in sub-section (2) (a) after the word "University" the words "or in a College mentioned or recognised by the University" shall be inserted.'

The motion was negatived.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Dr. Sir Zia Uddin Ahmad: Sir, I move:

"That for clause 5 of the Bill, the following be substituted:

'5. *Amendment of Section 11, Act VIII of 1922.*—In Section 11 of the said Act, for sub-section (1) the following shall be substituted, namely,—

"(1) (a) The Vice-Chancellor shall be appointed by the Chancellor from amongst the three persons selected by the Committee of Reference mentioned in sub-section (b) and recommended by the Executive Council upon such conditions and on such remuneration as the Chancellor may determine.

(b) The Committee of Reference shall consist of three persons two of whom shall be persons, not connected with the University or any College, nominated by the Executive Council, and one person nominated by the Chancellor, who shall appoint one of the three as Chairman of the Committee.

(c) He shall hold office for four years.'"

I have not changed the substance of this clause of the Bill. What I notice is this. They have got two different methods of selection of the Vice Chancellor, one when he is to be paid and the other when he is to be honorary. The two methods are entirely different. In one case, the tenure is two years, in the other case it is four years. The difficult question which will arise and which will have to be settled beforehand will be whether the Vice Chancellor should be honorary or should be a paid official. If he is honorary, there is one method of selection. In the other case the method is different. The University has to decide first whether he should be honorary or paid. If it is decided that he should be honorary officer the method of selection is provided in the original Act. That is a period of two years. If we decide that he should be a paid officer, then there is an entirely different method which is now provided in the present Bill, which will be added as a proviso. Therefore, this thing will, I think, create a very great confusion in the election of the Vice-Chancellor. I think there should be one method of selection and later on when the Chancellor, that is, the Governor General, decides the terms on which he should be appointed, that will be the time for the Governor General to say whether he should be honorary or paid. He should then fix the salary himself. That is the best way of meeting the problem. But if we follow this Act and add a proviso in the case of those who are to be paid, then it will create very great confusion. As I said, the first question which we have got to decide is whether he should

be a paid officer or an honorary officer. Who will decide it, who will initiate it, and whose decision shall be final? I quite agree that there is a great contribution in the amendment of the Select Committee, namely, that the selecting authority should be a Committee of Reference consisting of three persons not connected with the University. This method, no doubt, is a very great improvement on the existing Bill. But if you put two alternatives—one a method when he is to be honorary and another a method when he is to be paid, it will lead to confusion. So, I suggest that we should have one simple method of selection and that selection method is the one recommended in the Bill as it has emerged from the Select Committee. That is a very good way of doing it. We ought to delete the original clause. We ought to delete altogether the old method of selection and substitute in its place the present method both for honorary and paid Vice-Chancellor. The decision should rest with the Chancellor. He will determine whether in this particular case he should be a paid officer or an honorary officer. I am not changing any terms of the appointment. The issue that I want to raise is that there ought not to be two methods of selection. In my opinion when you have put the responsibility of maintaining the discipline in the University on the Vice-Chancellor, it is impossible to have an honorary Vice-Chancellor. If the Vice-Chancellor is residing in New Delhi and is doing his official duty here, he cannot possibly take the responsibility of the supervision of discipline.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

“That for clause 5 of the Bill, the following be substituted:

“5. *Amendment of Section 11, Act VIII of 1922.*—In Section 11 of the said Act, for sub-section (1) the following shall be substituted, namely,—

“(1) (a) The Vice-Chancellor shall be appointed by the Chancellor from amongst the three persons selected by the Committee of Reference mentioned in sub-section (b) and recommended by the Executive Council upon such conditions and on such remuneration as the Chancellor may determine.

(b) The Committee of Reference shall consist of three persons two of whom shall be persons, not connected with the University or any College, nominated by the Executive Council, and one person nominated by the Chancellor, who shall appoint one of the three as Chairman of the Committee.”

(c) He shall hold office for four years.”

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, the Vice-Chancellor will know whether he is going to be honorary or paid. First of all, the Selection Committee will be called. They will appoint three people and their names will be sent to the executive council and then those names will be sent to the Chancellor. Then, the Chancellor will appoint one of them. Is it Sir Zia Uddin's purpose that only at the time of the appointment the Chancellor should say whether he is to be paid or not?

Dr. Sir Zia Uddin Ahmad: That is my amendment.

Pandit Nilakantha Das: The proposal in the Bill is that from the beginning it should be known whether the Vice-Chancellor will be paid or whether he would be honorary. So, there are two methods of selecting the Vice-Chancellor. If it is not known whether the Vice-Chancellor is going to be honorary or paid, the whole method of selection will fall to the ground. On what basis the Committee of Reference will recommend three persons? Sometimes lawyers or Judges of the High Courts or men holding other offices may be selected. Suppose a gentleman like Sir Maurice Gwyer, who was the Chief Justice of the Federal Court, is selected, then he cannot be a paid Vice-Chancellor. But if the Vice-Chancellor is going to be a paid officer then men like Sir Shanti Swarup Bhatnagar or some such other person, who are prepared to give up their jobs altogether, will be selected. If this amendment is accepted, then one will remain in the dark as to what sort of man should be selected. If some lawyer is selected as a Vice-Chancellor, then *ipso facto* he will be unpaid and be only a part time officer. The Chancellor, only when he is going to appoint such a man, can ask him whether he is willing to be a wholetime or part-time officer. That will not be a very reasonable proposal at this stage. The gentleman must know from the beginning on what condition he is going to be nominated. So, this amendment will create difficulties. If from the beginning it

[Pandit Nilakantha Das.]

may be arranged somehow, for the gentleman to know whether he will be a whole-time or part time officer, then this single method of selection would, I think, be acceptable. But now as it is, this difficulty of indefiniteness till the last stage of nomination stands in the way of acceptance.

Dr. P. N. Banerjee: Sir, I am sorry I cannot see eye to eye with my Honourable friend Dr. Sir Zia Uddin Ahmad although on many occasions we agree. I am afraid the two methods of selection cannot be combined. We must first know whether the Vice-Chancellor is to be paid or not. If the Vice-Chancellor be a paid officer, then the procedure relating to the selection and appointment must be different from the procedure which will have to be adopted when the Vice-Chancellor is to be an honorary officer. In the case of an honorary Vice-Chancellor, which I believe will be the normal system, it is not necessary to go through the procedure of appointing a selection Committee. But the selection committee will be in great difficulty with regard to this matter and it would not be desirable to give this power to a small body of three persons to select an honorary Vice-Chancellor. An honorary Vice-Chancellor of the rank of the Chief Justice of the Federal Court or of the Judge of the Federal Court or a man of similar status may not like to be considered for the post, if the post is to be decided upon by a Committee of three persons. On the other hand when there is to be a paid Vice-Chancellor, there is a necessity for finding out the proper person who would accept the office and who would do well in that office. If we are to combine the two methods, the one I may call the normal method and the other the extraordinary method, there will be a great deal of complexity and instead of removing the difficulty we will create fresh difficulties. Therefore, I am unable to support his motion. But I will stand by the procedure that is suggested in the report of the Select Committee. There are certain amendments which will be moved later on and on which I will have an opportunity of speaking later on. But before I pass on to that question, I should like to invite the attention of the Government Member with regard to certain ambiguity in sub-clause (c), clause 5. In the fifth line you find "shall select not less than three persons and shall report its selection to the Executive Council". In the sixth line you find "The executive council shall make its recommendations on the three persons so selected to the Chancellor". I suggest you have to make proper amendments to remove the ambiguity.

Dr. Sir Zia Uddin Ahmad: Who will decide whether the Vice-Chancellor will be honorary?

Dr. P. N. Banerjee: I say the normal method is for the Chancellor to appoint the Vice-Chancellor. But when the proviso is to be given effect to, that would be an extraordinary method. In the case of the ordinary method, my proposal is that on the recommendation of the executive council, the Chancellor should decide. But in the Select Committee report, we find that either the Chancellor on his own motion or the Chancellor on the motion of the Executive Council would decide. So there would be complication if the amendment is accepted. As regards the procedure it is fully laid down; only there is an ambiguity towards the end of the paragraph which will have to be cleared up.

Mr. J. D. Tyson: Sir, in view of what has fallen from my Honourable friend Pandit Nilakantha Das and my Honourable friend Dr. Banerjee, I can afford to be short. In drafting the Bill, we deliberately kept the two systems. We considered that the existing system works perfectly well when it is a matter of selecting a part-time and therefore, obviously, a local gentleman to be Vice-Chancellor. We thought that for a whole-time Vice-Chancellor it would be necessary to go further afield than Delhi to make sure of getting the best man and we thought that for that purpose something in the nature of a Committee of Selection would be necessary. We therefore deliberately, in drafting the Bill, let the existing procedure stand for part-time Vice-Chancellors and only suggested the other procedure for a whole-time Vice-Chancellor. We definitely

believe that it will be necessary for a decision to be taken as to whether a part-time Vice-Chancellor will do or a whole-time Vice-Chancellor is required before a search is made for a Vice-Chancellor. No doubt the field will be reviewed a little first. Where the need is clear for a whole-time Vice-Chancellor, the decision should definitely be taken first and we should go for a whole-time Vice-Chancellor. If we were to adopt the procedure suggested in this amendment, I think the Chancellor would be in a very invidious position in deciding whether the person selected is to be given any pay or not. After all it turns to some extent on whether he is whole-time or part-time. The matter was given very careful consideration in the Select Committee and we on this side would like to stand by what was in effect a unanimous recommendation of the Select Committee.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That for clause 5 of the Bill, the following be substituted:

"5. *Amendment of Section 11, Act VIII of 1922.*—In Section 11 of the said Act, for sub-section (1) the following shall be substituted, namely,—

"(1) (a) The Vice-Chancellor shall be appointed by the Chancellor from amongst the three persons selected by the Committee of Reference mentioned in sub-section (b) and recommended by the Executive Council upon such conditions and on such remuneration as the Chancellor may determine.

(b) The Committee of Reference shall consist of three persons two of whom shall be persons, not connected with the University or any College, nominated by the Executive Council, and one person nominated by the Chancellor, who shall appoint one of the three as Chairman of the Committee.

(c) He shall hold office for four years".

The motion was negatived.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhamadan Rural): Sir, I move:

"That in clause 5 of the Bill, in the proposed proviso, the words 'of his own motion or' be omitted."

This Bill is going to appoint a paid Vice-Chancellor. With regard to the selection of the candidates this proviso makes it a condition that "the Chancellor of his own motion or at the instance of the Executive Council after consultation with the Academic Council is of opinion that a Vice-Chancellor should be appointed on the condition that he gives his whole time to the work of the University. . . .". I do not support that there should be alternative methods. I therefore propose the deletion of the words "of his own motion or". The proviso would then read:

"Provided that if the Chancellor at the instance of the Executive Council. . . ."

It is very natural for Government to give power to the Chancellor with regard to the appointment of the Vice-Chancellor. While there is Executive Council which can very well do this business, why should there be any alternative authority? I think it should be either Chancellor or the Executive Council. My proposal is very simple. The Chancellor is to give the sanction after the selection is made. Consequently the words "at the instance of the Executive Council" are quite sufficient. I hope this amendment will be accepted by Government. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 5 of the Bill, in the proposed proviso, the words 'of his own motion or' be omitted."

Dr. P. N. Banerjee: Sir, the question here is as to who is to take the initiative in the matter of deciding whether there should be a paid Vice-Chancellor or not. In the report of the Select Committee we find that the Chancellor may take the initiative or the executive council may take it. The present amendment is that the Chancellor should not take the initiative in his matter. I support this view because in my opinion the executive council consisting of as many as 27 persons who are administering the affairs of the university are the proper persons to know whether a whole-time Vice-Chancellor is needed or not. If they are unable to cope with the work of the university with the assistance of a part-time Vice-Chancellor, they themselves will come forward

[Dr. P. N. Banerjee.]

and say that they are unable to cope with the work and therefore a whole-time Vice-Chancellor should be appointed. But it is laid down in the report of the Select Committee that the Chancellor also may take the initiative. Sir, I am not willing to give the initiative to the Chancellor because his knowledge of the affairs of the university is not likely to be so great and so extensive as the knowledge of the executive council. Besides, the proposal in the report of the Select Committee may be resented by the executive council. If without reference to the Executive Council the Chancellor takes the initiative and decides that a whole-time Vice-Chancellor should be appointed there may be friction between the Chancellor and the executive council. The executive council may say that as they are the people who are administering the affairs of the university they know better than the Chancellor whether a paid Vice-Chancellor is needed or not and therefore they are not going to cooperate in the work of administration of the University. They may not lend their whole-hearted support to the paid Vice-Chancellor if he is appointed and there may be a great deal of trouble between the paid Vice-Chancellor and the executive council. In order to remove the possibility of such trouble it is desirable that the initiative should come from the executive council and not from the Chancellor.

Pandit Nilakantha Das: Sir, one really fails to understand what harm there is if the Chancellor takes the initiative in saying that a paid Vice-Chancellor is necessary for the university. We have provided for everything; we have provided for a reference committee where practically the Executive Council will have its say and we have . . .

Dr. P. N. Banerjee: But that will be with regard to the personnel.

Pandit Nilakantha Das: Yes, from the beginning to end the selection of the personnel may be controlled by the university. The Chancellor may represent Government or the Education Department; they are in charge of the money; they are going to make great educational experiments, and if they provide the funds to employ a whole-time man and a capable man, I do not see why there should be friction and the heavens should fall down if the Chancellor simply says—"Well you now have a whole-time man."

Dr. P. N. Banerjee: There will be difference of opinion.

Pandit Nilakantha Das: The Chancellor will only say—"Have a good and whole-time man." The selection will practically be done by the Executive Council. I would rather say that it is the Chancellor who should take this initiative and not the Executive Council. There is a well-known psychological development which ends in a fixed idea, and people habituated to a particular way of thinking become no-changers, a phrase which we are used to in our political life. This no-change mentality has come over certain Honourable Members of this House and they will have no change.

Dr. P. N. Banerjee: Will 27 persons be no-changers and only one person a pro-changer?

Pandit Nilakantha Das: The late Mr. C. R. Das was a pro-changer when all the rest of India was full of no-changers and he was opposed by people like us. The pro-changer is always a pioneer and ordinary common people think in a groove. In this Delhi University there is going to be a great experiment and the Vice-Chancellor will have to do so many things and he will want to have many powers, and perhaps the Bill will be again amended. In a small place like Delhi there are many parties and cliques which may not want a paid Vice-Chancellor and if you give the option to the Executive Council, I apprehend they will never recommend the appointment of a whole-time paid Vice-Chancellor because they do not want educational experiments.

An Honourable Member: Because they are wiser.

Pandit Nilakantha Das: If my Honourable friends think they are wiser and cannot think in a new line, let them have their satisfaction of becoming wiser. But I emphatically state that there is no harm, rather it is a thing to

be approved that the Chancellor should be able to say: 'Well, gentlemen, I will give you money. Have the best man'. This we are going to oppose. It is shameful.

Mr. Lalchand Navarai: Sir, my views are already known to the House. At this point I do not want to get into any excitement as my learned friend. The provision that has been made by the Select Committee is in itself contradictory. You are giving a privilege to two bodies to make a proposal, but thereby you are nullifying the power of one or the other. Supposing the Executive Council say that they do not want it. There is power in the Chancellor. He may say that it should be proposed. In that case he is sitting as an Appeal Court and I do not think that that must have been the intention of the Select Committee. Therefore, I submit that it should be left to one body, either to the Chancellor or to the Executive Council. After all, it is a proposal that is going to be made and I must admit that it is the Executive Council who are dealing with the daily administration and they know much more than the Chancellor, who of course supervises the business but does not know the every day administration. Therefore the words should be deleted and it should be left so that the power may be exercised by the Executive Council. After all, the Executive Council also has to consult the Academic Council and will also know more from the Professors and others who can help them by giving them the real position as to whether an honorary Vice-Chancellor will be suitable or not. I therefore support this amendment.

Mr. J. D. Tyson: Sir, the proviso to the original Bill reads:

"Provided that if the Chancellor is of opinion and so informs the Executive Council that a Vice-Chancellor should be appointed on the condition that he gave his whole-time to the work of the University, the appointment shall be made by the Chancellor after such consultation with the Executive Council as he thinks fit."

Quite frankly, the Government have got to such a stage in this educational experiment that it may be necessary from Government's point of view to ensure that the experiment has the most favourable opportunity of being successful to have a whole-time Vice-Chancellor. To say that in fact Government has a stake in the matter, I may mention that 65 per cent. of the expenditure of the University is at present met from Government grants—much the biggest proportion of grant-in-aid to any University in India and over and above what Government gives as grants-in-aid to colleges. We therefore feel that the Chancellor who is in the Government but has a distinct duty to the University, and would of course hear the University in the matter and hear the Government if the Government were anxious, that the decision in this matter should rest with the Chancellor. After receiving the views of the University in the matter, the Select Committee, as the House will observe, have done this. But they have associated the University in the initial stage provided the Chancellor on his own motion or at the instance of the Executive Council, after consultation with the Academic Council is of the opinion that there should be a whole-time Vice-Chancellor. We were full consenting parties to that. We were glad to see the University associated in this matter, and more than that, as we shall see when we come to the other amendments, the Select Committee have associated the Executive Council to such an extent with respect to a paid Vice-Chancellor that a paid Vice-Chancellor will be selected by the Executive Committee. That is the effect of the whole clause.

I must say, Sir, that we have gone from this side as far as we feel we can and I must stand by the recommendation of the Select Committee to which I am not only a party but which I consider is a definite improvement in the Bill as it was originally introduced.

Pandit Nilakantha Das: I wish to make a withdrawal. Unfortunately at the end of my speech I used the word "shameful".

Mr. President (The Honourable Sir Abdur Rahim): Order. order. The Honourable Member cannot make two speeches.

Pandit Nilakantha Das: I wish to withdraw the word "shameful". I would say "unthinkable".

Mr. President (The Honourable Sir Abdur Rahim): All right. The question is:

"That in clause 5 of the Bill, in the proposed proviso, the words 'of his own motion or' be omitted."

The motion was negatived.

Mr. Amarendra Nath Chattopadhyaya: Sir, I move.

"That in Clause 5 of the Bill, in part (a) of the proposed proviso for the word 'four' the word 'three' be substituted."

When I see that no simple amendment is acceptable to the Government, I feel disinclined to move this. I would ask the Honourable Member to consider the reasons for my amendment. We are going to make an experiment with the three years course and for the first three years let there be one who can take charge of this experiment. Any official who has power for more than three years in the University becomes very powerful and possibilities for intrigues and cliques ensue. To avoid that I have proposed that he should be appointed for three years only and in the third year let the Executive Council or for the matter of that the Chancellor decide whether he should continue or whether a new man should be brought in. Sir, men in the highest position become almost undesirable from the abuse of power and the lust of wealth. I believe, Sir, that no officials should be in any institution for a term of more than three years at a time. With these words, I move the amendment.

Mr. President (The Honourable Sir Abdur Rahim): Amendment moved:

"That in clause 5 of the Bill, in part (a) of the proposed proviso for the word 'four' the word 'three' be substituted."

Mr. J. D. Tyson: Sir, the present term of a part-time unpaid Vice-Chancellor is two years. Considering that a whole-time Vice-Chancellor will have to give up any other pursuits that he has and devote his whole-time to the work, we think that we should be prejudiced in getting a really first-class man unless we can assure him of a term of office which will justify his giving up anything that he is doing already and which will hold out the hope also of being able really to do something for the University in his term. Four years is not a very long time for a man to hold an office of that kind. I cannot believe that if he is going to survive for three years without yielding to the lust of power and the lust of wealth, which, I think, my Honourable friend referred to, the extra year is going to make any difference. We considered the question of the period in the Select Committee and I again would prefer to stick to the Select Committee's figure of four years.

Sir Muhammad Yamin Khan: Will he not be eligible for re-appointment?

Mr. J. D. Tyson: There is no bar.

Nawabzada Muhammad Liaquat Ali Khan: The Honourable Mr. Tyson in his last speech on the motion which was before this House a little while ago had twitted the Muslim League Party for withdrawing its representatives from the Select Committee. You are aware, Sir, of the reasons that had prompted the Muslim League to take that action. It was this stubborn attitude of the Government which was responsible for our action then. Here a very innocent amendment has been moved that the period of the appointment of a Vice-Chancellor should be reduced from four to three years. In all the Universities the Vice-Chancellors are appointed, as far as I know, or at least in most of the universities, for three years. I know that the Vice-Chancellor of the Lucknow University, the Vice-Chancellor of the Allahabad University, the Vice-Chancellor of the Aligarh University, where there is a provision for a salary, is appointed for three years. I do not know what superhuman beings Mr. Tyson has in view whom he is going to appoint as a Vice-Chancellor of the Delhi University and I do not know what selfish, greedy person he has in his mind who would say at the time of his appointment "I refuse to take up the appointment unless I am assured the job for another one year". If the gentleman who is appointed to this high

office is one who is determined to serve the best interests of the University, I do not see any reason why the Executive Council or the Academic Council should be so unreasonable as to desire a change; but if, on the other hand, the person is undesirable, then let me tell him that even one year's respite is not a bad thing for an Executive Council that has got to work under him. Therefore, I suggest that the Government should not insist on opposing amendments of this nature. They should adopt an attitude of reasonableness and not depend too much on the votes which they have in their pockets.

Dr. P. N. Banerjee: Sir, I rise to support this amendment. The Honourable the Deputy Leader of the Muslim League Party has pointed out that in several Universities the term of office of the paid Vice-Chancellor is three years. I believe that there is no University in India where the term of office of a paid Vice-Chancellor is more than three years.

Mr. J. D. Tyson: I think in the Dacca University it is five years.

Dr. P. N. Banerjee: One out of eighteen; I stand corrected. All the other Universities have the term of office of their Vice-Chancellors fixed either for two years or for three years. Sir, the question is of some importance—I do not say it is of the greatest importance. It may happen that there may be a conflict between the views of the salaried Vice-Chancellor and the executive council; it may also happen that the Vice-Chancellor may become something of an autocrat, and if that happens, it would be better to end his period of office at the termination of three years rather than to continue the conflict or that tussle for another year. If, however, there is no disagreement between the executive council and the Vice-Chancellor there is no bar to the Vice-Chancellor being re-appointed. Therefore, Sir, it is desirable from all points of view that the Vice-Chancellor's term of office should be fixed at three years.

Now, Sir, my Honourable friend, Mr. Tyson, suggested that a person would not accept the post of a paid Vice-Chancellor unless he was assured of a term of four years. Sir, we expect that those who will come to serve this University will come from a spirit of sacrifice, from a spirit of sympathy and not from a spirit of greed as has been suggested by my Honourable friend Nawabzada Liaquat Ali Khan. Sir, it is absolutely necessary to create a good atmosphere in the country and retain that atmosphere for as long a period as possible. If there is an undesirable atmosphere that atmosphere should be improved at the earliest possible moment.

Mr. M. Ghiasuddin: Mr. President it is a very simple matter to my mind whether a person who is asked to hold the office or holds it for four years or three years, or whether he is going to accept that office on certain terms, or not. Sir, it is a common experience that at the time when the tenures of such posts are renewed intrigues and cliques, as my Honourable friend the Mover of the amendment has said, come into play. In order that those cliques and intrigues should be put off for a longer period, I think the period of four years is a very desirable suggestion.

Sir Muhammad Yamin Khan: Why not ten years?

Mr. M. Ghiasuddin: One has to come to some sort of *via media* and I think a period of four years would be very reasonable.

—Sir, when a new man takes office, he generally has to introduce some reforms and carry out his own policy, but for sometime after taking up the office he is certainly led by others. Then comes the time when he is in a position to introduce his policy, the time draws nearer to the end of his term and when he will have to canvass for renewal of his term. A person who is holding office and wishes a longer lease of life must be a superhuman, as my Honourable friend Dr. Banerjee, has said, if he does not care to remain in office, and comes forward with a spirit of sacrifice. But considering the case of ordinary human beings, we see that when they once get into office they want to cling to it even if they have to beg and canvass

Nawabsada Muhammad Liaquat Ali Khan: Have we not got so many Executive Councillors who have made sacrifice?

Mr. M. Ghasuddin: They have not to beg and canvass after every six months. And, therefore, Sir, I say that in order to put off that begging and canvassing the recommendation which has been made by the Select Committee after a very careful consideration should be accepted by the House.

[At this stage, Maulvi Muhammad Abdul Ghani rose to speak.]

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can speak tomorrow.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 5th August, 1948.