

19th August 1943

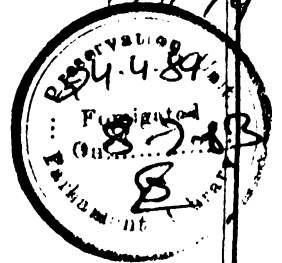
TO  
**THE LEGISLATIVE ASSEMBLY DEBATES**

**Official Report**

**Volume III, 1943**

*(26th July to 25th August, 1943)*

**EIGHTEENTH SESSION**  
**OF THE**  
**FIFTH LEGISLATIVE ASSEMBLY,**  
**1943**



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# LEGISLATIVE ASSEMBLY.

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## *Deputy President:*

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

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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.

Thursday, the 19th 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.

## THE DELHI UNIVERSITY (AMENDMENT) BILL—*contd.*

**Mr. President** (The Honourable Sir Abdur Rahim): Further consideration of the Delhi University Bill, Amendment No. 30.

**Mr. Govind V. Deshmukh** (Nagpur Division: Non-Muhammadan): I have great pleasure in supporting the principle which is embodied in this amendment. It aims at preventing waste of energy, time and money on the part of the examinee. I do not know how far the proposer of this amendment or myself, the supporter of this amendment, would succeed so far as this amendment is concerned. It may be that we are fishing in troubled waters, waters which have been troubled for many days but having regard to the sensible principle which is involved in this amendment and which has been accepted by some universities, I trust that Government will be pleased to accept the principle of this amendment.

We have heard something about the system of examinations. As a matter of fact, the system of examinations has been condemned by very many educationists. We have a living authority in this House and I may recommend his books about which those who were attentive to his speech in this House came to know. Though I myself have not read the books, I can recommend them as coming from a living authority. The living authority is Dr. Sir Zia Uddin Ahmad, a member of this Assembly. I hope that the Government would profit by reading his two books in which he has embodied the practical experience which he had. He describes the system of examinations and the experience of examinees, the majority of whom have failed. If the voice of this majority is to prevail, these examination halls are, as the learned Dr. described them yesterday, oppressive halls or halls of torture. The majority of the students who have failed have regularly described these examination halls as slaughter houses and the examiners as butchers. Of course, it is not a palatable and pleasant epithet to refer to examiners in these terms. I do not think the examiners would like themselves to be described in this way but the fact remains as it is. It is very curious that people do not take into consideration some of the factors which really affect the examination of papers by an examiner. People do not seem to take note of the fact that the examiner himself is not a machine but a human being and the giving of marks on a particular paper may depend on the peace which he had at home or the enjoyable evening which he may have spent at a club or other factors which really raise the temperature of the examiner and his moods. As I said, the human factor is a great consideration in the matter of the examination of papers and there can be no fixed standard by which papers could be examined. Let me illustrate my point. The examiner is not what one may describe as a thermometer to get the temperature of a particular person. If you have a particular make of thermometer and if you want to take the temperature of a person, the thermometer will denote the degrees of temperature of the person. Similarly, a weighing machine will give you accurately the weight of the person or thing which has to be weighed. The factors which affect the feelings of the examiner are wanting in a machine. If the examiners were capable of working like these machines, then we could have no grouse against them but as I have said, the examiners are human beings and therefore we have to take note of all the factors which go to influence his action, such as his feelings, his temperament at different periods, the condition of his health and so on. I have seen some examination papers which were being examined by a man who was ill and the boys who were unfortunate enough to be examined by that examiner when he

[Mr. Govind V. Deshmukh.]

was ill got fewer marks than those who were fortunate enough to have their papers examined after the man had recovered and got more marks for the same questions. Therefore, I say that this human factor is a great thing to be taken into consideration. After having said so much about the examiners, let me say something about the unfortunate condition of the examinees. I know of very many instances where students have got the passing marks in all the subjects appointed for a particular examination according to the University standards and yet have failed to secure the total number of marks that are necessary for getting through the examination and therefore failed in the examination. Now, these are hard cases. There are cases where a person has passed in all the subjects in an examination except one and when he appears next time for the same examination he passes in the subject in which he failed last time but fails in papers in which he passed in the previous year. It is really a very unfortunate thing that a student should fail in the second year in a subject in which he had passed in the first year. May be that at the second time another examiner is appointed who might have different standards of examining, who may be affected by different feelings. I say that the vagaries of the examiners should be corrected and this amendment shows the only way of correcting them. I also remember that in some cases students appeared regularly for some days during which examination was held, but fell ill just two or three days before the examination was over, on account of the hard work they had to put in. Therefore, they could not attend the examination for those days. In all the other subjects which they attempted, they passed brilliantly but owing to their illness, they could not attend one or two papers and they failed. A student like that, if he has no early opportunity of appearing again, must wait for a whole year, waste his money and energy for a year and then appear all over again in all the papers. I think it is really cruel. So, some provision should be made in the case of persons who are unfortunate enough to become ill. Under these circumstances, I think the University would be doing a good thing if they were to accept this principle. I think there is such a provision in some Universities at least for some examinations. I learn on inquiry that the Punjab University has made provision for getting over these difficult cases. I remember that in the Bombay University they have made a provision like this for the medical examinations. For years there was no such arrangement but afterwards they did provide for it having regard to the number of cases which came to their notice. As I said, we are moving this amendment at a time when the mind of the Government is very much disturbed on account of the debate we have had for the last so many days, but I do hope that they would be cool enough and steady enough to consider dispassionately the principle embodied in this amendment and give effect to it. Sir, I support it.

**Mr. J. P. Sargent** (Government of India: Nominated Official): Sir, if I have correctedly read this amendment and correctly understood the speech of the Honourable the Mover of the amendment, it really seeks to do three things. In the first place, to empower the Executive Council to hold examinations; in the second place, to impose on the University what is known as the compartmental system of examinations; and, in the third place, to safeguard the interests of students who may fall ill per-chance, as the amendment says, or I presume in any other manner.

With regard to the first point, the power to arrange all examinations in the University is already conferred on the Executive Council in the Act and, therefore, it appears unnecessary to confer it again in the Statutes. With regard to the second point, the question of compartmental examinations, I would draw the attention of the House to the fact that the Ordinances of the University already make what I should regard as a liberal provision for the introduction of the compartmental system where necessary. At the same time, although my friend the Mover of the amendment has spoken very eloquently, and so has my Honourable friend Mr. Deshmukh, in support of the compartmental system, it is

a matter of some difference of opinion among experts on examinations as to whether this really is a fair and satisfactory method of examination. I do not, however, propose to take up any of the time of the House by discussing the pros and cons of the compartmental system because, as the Mover of the amendment himself reminded us, the whole question of examinations, their method and technique, is at the moment under consideration by an expert Committee appointed by the Central Advisory Board of Education. Knowing the Mover's interests of the compartmental system, I have seen to it that the question of compartmental examinations is on the agenda for this Committee. I feel, therefore, that it would be unwise at this stage to anticipate the findings of the Committee.

With regard to the question of students, nobody, is more anxious than myself to safeguard their reasonable interests, but I think Members will agree that it is not desirable if we aim at raising the standard of education, to make the passing of examinations more easy. I can, however, assure the Mover that so far as my experience goes, wherever any case of bad luck due to illness or any other cause has adversely affected the interests of students, they have invariably been most sympathetically considered; I would even say that in some cases they have been too leniently considered. So far as the Delhi University is concerned, I can assure him that the question of any student who has been overtaken by any misfortune of that kind is always sympathetically considered and there is ample provision under the general authority given to the Executive Council to ensure that such consideration should continue. For that reason, I do not feel able to accept the amendment.

**An Honourable Member:** Sir, I move that the question be now put.

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

"That the question be now put."

The motion was adopted.

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

"That in clause 16 of the Bill, to clause (d) of Statute 4 in the proposed schedule the following be added at the end:

'and to arrange for the annual and compartmental examinations of the University and also for the examination of such students who per-chance fall ill at the time of examination;'

The motion was negatived.

**Syed Ghulam Bhik Nairang** (East Punjab: Muhammadan): With your permission, Sir; I wish to make some verbal alteration in this amendment. It is not more than the changing of one word and the cutting out of two words. The amendment thus read would be as follows which I beg to move:

"That in clause 16 of the Bill, after sub-clause (r) of clause (1) of Statute 5 in the proposed Schedule the following sub-clause be added:

'(vi) five persons appointed by the Chancellor who are capable of advising the Academic Council on subjects connected with Islamic learning and culture.'

I have changed the word 'Muslims' into 'persons' and have crossed out the words 'preferably persons'. You will see, Sir, that with Statute 5 we enter on a consideration of the position of the Academic Council, which is, of course, one of the most important bodies in the University and which is charged with important duties regarding the curriculum and syllabus and the educational work that is to be carried on in the University. Considering the kind of educational work which the University has to carry on, certainly Islamic learning and culture form an important item on the educational programme of the University. It would, therefore, be in the interests of higher education itself and not in the interests of any community or section of the population of the Delhi province that we should have a number of experts on the Academic Council who are qualified to advise on these important subjects. The change of the word 'Muslims' into 'persons' would make it possible to admit under that category non-Muslims who are qualified to offer advice on these subjects. I think, Sir, it is a matter of public knowledge that there are quite a number of non-Muslims who are qualified to offer advice of that kind on these subjects. In the late M. A. O. College of Aligarh, there was a

[Syed Ghulam Bhik Nairang.]

Professor, a German Scholar, Dr. Horovitz who occupied the Chair of Arabic and his learning was so vast that on one occasion he went to Lucknow and visited the library of the Mujtahid of Lucknow. That library, of course, is extremely well furnished with books of all kinds relating to Muslim theology, and Prof. Horovitz proceeded to look at them one by one. He laid his hand on one book and said "I have read this book"; he laid his hand on a second book and said "I have read this book"; he took out a third book, and a fourth book, and so on, all of which he said he had read. There are men of that vastness of learning and culture among non-Muslims and in spite of being non-Muslims, they are capable of offering useful advice to the University on subjects connected with Islamic learning and culture. Therefore, to admit a number of persons qualified to offer that kind of advice to the Academic Council would be, as I have said, not in the interest of any community, but in the interest of education and learning itself. I think, Sir, after what my Honourable friend Mr. Deshmukh has described as troubled waters, it would be pouring oil on troubled waters on my part to move an amendment of this kind and I think my Honourable friend Mr. Tyson or the Honourable Member sitting to his right will have no objection in accepting this amendment. Sir, I move.

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

"That in clause 16 of the Bill, after sub-clause (r) of clause (1) of Statute 5 in the proposed Schedule the following sub-clause be added:

'(v) five persons appointed by the Chancellor who are capable of advising the Academic Council on subjects connected with Islamic learning and culture.'"

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): Sir, there were two objections to the amendment which appeared on the agenda paper. But one of these objections has now disappeared; the present amendment thus ceases to be of a communal character. There is, however, another objection which still exists, namely, nomination by the Chancellor. I have always been opposed to the extension of the power of nomination by the Chancellor and I would suggest a slight further amendment. If for the words "appointed by the Chancellor", you substitute the words "co-opted by the Academic Council", I shall be very glad to support this amendment.

**Mr. J. D. Tyson** (Secretary, Department of Education, Health and Lands): Sir, the change proposed by my Honourable friend Syed Ghulam Bhik Nairang certainly removes the objection which I first felt to this amendment, and considering the traditions of the City in which the University is located, I certainly would be prepared to accept the amendment in the terms now proposed.

**Mr. President** (The Honourable Sir Abdur Rahim): That is, with the substitution of 'persons' for 'Muslims', and the omission of the words "preferably persons".

**Mr. J. D. Tyson**: Yes, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): What about the suggestion made by Dr. Banerjee?

**Mr. J. D. Tyson**: I do not care for that.

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

"That in clause 16 of the Bill, after sub-clause (r) of clause (1) of Statute 5 in the proposed Schedule the following sub-clause be added:

'(vi) five persons appointed by the Chancellor who are capable of advising the Academic Council on subjects connected with Islamic learning and culture.'"

The motion was adopted.

**Dr. Sir Zia Uddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Sir, I move:

"That in clause 16 of the Bill, after sub-clause (v) of clause (1) of Statute 5 in the proposed Schedule the following new sub-clause be added:

'(vi) two persons elected by the Court.'"

Sir, we have got in the Executive Council direct nomination not only by the Court, but also by the Academic Council. Now, Sir, it seems very desirable that the Academic Council which is also under the Court should have a direct



nomination as well, because the Court is the supreme governing body of the University. There are two bodies working under the Court, the Academic Council in academic matters, and the Executive Council in all other matters. It is very desirable that the Court should have direct nomination in the Academic Council. No doubt we have got a representation of non-academic persons which comes in by nomination by the Chancellor, but in addition to the nomination by the Chancellor, it seems desirable that the Governing body of which this is to a certain extent a kind of sub-committee should have some direct nomination. The number is very small. Two will not substantially affect. I may add that this representation is provided in other Universities; in Aligarh and in other Universities, the Court has got a small nomination in the Academic Council. Sir, I move.

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

"That in clause 16 of the Bill, after sub-clause (v) of clause (1) of Statute 5 in the proposed Schedule the following new sub-clause be added:

'(vi) two persons elected by the Court.'

**Mr. J. D. Tyson**: Sir, I am prepared to accept this amendment.

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

"That in clause 16 of the Bill, after sub-clause (v) of clause (1) of Statute 5 in the proposed Schedule the following new sub-clause be added:

'(vi) two persons elected by the Court.'

The motion was adopted.

**Syed Ghulam Bhik Nairang**: Sir, I move:

"That in clause 16 of the Bill, to clause (2) of Statute 5 in the proposed Schedule the following be added at the end:

'at least half of whom shall be Muslims.'

Sir, clause (2) of Statute 5 reads as follows:

"The Academic Council as constituted under sub-clause (1) shall co-opt as members, teachers of the University not exceeding one-tenth of its numbers as so constituted."

It is to this that I want to add, "at least half of whom shall be Muslims". Of course, I need not state again the reasons which prompt us to move amendments of this kind. We want to have more representation on the Academic Council and therefore I thought it necessary to move this amendment. Sir, I move.

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

"That in clause 16 of the Bill, to clause (2) of Statute 5 in the proposed Schedule the following be added at the end:

'at least half of whom shall be Muslims.'

**Mr. J. D. Tyson**: My difficulty in accepting this amendment is the difficulty that I have expressed before. I cannot accept it.

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

"That in clause 16 of the Bill, to clause (2) of Statute 5 in the proposed Schedule the following be added at the end:

'at least half of whom shall be Muslims.'

The motion was negatived.

**Syed Ghulam Bhik Nairang**: Sir, I move:

"That in clause 16 of the Bill, in clause (c) of Statute 6 in the proposed Schedule after the word 'examiners' the words 'amongst whom shall be included an adequate number of Muslims' be inserted."

Statute 6 recounts the powers of the Academic Council.

"(a) to make proposals to the Executive Council for the institution of Professorships,"

**Mr. President** (The Honourable Sir Abdur Rahim): Can they make appointments independently of the Executive Council?

**Syed Ghulam Bhik Nairang**: No, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Then this would seem to be barred, after yesterday's decision.

**Nawabzada Muhammad Liaquat Ali Khan** (Rohilkund and Kumaon Divisions: Muhammadan Rural): The Academic Council recommends to the Executive Council which will make the appointments.

**Mr. President** (The Honourable Sir Abdur Rahim): Then what would be the result? The Executive Council would be debarred from accepting any recommendation except in those terms.

**Nawabzada Muhammad Liaquat Ali Khan**: No, Sir. The names are recommended to the Executive Council by the Academic Council and the Executive Council will make the appointments out of the names that are recommended. The amendment that was proposed yesterday was that it was to be obligatory on the Executive Council to appoint so many Muslims. But here it is proposed that if the names of Muslims are included amongst the persons whose names are recommended, the Executive Council may appoint out of them.

**Mr. President** (The Honourable Sir Abdur Rahim): But if the Academic Council is bound to recommend so many Muslims the Executive Council have no option, and they will be bound to appoint them.

**Nawabzada Muhammad Liaquat Ali Khan**: Only as persons recommended by the Academic Council.

**The Honourable Sir Sultan Ahmed** (Leader of the House): Sir, our view is that it is not barred. The Academic Council is the authority that recommends and the Executive Council may or may not accept that recommendation in selecting the persons from the panel recommended by the Academic Council.

**Mr. President** (The Honourable Sir Abdur Rahim): Very well.

**Syed Ghulam Bhik Nairang**: I was reading Statute 6. Clause (c) gives one power to the Academic Council, namely,—

“(c) to recommend examiners for appointment after report from the Faculties concerned.”

I want to add after the word “examiners” the words “amongst whom shall be included an adequate number of Muslims”. I stick to the point that I refrain from using the word “proportionate” in a matter of this kind. Although I was very much misunderstood on that point in connection with two other amendments I still want to use that word “adequate” and I would explain my position further. In connection with the amendment relating to nomination by the Chancellor of two women and at least two Muslims I was misunderstood as meaning that I was assuming that out of the two ladies nominated by the Chancellor there will be no Muslim and therefore I wanted two Muslims. But my amendment really meant that at least two out of the four nominated by the Chancellor under that power shall be Muslims and that would have had the effect, if the amendment had been carried, of making only one other Muslim admissible if one of the two ladies nominated happened to be a Muslim; because the word was “two” Muslims, and if one happened to be a woman the other would have been a man. In connection with another amendment I had to interrupt my Honourable friend Mr. Sargent when he thought I had used the word “proportionate” while I had only said “adequate”. Here again we designedly use the word “adequate” on the subject of appointment of examiners. We had the advantage of listening to the very weighty remarks of Mr. Sargent yesterday; we know that his views on matters of this kind deserve very great respect and great weight is attached to them by all. But we have to point out that in the matter of examiners there are things which are better imagined than said. In spite of all the precautions which the universities take in maintaining secrecy about the roll numbers and about the identity of examiners and examinees it is a matter of common knowledge that the identity of examinees does become known to the examiners and that of the examiners to the examinees. People are approached and considerations which are extraneous to those which alone should govern the position do affect their action in the matter. It is not proper to mention the name of any institution but long before the results of the last Intermediate examination of the Delhi University came out a student of a certain college said to me that a boy of his college was sure to head the list of successful candidates and he gave the boy's name also. When the results came out that very boy was found to have headed the list. This student had also boasted to me that for the past four

years boys from his college had stood first in the Intermediate examination, and for this year also his prophecy came true. When people are in a position to prophecy the result of examinations in this way the situation can better be imagined than described. There are such things as underhand machinations and to obviate the chances of such underhand means in examinations it is to the interest of all concerned, and in the interest, as I said yesterday, of the confidence which people should have in the examination system and in the interest of the good name of the university, that the body of examiners should be drawn from different communities, and it should be made incumbent on the Academic Council to see that in recommending the examiners they do recommend an adequate number of Muslims also. Sir, I move.

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

"That in clause 16 of the Bill, in clause (c) of Statute 6 in the proposed Schedule after the word 'examiners' the words 'amongst whom shall be included an adequate number of Muslims' be inserted."

**Mr. J. P. Sargent:** Sir, I explained yesterday to the House at some length the reasons why even if the principle of communal representation in the University had been accepted, I should still deplore its application to the subject of examinations. I will not repeat what I said yesterday, but I still do not think, after listening to my Honourable friend the Mover of this amendment, that even if this principle were adopted it would, in fact, serve to remove those occasional abuses which all of us, who have been connected with examinations, know will occur even in the best conducted examinations. I cannot see that, since one examiner will have to examine a set of papers,—unless it is proposed that every paper should be examined by at least two and probably, as friends of other communities might claim, several examiners—we can possibly remove the chances of examiners favouring students whose papers they may have happened to identify. For that reason, Sir, I am afraid we cannot accept this amendment.

**Sir Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): Sir, I would be the last person to say that examination papers should be tampered with in any way, or that the examiners should be approached with the intention of seeking any favour. I would deplore that in the case of any examination for any purpose whatsoever. But, Sir, there are certain facts which cannot be ignored. I do not know whether my Honourable friend, Mr. Sargent, was in India when it became an open secret that in the I. C. S. examinations, which were held in this country, students sitting for a certain subject used to get such a high number of marks that students sitting for other subjects could never secure. It was well known, Sir, that those who took up that classical language as one of their subjects—of course they used to be very few in number—secured such high marks that it would compensate them for any deficiency which they might have had in any other subject. It was a scandal for sometime. The result was that some of the examiners had to be changed. Therefore, I say that whatever may be the intention of the educational authorities the fact remains that when the Academic Council has to appoint certain people as examiners—and, after all, those in the Academic Council are going to be ordinary human beings—it is very difficult to accept, constituted as the Academic Council will be, that the names of examiners will remain a secret. We have seen that the most confidential matters of the Government of India and, for the matter of that, of other Governments, have been known to people in spite of the fact that they were kept very very secret. And in certain cases they were known to those from whom they were intended to be kept secret. It cannot be said only of the Government of India; it is true of other Governments also. Many secrets of the Government of England were fished out by spies of other countries. So there is no such thing which can be called as 'confidential'. I can tell the Honourable Member that many confidential files and documents of his department may be known to people outside. So, I say that the names of examiners is not such a thing which can remain confidential. I would deplore that the examiners should be from that class of people who

[Sir Muhammad Yamin Khan.]

would be prepared to favour—we all dislike this—, but the fact remains that it is being done. But how can we overcome this? Has my Honourable friend taken any steps to see that this should not be done? Can my Honourable friend, with all his vigilance, stop the secrets of the Academic Council going out? No, he can't. The secrets will leak out. People in the Academic Council have their own children; they have got relations and friends who may be interested, and therefore the names of examiners will certainly leak out. You must have seen so many advertisements and notices in which it is clearly laid down that the candidates who will try to approach will be disqualified. But human nature being what it is, people are approached and favours are shown. So you can imagine that in the case of these examinations, where no question of livelihood or service is involved, favour of a few marks, in order to secure pass marks, may be asked for very innocently by many people. We see that this is happening, and we know that it cannot be stopped unless the character of examiners is such that they will place themselves above these considerations and refuse to listen to any approach. But this is India; it is not England. I do not know what the conditions are there, but I take it that the public opinion in that country is so well educated that they would ridicule a man who is known to have approached for any such favour. But we are living in India. We find that such public opinion does not exist in this country. I know that if an offence is committed here, the public, instead of denouncing such an action, come forward to recommend that the culprits should be leniently treated. The people who are expected to enforce law and order come forward to you to plead for those who have violated the law. So in a matter like this people can approach and will go on approaching on the presumption that this is only an innocent matter and that rather than spoil a boy's one year of study he may be given two or three more marks and passed. This will be eradicated only after public opinion has been formed in this country. But as long as the present state of things exists we should not ignore the fact and when we find that some kind of leniency may be given to one, we can also expect that some kind of hardship may be given to someone else. Both the things are common. If in a competitive examination favour is shown to one, certainly it is disfavour to another, because if one undeserving candidate gets more marks than he really should, that means that he is placed before the man who gets what he deserves. Of course the Delhi University is not concerned with competitive examinations, unless it is for some scholarship, but here I think that even among the class of examiners you have, there should be a limit and these examiners should know that they have not the monopoly. If a man has to sit in three papers he may be successful and may approach one man, but he should not be allowed to approach the two other persons. Therefore, there should be a safeguard that there should be no monopoly of any particular class or community to sit as examiners so that the examinee should not have to approach two of the people at the same time. Therefore, I think, Sir, our request is in the interest of the University. We have purposely avoided saying that there should be Mussalmans half of the number, but we do say to the Academic Council that a fair number of the examiners should be Mussalmans according as they think proper. We do not say how many: but at least we should not find that the Mussalmans are altogether absent from the list of the examiners. We do not want that the Mussalmans should be the only men who come for examinations in Arabic or Persian literature. Of course there are mathematicians like Dr. Sir Zia Uddin Ahmad.

**Mr. President** (The Honourable Sir Abdur Rahim): All that was fully canvassed yesterday over this very question.

**Sir Muhammad Yamin Khan:** An examiner of this kind is necessary and it should be accepted by the Government without thinking that it has any tinge of communalism. But it is in the interest of the examinees and to the fair conduct of examinations. If it did not appeal to my mind that it was really an

amendment which was conducive to the conduct of healthy and fair examinations, I would not have supported it with any speech. I therefore appeal to the Government to reconsider it. There is no harm in accepting it. We were only asking the Academic Council to be vigilant and that they should not make a monopoly of it. With these words I support the amendment.

**Mr. J. D. Tyson:** I had not intended to intervene but I think I really must say that I should oppose this amendment if only for the reasons advanced in its favour by the last speaker. This amendment obviously in the eyes of my friend, Sir Muhammad Yamin Khan, is intended to open the way to a kind of competition in generosity. He feels that the present position is that there is generosity to examinees of certain communities, it is unfair that they alone should enjoy that privilege and he wishes to see a fair extension of generosity all round.

**Sir Muhammad Yamin Khan:** It is to stop this generosity to them.

**Mr. J. D. Tyson:** But this is quite contrary to the whole object of the system, the whole idea of examinations and I must really say that the Honourable Member who last spoke has destroyed any case that could have been made out for the amendment.

**Mr. Muhammad Ashar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): So far as I remember, being myself a student of the Indian University, that formerly there was nothing like a double roll-number or a pseudonym used on these copy papers. Now, may I ask the Government why was this and what could be the reason for not putting the names of the candidates or the examinees afterwards? If there was no suspicion, if there was no doubt about the examiners being favourable to one community or to the other, then may I ask the Government why was this system of pseudonyms or double roll-numbers introduced?

Sir, I remember several cases in those early days of my education that caused a great hullabaloo over the whole country because examiners favoured their own friends and their own community people. If this point of mine is not a reasonable one, if it does not appeal to my English friends, I am sorry for them. My friends will also agree with me that it is a great misfortune that this Bill is altogether in the hands of our European friends in this House. If an Indian were to be associated in the bringing about of the University Act in this House, then I am sure he would have told what the experiences of the Indian students in India were.

Sir, our European friends come from English Universities. They have got, as my friend Sir Yamin Khan says, their own national people there. Their Government being a national one, the University Act has been worked out and everything in the University is done, on national lines. It is a great misfortune here in India that these things are mostly in the hands of our European friends and not in the hands of the Indian people. Even the English boy in this country goes to the English schools and he has not that experience which Indian boys have, so that the parents of English boys do not really know and do not understand what the difficulties of the Indians are in this country. It is a great misfortune of this country that our friends here do not know our difficulties though they have been explained very elaborately and very plainly. But they do not see eye to eye with us.

The copies that are being examined by these Indian Professors or by English Professors go up to thousands. Can you expect under present conditions that they will look to every copy with that accuracy, with that correctness as you can expect if there are more examiners and also of other nationalities too? The difficulty is that I have known of several cases where examiners give copies to their own relations to mark because they cannot possibly do so many copies in a certain fixed time. Sometimes the universities have to extend the time for the examination of the copies. These are the reasons which unfortunately our European friends do not know and they have not been told before this. It is very unfortunate that today we have to stand here and explain to them that

[Mr. Muhammad Azhar Ali.]  
these are our serious difficulties. It is not a question of Hindu and Muslim. Our Hindu friends, if the occasion arose, might have to put in not only hundreds of amendments, but there would have been 200 or 300 or even a thousand.

These are the difficulties under which we are labouring and it is very unfortunate—I repeat it again—that the whole thing is in the hands of these foreigners who do not know what these matters are. With these words I support the amendment.

**Maulvi Muhammad Abdul Ghani** (Tirhut Division: Muhammadan): I want to add one word, Sir. Yesterday the Honourable Dr. Sir Zia Uddin Ahmad quoted an instance, a very shameful instance, that the answer book of a Muslim candidate for admission into the Lucknow Medical College was destroyed. Even then, the Government is not going to believe and open their eyes.

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

\*That in clause 16 of the Bill, in clause (c) of Statute 6 in the proposed Schedule after the word 'examiners' the words 'amongst whom shall be included an adequate number of Muslims' be inserted."

The motion was negatived.

**Syed Ghulam Bhik Nairang**: Sir, I move:

"That in clause 16 of the Bill, in clause (d) of Statute 6 in the proposed Schedule after the words 'Library Committee' the words 'with an adequate number of Muslims in it' be inserted."

Clause (d) says: The Academic Council shall have the following powers:

"to control the University Library, to frame Regulations regarding its use and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the Library."

It is here that I want the amending words to be inserted after the word 'committee'. I hope it will not be denied that the library of a university is one of the most important institutions of that university, where the cultural interests of all concerned with the university should be properly safeguarded. The Academic Council in this clause has been given power to appoint a library committee and that library committee certainly will manage the library and conduct its affairs. The library committee which exists in the Delhi University today has 15 members, out of whom, just one by way of a *nazarbattu* is a Muslim. A "Nazar-battu", under the superstitions that prevail in India, is a small bead, usually a black bead, which is worn by a pretty looking child in order to protect it against the evil eye . . . . .

**Mr. M. Ghasuddin** (Punjab: Landholders): Nazar-battu has to be something ugly so that it may detract from the good looks of the child!

**Syed Ghulam Bhik Nairang**: It is not looked upon as a very desirable thing and therefore what is not desirable may be looked upon as ugly and black. Now, in a library committee of 15, it is ridiculous to have as many as one Muslim, to run an institution—I call the library an institution—which is meant for the promotion and furtherance of the cause of learning and culture. Perhaps I shall not be giving out a secret if I were to say that out of these 14 gentlemen who grace the present library committee with their membership, four are practising advocates. That, I think, indicates the way in which members of the committee find their seats in the committee. I get into it my friend, and he brings his own friend and so on; the vicious circle is there; and there is no entrance allowed to others; then a few friends form a clique in the committee and that influences the whole way in which the library is replenished, in which books are ordered for the library, in which books are lent out to be used by students and professors and readers, in one word, the way in which the library is used. So I say it is a very important institution—this library of the university—and I shall not be taken as doing anything very outrageous if in this connection I say that the library committee shall have an adequate number of Muslims in it. I am again designedly avoiding the use of the word 'proportion' which like the word communalism has come to be very much abhorred—I say only adequate and I do think that in the matter of a very very reasonable

amendment like this the Government will see its way, as the phrase goes, to see eye to eye with us. I move.

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

"That in clause 16 of the Bill, in clause (d) of Statute 6 in the proposed Schedule after the words 'Library Committee' the words 'with an adequate number of Muslims in it' be inserted."

**Mr. J. D. Tyson**: Sir, for reasons given already, I am afraid I cannot accept this amendment, which is on the same lines as a great many we have already discussed.

**Qazi Muhammad Ahmad Kazmi** (Meerut Division: Muhammadan Rural): Sir, so far as the question of representation on the Library Committee is concerned, I expected to hear some more cogent reasons than the ones that have been advanced by the Honourable Member for Government. I could understand the objections of the Government so far as examiners were concerned. It was in a very emphatic way that they opposed that amendment. But the very low voice in which this amendment has been opposed goes to show that probably they are not even opposing it with a full heart, and probably it is with a pricking of the conscience so far as this particular matter is concerned that they are going to oppose it. They oppose it, not because they think that the Library Committee should not have representation of all views, but they are opposing it because once they accept any amendment of this kind, probably the principle of representation will have to be accepted by the Government. If that is the reason—and that seems to be the only reason why they are opposing it—if that is the reason, out of all the amendments that have come up so far, the most innocuous and the most harmless is the one which has now been moved and it cannot be objected to even by my Honourable friends of the Nationalist Party.

My Honourable friends know very well that Persian, Arabic and Urdu also form subjects of teaching in the university. Oriental literature will be as much part of the Library as occidental, as science and other branches of learning, and it is only proper that persons having oriental knowledge should be members of that Committee. We do not have any assurance from the Government that they will see that all branches of learning are represented, but their opposition is pure and simple, and this is very strange. Why should they not consider all these suggestions that we put forward with an open mind? Why should they not accept amendments where they can justifiably do it without accepting the same principle of representation in respect of other amendments? I hope that they will consider every amendment on its own merits and not oppose merely on the plea that because it directly or indirectly introduces the principle of representation of minorities, therefore we must oppose it. They must consider the amendments on their own merits and accept those which have nothing to do with communal representation. I hope that Government will reconsider their position and accept this amendment.

**Mr. M. Ghasuddin**: In connection with this amendment I wish to put only one pertinent question to the Honourable Member in charge of the Bill. My Honourable friend, Syed Ghulam Bhik Nairang, has quoted certain figures. Does the Honourable Member think that this state of affairs is satisfactory, and if he does not I would want to know what is his remedy for it. If he does not accept the remedy proposed by my Honourable friend, the Mover of this amendment, I would like to know—I am sorry that my Honourable friend is not listening to me; probably having given his reply he does not think it necessary. I would like to know what is his remedy for this.

There is another question involved in it and that is the cultural aspect. I would say that Muslims are interested, or rather are keen that certain types of books, for instance, Persian books, Arabic books, on which Muslims can be rightly considered an authority should be brought in and circulated among students and be studied by them. In that matter how does the Honourable Member in charge of the Bill propose to safeguard the interests of those people who would borrow those books and read those books and all that.

[Mr. M. Ghiasuddin.]

Lastly, I know that the House is very much pressed for time, but I have one more thing to say and that is this. The amendment seems to be a very modest one. It does not say, so many, or so much percentage of these people should be Muslims. It only says, an adequate number. I cannot see what objection there can be to that. I have honestly tried to understand the point of view of the Government but I cannot see what objection there can be to "adequate number". There may be one objection, namely, they have set out one policy before themselves and the Honourable Member in charge has to follow that policy even to the bitter end. Otherwise, this is a straightforward amendment and no harm can be done by accepting it, and I am sure every fair minded person is bound to see the sound reason in the point of view of the Mover of the amendment. Sir, I support it.

**Sir George Spence** (Secretary, Legislative Department): Let the question be now put.

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

"That in clause 16 of the Bill, in clause (d) of Statute 6 in the proposed Schedule after the words 'Library Committee' the words 'with an adequate number of Muslims in it' be inserted."

The motion was negatived.

**Syed Ghulam Bhik Nairang**: Did the Chair say, that the question is that the question be now put?

**Mr. President** (The Honourable Sir Abdur Rahim): No. I put the amendment.

**Syed Ghulam Bhik Nairang**: With very great respect, we have to submit that very often we do not hear the Chair.

**Mr. President** (The Honourable Sir Abdur Rahim): If it was only a question of closure, I would have said: 'the question is that the question be now put'.

**Syed Ghulam Bhik Nairang**: Sir, we could not hear.

**Maulvi Muhammad Abdul Ghani**: We were under that impression. We did not hear the Chair.

**Mr. President** (The Honourable Sir Abdur Rahim): If the Honourable Member had said that he could not follow, I would have spoken louder. The words of the amendment had been read out before and that is why I did not read them loudly.

**Syed Ghulam Bhik Nairang**: We do not insist that the words should be read out in full loudly, but the question that was to be put was: 'that the question be now put'.

**Mr. President** (The Honourable Sir Abdur Rahim): I read out the words of the amendment.

**Syed Ghulam Bhik Nairang**: But, we could not hear.

**Mr. President** (The Honourable Sir Abdur Rahim): We go on to the next amendment, No. 38.

**Syed Ghulam Bhik Nairang**: I move:

'That in clause 16 of the Bill, to clause (h) of Statute 6 in the proposed Schedule the following Proviso be added:

'Provided that Muslim Colleges and Halls shall be inspected by Muslims appointed for the purpose.'

In clause (h) of Statute 6 the Academic Council is empowered to provide for the inspection of Colleges and Halls in respect of the instruction and discipline therein and to submit reports thereon to the Executive Council. We say that this power should be exercised subject to the proviso that Muslim Colleges and Halls shall be inspected by Muslims. This amendment may be very bitter indeed to the taste of the Official Benches and it may even evoke



some opposition from other quarters in this House. But, Sir, we consider it our duty to move this amendment and to state the reasons and circumstances which have led us to very reluctantly table an amendment of this kind. Our unfortunate experience in that matter in the past has been that in inspections of Muslim Colleges and Halls a reasonable and sympathetic attitude is not adopted by non-Muslims who make such inspections. Small and trivial matters which, in the case of other colleges, are either overlooked or only lightly dealt with are magnified and exaggerated and impressions are conveyed, reports are made and recommendations are submitted which show anything but a sympathetic attitude towards our colleges and halls. You know, Sir, that it requires a certain amount of moral courage, others may call it audacity, to state matters of this kind in the House and to make proposals of the sort which is embodied in this amendment but we see no escape out of the situation. We must insist that, whenever inspections of Muslim colleges and Muslim halls are ordered by the Academic Council in the exercise of the powers conferred by this clause on the Academic Council, the inspecting authority must be a Muslim. If we find that Government, which considers the present system quite immaculate, opposes this amendment, we may be compelled to give further details concerning the necessity for moving this amendment. For the present, I content myself with merely hinting that we have suffered in the past and we strongly apprehend that we shall continue to suffer in the future if a provision like this is not added to the Statute. Sir, I move.

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

"That in clause 16 of the Bill, to clause (h) of Statute 6 in the proposed Schedule the following Proviso be added:

'Provided that Muslim Colleges and Halls shall be inspected by Muslims appointed for the purpose.'

**Mr. J. P. Sargent**: Sir, I hope my voice is loud enough to satisfy Members of this House and particularly my Honourable friend that in opposing this amendment. I am not suffering from prickings of conscience. After what the Honourable the Mover has said I might perhaps feel a certain amount of diffidence, because, I think I am right in saying this, I was a member of the last committee appointed by the Academic Council for the inspection of colleges. Perhaps, however, I can protect myself by saying that on that particular occasion my colleagues on the committee belonged one to the Hindu and one to the Muslim community. Sir, I imagine that this amendment is inspired by the same idea which prompted the amendments which we have already discussed in regard to examinations—the feeling that for reasons which we all deplore an inspection committee, like an examiner, might conceivably fall so far short of its duty as to favour one institution of the University at the expense of another. I am afraid that, as I said with regard to examinations, the remedy here proposed may be worse than the present state of affairs, because quite clearly, as my Honourable friend in charge of this Bill said, an amendment like this could, as far as I can see, only result in a competition in generosity. Obviously, the idea is that leniency should be shown to each college, presumably by the representatives of the community to which it may happen to be attached. A Muslim Inspection committee would thus be gentle with a Muslim college and presumably a Hindu Inspection committee would be gentle with a Hindu college and the Christians would, no doubt, be expected to be equally generous to their own college. The result is that, instead of the tightening up of standards, which I am sure we are all hoping to see in the University and which is one of the main objects of this Bill, as should have probably from the best possible motives a lowering of standards all round. Therefore, for the same reasons for which I was compelled to oppose the amendment regarding examinations, I am compelled to oppose this amendment also.

**Nawabzada Muhammad Liaquat Ali Khan**: I want to assure my Honourable friend the Educational Adviser that it is not for the purpose of "competition in generosity" that this amendment has been moved. It has been moved

[Nawabzada Muhammad Liaquat Ali Khan.]  
with the purpose of preventing any injustice being done to a Muslim institution. My Honourable friend has given the composition of the committee of inspection which was appointed last year. I suppose that is what he is referring to.

**Mr. J. P. Sargent:** Three years ago.

**Nawabzada Muhammad Liaquat Ali Khan:** I wonder if he has examined the composition of the committees which have been appointed since the University was founded. Is he certain that always there was a Muslim on this committee. I do not fear the decision of a committee which consists of persons belonging to various communities. What we fear is this—that the Academic Council constituted as it is with an overwhelming number of one particular community may appoint committees—and I think have appointed committees,—where there has not been a single Muslim. I have got here—it may not be with regard to this particular matter of inspection—a big file and if I were to read out all the cases, I assure my Honourable friend the Educational Adviser it will not do credit to the University of Delhi and it will not do credit to the Education Department of the Government of India which is supposed to supervise the University of Delhi. I want to make it clear that, as far as the Mussalmans are concerned, we have had a very sad experience in the past. Our amendments which have been moved were designed on two definite lines. The first line was that we should have adequate representation in the various bodies of the University, so that the interest of the Mussalmans may be adequately safeguarded and I want to tell this Honourable House that, if Government had accepted those amendments which were just and fair, which demanded nothing more than justice, then probably it would not have been necessary for us to bring forward amendments of this kind. It is but natural that if a community is excluded deliberately from the various bodies of the University which have real control over the affairs of the University, that community should have suspicion regarding the actions of such Committees. This amendment is based on one of such fears. We do fear that as we have practically no representation on the University of Delhi and its various bodies, we shall not receive a fair treatment just as we have not received so far. I do not mince matters and I say it quite frankly and openly whether anybody likes it or not. And I shall be failing in my duty and the Muslim League Party will be guilty of ignoring the interests of the Mussalmans if we did not make our position perfectly clear. You keep a community out absolutely in spite of the fact that you know, and you have admitted it, that the Mussalmans have not received their due share during the last 21st years and yet you expect the Mussalmans to have faith in the *bona fides* of those people who are the component parts of the University of Delhi. I refuse to have that faith and I stand here to say openly and frankly that we have no faith in the University of Delhi constituted as it is and we are certain that our interests in the future will suffer in the same way as they have suffered in the past. Sir, I support the amendment that has been moved by my Honourable friend.

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

“That in clause 16 of the Bill, to clause (4) of Statute 6 in the proposed Schedule the following Proviso be added:

‘Provided that Muslim Colleges and Halls shall be inspected by Muslims appointed for the purpose.’”

The Assembly divided:

AYES—12.

Abdul Ghani, Maulvi Muhammad.  
Azhar Ali, Mr. Muhammad.  
Choudhury, Mr. Muhammad Hussain.  
Essak Sait, Mr. H. A. Sathar H.  
Kazmi, Qazi Muhammad Ahmad.  
Liaquat Ali Khan, Nawabzada Muhammad.

Murtuza Sahib Bahadur, Maulvi Syed.  
Nairang, Syed Ghulam Bhik.  
Siddique Ali Khan, Nawab.  
Umar Aly Shah, Mr.  
Yusuf Abdoola Haroon, Seth.  
Zafar Ali Khan, Maulana.

Ahmad Nawaz Khan, Major Nawab Sir.  
Aiyar, Mr. T. S. Sankara.  
Ambedkar, The Honourable Dr. B. R.  
Banerjee, Dr. P. N.  
Bentham, The Honourable Sir Edward.  
Bewoor, Sir Gurnath.  
Chapman-Mortimer, Mr. T.  
Chatterji, Mr. S. C.  
Chattopadhyaya, Mr. Amarendra Nath.  
Daga, Seth Sunder Lall.  
Dalal, Dr. Sir Ratanji Dinshaw.  
Dalpat Singh, Sardar Bahadur Captain.  
Dam, Mr. Ananga Mohan.  
Giasuddin, Mr. M.  
Habibur-Rahman, Khan Bahadur Sheikh.  
Haider, Khan Bahadur Shamsuddin.  
Imam, Mr. Saiyid Haider.  
James, Sir F. E.  
Jawahar Singh, Sardar Bahadur Sardar Sir.  
Kailash Bihari Lall, Mr.

Kamaluddin Ahmad, Shams-ul-Ulema.  
Khare, The Honourable Dr. N. B.  
Mackeown, Mr. J. A.  
Maitra, Pandit Lakshmi Kanta.  
Maxwell, The Honourable Sir Reginald.  
Muazzam Sahib Bahadur, Mr. Muhammad.  
Pai, Mr. A. V.  
Parma Nand, Bhai.  
Piare Lall Kureel, Mr.  
Raisman, The Honourable Sir Jeremy.  
Ray, Mrs. Renuka.  
Roy, The Honourable Sir Asoka.  
Sargent, Mr. J. P.  
Spear, Dr. T. G. P.  
Spence, Sir George.  
Sultan Ahmed, The Honourable Sir.  
Thakur Singh, Major.  
Trivedi, Mr. C. M.  
Tyson, Mr. J. D.  
Zaman, Mr. S. R.

The motion was negatived.

**Syed Ghulam Bhik Nairang:** Sir, I move:

"That in clause 16 of the Bill, to sub-clause (ii) of clause (1) of Statute 7 in the proposed Schedule the following Proviso be added:

'Provided that at least one-third of such teachers shall be Muslims'."

Now, Sir, Statute 7 deals with Faculties of the University. Clause (1) of Statute 7 says:

"Each faculty shall consist of:

- (i) the heads of the Departments comprised in the Faculty;
- (ii) such teachers of subjects assigned to the Faculty as may be appointed to the Faculty by the Academic Council."

Now, Sir, it is to the body of teachers of subjects contemplated by this sub-clause that I want to add the proviso which I have read out. I do not think I need explain what the proviso means. I can also anticipate the reception which this amendment is going to get from the Government Benches. In fact, although I am not in the habit of telling stories in my speech, what is just now happening to my amendments in this House reminds me of a story. A man got fever on a Thursday. His neighbour learning about it, out of sympathy went and enquired of the wife of that man, 'how is so and so'. She said he had got fever. The neighbour asked how long has he been suffering from fever? She said, "he will have suffered for eight days next Thursday". That lady expected her husband to be down with fever for at least eight days and said in advance that he will have suffered for eight days on Thursday next. I know, Sir, what is going to happen to my amendments in the atmosphere in which I am carrying on my work. The procedure with me has become this. As soon as I have finished moving one amendment, I just proceed to study the next amendment without caring to attend to the debate that is going on and without caring for the result of the amendment. In this unsympathetic and inattentive atmosphere, it does really require a heart of steel to go on with the work I am doing. I have already told the House so many times that the attitude which the Government has adopted towards us is not going to deter us from doing our duty. We say that the teachers in the Faculties constitute an important element in carrying on the work of the University and there should be a legal provision that at least one-third of them shall be Muslims. It would be noticed that after talking in several amendments of adequate representation and repeating the word 'adequate' *ad nauseam* and even explaining that we do not want proportions, we have been driven to the necessity of talking about proportions again. We say that we must have at least one-third of the teachers to be appointed by the Academic Council under this sub-clause. Sir, I move.

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

"That in clause 16 of the Bill, to sub-clause (ii) of clause (1) of Statute 7 in the proposed Schedule the following Proviso be added:

'Provided that at least one-third of such teachers shall be Muslims'."

**Mr. J. D. Tyson:** Sir, I wish I could disappoint my Honourable friend by disproving his prophecy, but, as he has himself foreseen, the amendment introduces a communal reservation and I cannot accept it.

**Syed Ghulam Bhik Nairang:** You have not disappointed me.

**Qazi Muhammad Ahmad Kazmi:** Sir, regarding this Bill, the Mover of the Motion has given a story of the attitude of his Party, which appears to be the attitude of despair. That is why I see them busy throughout whenever we are speaking.

**Nawabzada Muhammad Liaquat Ali Khan:** I am watching. Don't worry.

**Qazi Muhammad Ahmad Kazmi:** Equally I find that the Government Benches have got confidence in their success. They are suffering in the same way. They also never listen to our speeches. They are continuously busy with the next amendment, while we are speaking on the present one. The point is, one side is suffering from despair and the other side is suffering from confidence. What about other Members, living in hope and fear. We do not know whether this party is going to hear us or the other party. Still, I think we may continue raising our voice so long as it can be heard by other Members who are not equally busy like the Mover and the Government Benches.

Sir, it has often been said by the Government Benches that all the amendments have been moved from a particular point of view. It is for the Movers to know and state from what point of view they have moved these amendments. The House has to consider the amendments on their merits. We have got to see to the language and the purport of the amendments and not the motives with which they have been moved. That has been my cry from the very beginning. To oppose an amendment simply because it is moved by the Muslim League Party with a view to getting representation directly or indirectly, and somehow or other, and therefore, arguing that any acceptance of that amendment would amount to accepting the principle of communal representation and it would be a dangerous precedent for the future not only for the Delhi University but for all the Universities of India—this is a principle with which I disagree. If any respect is to be shown to this House, it would be to consider the amendments on their merits and in the light in which they have to be read by third parties, by persons who are not to be moved by these motives.

Now, Sir, this amendment provides that at least one-third of the teachers shall be Muslims. I quite fail to understand why any proportion of teachers to be fixed in the University is to be rejected. If proportions of minorities and other communities are accepted in the Education Department elsewhere it should be accepted in this University also. If they are not accepted I have no claim to press it here. But so far as I know, in the Education Department of the U. P. the proportion of minorities is fixed and it does not jar in our ears. The only way to get rid of communalism is to fix these shares once for all instead of, as Government are doing, giving representation in one case directly, in another case indirectly and in a third case giving an assurance, etc. I am against all this; I am in favour of one definite policy and that is to fix the representation of minorities once for all and finish this controversy instead of wasting time and public money in this House. The proportion of minorities should be fixed and that will stop this clamour of communalism. You cannot deprive the communities of their share, and if you allow the majority to monopolise they can never be safe themselves. Government have decided to recognise the share of minorities in the services and they should not shirk it but accept the principle in the Delhi University also. It is time for them, although the Government Members are very busy now, to consider the problem and tackle it from the larger point of view and not from the limited point of view of the Delhi University. If the problem of minorities in India is to be tackled they should fix their proportions and enforce them and avoid waste of public time and money in this House.

**Mr. Kallash Bihari Lall (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammads):** Sir, it is from the larger point of view, as the last speaker has urged, that I speak on this motion. He has said that Government have accepted the communal proportion everywhere, they should fix it once for all.

and accept it in the Delhi University. In my view, Sir, accepting that principle will not solve that problem but only complicate it still further. They have already complicated it so much that today there is a demand for the recognition of two nations in India. Now Government are in a fix. Sometimes they talk of a geographical unity and at other times we are told that it is an impossibility; and God knows what is coming next. In this Bill we have seen attempts to have different kinds of control over different affairs. We have seen attempts to have separate colleges and halls with separate inspectors, or with separate teachers, and so on, because they are a separate nation. Then comes the demand for a separate entity. What was a child's game has become a very big man's business which would perplex even the best of politicians in the world. We see that the problem has become so complicated that over this Delhi University Bill they are finding no remedy. Now they want a separate set of everything, teachers, examiners, inspectors, and so on. The result will be one set of students refusing to be taught by another set of teachers and one set of examinees refusing to be examined by another set of examiners. If this kind of thing goes on there will be no end to it. Of course no one will deny that there may be injustices here and there. So long as this world is there these petty injustices will surely be there. But it is not to be solved by striking at the root of the nation, and the solution suggested by Mr. Kazmi as being in the larger interest by fixing the proportion once for all is no solution at all. Once you accept that principle it will lead you nowhere but will create further complications. It is said that the principle has been accepted in the provinces and it should be accepted in this case also. But it will only further complicate Government administration and complicate the country's problems. From a community they are now a nation; two or three years ago we never heard that Muslims are a separate nation. That claim will be also made in the Delhi University and how can two nations be governed in the same university? One nation will refuse to be governed by the other.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is merely repeating what has been said several times before.

**Mr. Kailash Bihari Lall**: Motions of the same kind are moved several times and therefore the arguments for and against are also the same.

**Mr. President** (The Honourable Sir Abdur Rahim): That is no excuse. The Honourable Member must not go on repeating the same arguments.

**Mr. Kailash Bihari Lall**: If all these amendments, which are of the same kind are moved together and Government give one reply, the work of the House can be cut short very easily. If that is done there will be no need to repeat my arguments. But as they are moved separately, the same arguments must be advanced by the movers and supporters and by other speakers.

Sir, Government should have set their face against introducing these complications by fixing any proportions in the services; and it is no argument to say, as my Honourable friend Mr. Kazmi has said, that because they have once accepted the principle they should accept it again and further complicate the problem. Sir, I oppose the amendment.

**Nawabzada Muhammad Liaquat Ali Khan**: Sir, at present we are considering the question of composition of Faculties in the University. Perhaps it will save the time of the House if I deal with the question of Faculties, not only Faculty of Arts but Faculty of Science also, at this time, because there is another amendment which deals with that subject also. . .

**Mr. President** (The Honourable Sir Abdur Rahim): Is the Honourable Member referring to the next amendment?

**Nawabzada Muhammad Liaquat Ali Khan**: Yes, Sir. The next two amendments—Nos. 40 and 41—also refer to the composition of Faculties. So I thought if I gave all the facts and figures now it will save some time of the House and I will also be saved a little trouble.

There are three Faculties in the University of Delhi—Faculty of Arts; Faculty of Science; and Faculty of Law. Under the Faculty of Arts, the subjects that are included are English, Mathematics, Economics, History, Philosophy, Sanskrit and Hindi, Arabic, Persian and Urdu, Commerce and

[Nawabzada Muhammad Liaquat Ali Khan.]

Geography, Punjabi and Bengali. The Honourable Members will find that there are 25 members of the Faculty of Arts. Out of these 25, there are only 4 Muslims and out of these four Muslims there are three who are teachers of Arabic, Persian and Urdu. So what I suspect is this: That the University of Delhi and its authorities seem to be under the impression that the Mussalmans are only interested in the education of Arabic, Persian and Urdu, and their interest is only confined to these three subjects, and that is why the Mussalmans do not find any place anywhere else. It is regarded by the members of other communities that the teaching in all the other subjects is their monopoly and the Mussalmans have no right to enter those sacred precincts of the temple where all these other subjects are taught. We personally object to this proposition that seems to have got hold of the mind of some persons. Now, Sir, the result of the paucity of Mussalmans in the Faculty of Arts is that in the committees of courses and studies in this particular Faculty the Mussalmans find no place. In the committee of courses and studies, which is appointed by this Faculty of Arts, in English there is not a single Muslim—there are 6 non-Muslims. In Mathematics there is not a single Muslim—there are 7 non-Muslims. In Economics there is one Muslim and 5 non-Muslims. In History there are two Muslims and 3 non-Muslims. In Philosophy there is not a single Muslim—there are 7 non-Muslims. In Sanskrit and Hindi there are no Muslims—and rightly so—there are 7 non-Muslims. In Arabic, Persian and Urdu, there are six Muslims, and even there is one non-Muslim. In Commerce and Geography there is no Muslim—there are six non-Muslims. In Punjabi, although a large population in Delhi is from the Punjab, there is no Muslim—there are 7 non-Muslims. In Bengali there is no Muslim—there are 7 non-Muslims. By giving these figures I was trying to show to this Honourable House that the composition of this Faculty reflects on the other committees that are appointed by the Faculty, with the result that the Mussalmans find no place anywhere except in subjects like Arabic, Persian and Urdu. What we want by means of this amendment is that the Mussalmans should be considered fit to advise and improve the education in the University in other than Arabic, Persian and Urdu subjects also.

Now, Sir, as regards Science, the composition is the same in the Faculty of Science. There are 24 members and there are only 3 that are Muslims—21 are non-Muslims. I shall not take the time of the House by reading out the various subjects that are included in the Faculty of Science. All these are given in the calendar of the University of Delhi.

The same thing applies to Law. In the Faculty of Law there are 12 non-Muslims and 2 Muslims.

Our idea by moving these amendments is to give an equal opportunity to Mussalmans to contribute towards the advancement of general education in the University of Delhi. This idea should be got rid of that the Mussalmans can only advise where the question of education in Arabic, Persian or Urdu is concerned and that they are not fit for anything else, which has been the case so far in this University. All the others who happen to be in a majority on these committees think that in all other subjects it is they and they alone who are competent to advise the University and guide the policy of the University. As I have already suggested, our object by moving this amendment is to remove that barrier which has been placed against those Mussalmans who want to take part in the advancement of general education in the University of Delhi.

The reply of my Honourable friend, Mr. Tyson, is that he is afraid he cannot accept it because it is on the same lines as other amendments. I am giving you these facts and figures. Either you say that these facts and figures are wrong or you suggest some method. Tell us by what procedure you propose to improve things as far as the University of Delhi is concerned. It is not enough for you to come forward and say "Well, it means communal representation". You suggest some other method. Have you no method to suggest?

You recognize that the Mussalmans have not received their due share and yet you sit tight there and you get up every now and then and say 'I am afraid it is the same principle'. Yes, it is the same principle and this will continue. This is what I have been saying from the very beginning. We want the revision of that principle which has been responsible for great injustice to us and we refuse to continue under that injustice. And let me tell you that the fight shall not end with this Bill. We shall go on fighting everywhere till we get our due share in the administration of all the Universities in the country.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is: . . . .  
(An Honourable Member rose to speak.)

The Honourable Member's Leader has already spoken in reply.

The question is:

'That in clause 16 of the Bill, to sub-clause (ii) of clause (1) of Statute 7 in the proposed Schedule the following Proviso be added:  
'Provided that at least one-third of such teachers shall be Muslims.'

The Assembly divided:

**AYES—15.**

Abdul Ghani, Maulvi Muhammad.	Nairang, Syed Ghulam Bhik.
Azhar Ali, Mr. Muhammad.	Siddique Ali Khan, Nawab.
Choudhury, Mr. Abdur Rasheed.	Umar Aliy Shah, Mr.
Choudhury, Mr. Muhammad Hussain.	Yamin Khan, Sir Muhammad.
Essak Sait, Mr. H. A. Sathar H.	Yusuf Abdoola Haroon, Seth.
Kazmi, Qazi Muhammad Ahmad.	Zafar Ali Khan, Maulana.
Liaquat Ali Khan, Nawabzada Muhammad.	Zia Uddin Ahmad, Dr Sir.
Murtuza Sahib Bahadur, Maulvi Syed.	

**NOES—41.**

Ahmad Nawaz Khan, Major Nawab Sir.	Khare, The Honourable Dr. N. B.
Aiyar, Mr. T. S. Sankara.	Lalchand Navalrai, Mr.
Azizul Huque, The Honourable Sir M.	Mackeown, Mr. J. A.
Banerjee, Dr. P. N.	Maitra, Pandit Lakshmi Kanta.
Benthall, The Honourable Sir Edward.	Maxwell, The Honourable Sir Reginald.
Bewoor, Sir Gurunath.	Muazzam Sahib Bahadur, Mr. Muhammad.
Chapman-Mortimer, Mr. T.	Pai, Mr. A. V.
Chatterji, Mr. S. C.	Parma Nand, Bhai.
Chattopadhyaya, Mr. Amarendra Nath.	Piara Lall Kureel, Mr.
Daga, Seth Sunder Lall.	Raisman, The Honourable Sir Jeremy.
Dalal, Dr. Sir Ratanji Dinshaw.	Ray, Mrs. Renuka.
Dalpat Singh, Sardar Bahadur Captain.	Roy, The Honourable Sir Asoka
Dam, Mr. Ananga Mohan.	Sargent, Mr. J. P.
Deshmukh, Mr. Govind V.	Spear, Dr. T. G. P.
Habibur-Rahman, Khan Bahadur Sheikh.	Spence, Sir George.
Haidar, Khan Bahadur Shamsuddin.	Sultan Ahmed, The Honourable Sir.
Imam, Mr. Saiyid Haidar.	Thakur Singh, Major.
James, Sir F. E.	Trivedi, Mr. C. M.
Jawahar Singh, Sardar Bahadur Sardar Sir.	Tyson, Mr. J. D.
Kailash Bihari Lall, Mr.	Zaman, Mr. S. R.
Kamaluddin Ahmad, Shams-ul-Ulema.	

The motion was negatived.

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.

**Syed Ghulam Bhik Nairang:** Sir, I move:

'That in clause 16 of the Bill, to sub-clause (iii) of clause (1) of Statute 7 in the proposed Schedule, the following proviso be added:

'Provided that at least one-third of such teachers shall be Muslims.'

Sub-clause (iii) runs as follows:

'Such teachers of subjects not assigned to the Faculty, but having in the opinion of the Academic Council an important bearing on those subjects, as may be appointed to the Faculty by the Academic Council.'

This Statute deals with the composition of the different faculties. In the course of the debate on the last amendment, it has been pointed out that the fixing of a certain proportion in the different classes of teachers who are to be component parts of the faculties is necessary, and it has been shown in detail, how meagre the number of Muslim teachers in the different faculties of the

[Syed Ghulam Bhik Nairang,]

Delhi University is. I have no mind to take up more of the time of the House than is absolutely necessary. I shall not therefore repeat any arguments given before; but unless Government consider consistency to be the highest virtue I think Government may have by this time revised their position, and I may get a reply different from the reply which I got on the last motion and the replies that I have received to so many of my amendments. These replies are usually very cryptic and very laconic and unaccompanied by any reasons. Anyhow I do not know what the fate of this amendment is going to be. Sir, I move.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Amendment moved:

"That in clause 16 of the Bill, to sub-clause (iii) of clause (1) of Statute 7 in the proposed Schedule, the following proviso be added:

'Provided that at least one-third of such teachers shall be Muslims'."

**Mr. J. D. Tyson:** Sir, this amendment is the complement of the amendment which was negatived this morning and, as has been foreseen, I do not propose to accept it. I have been asked whether I am satisfied with the state of affairs disclosed in the composition of the Faculties of the University, as read out to the House by my friend the Deputy Leader of the Muslim League Party. No, Sir: I am not satisfied. I think the composition is in some respects deplorable. Then I am asked what, other than laying down percentages or proportions, is the remedy? Well, one remedy was suggested—a partial remedy anyhow—by my Honourable friend the Educational Adviser yesterday, when he urged that the authorities of one of the colleges in the university who could do this thing should themselves strengthen their own staff in quality and quantity, and thereby establish themselves more firmly in the University. A partial explanation too—I only give it as a partial explanation—of the present state of affairs was also suggested by my Honourable friend yesterday when he pointed to the difficulty which has been experienced, is—I think many of my friends on these benches would say is constantly experienced—in getting, in some spheres at all events, Muslims of suitable qualifications to come forward and apply for posts. They may be there, but they show reluctance to come forward; and as an instance of that I may mention that in the college to which I have referred already, where at any rate one would expect Muslims of the requisite qualifications to apply and stand a good chance of acceptance, I find that a teacher of English who is a non-Muslim figures on the staff . . . .

**Dr. P. N. Banerjee:** Which college?

**Mr. J. D. Tyson:** The Anglo-Arabic . . . .

**Nawabzada Muhammad Liaquat Ali Khan:** That is past history.

**Mr. J. D. Tyson:** I do not know when they were appointed but my information is they are still on the staff; also a non-Muslim teacher of Mathematics. This may be broadmindedness on the part of the institution: if it is, I would welcome it; but it could also bear the interpretation that qualified Muslims were not available. I cannot accept the amendment.

**Nawabzada Muhammad Liaquat Ali Khan:** Sir, I welcome that part of the speech where my Honourable friend Mr. Tyson, has joined us in deploring the state of affairs in the University of Delhi. My Honourable friend has suggested some remedies for improving matters which were pointed out by the Educational Adviser yesterday. He said that we could improve the position of Muslim teachers in the university by strengthening the staff of the only Muslim college here in quality and in quantity. As far as quality is concerned, I make bold to say that our staff is in no way inferior to the staff of other colleges. If they were inferior, then the university itself would not have recognised them as teachers of the university. As regards quantity, according to the new rules that have been framed by Government we will, I am afraid, have to reduce our quantity, and if the quantity is reduced, the fault will not be ours, but it will be that of the rules that have been framed by the Education Department for the giving of grants to the various colleges. I had pointed out this before and I may have to refer to it later on when we come to consider some other amendments. Then, Sir, my Honourable friend has tried to make out a strong case in favour of the proposition that suitable Muslims are not available, by saying



that on the staff of the Anglo-Arabic College the teacher of English is a non-Muslim and the teacher of mathematics is also a non-Muslim. Apart from the fact that we are well known for being broad-minded, the first part of my Honourable friend's information is incorrect. The person who was engaged to teach English was an Englishman and he retired last year. So he is no longer on the staff of the college. As regards the teacher in mathematics, he was engaged on the staff some years ago; as a matter of fact, he is one of the oldest members of the staff, and I think it is to the credit of the management of that college that they have not done any injustice to any member of the staff because he happened to be a non-Muslim. I only wish that this sense of justice prevailed amongst other authorities that have to do something with the university; I also wish that some sense of justice had dawned on the Government. The remedies that have been suggested, I fear, will not do away with the evil which exists, and if we were to depend on these remedies, then we will have, I am afraid, to wait till Doomsday before the Mussalmans are able to have an adequate share. It is a vicious circle. A sufficient number of Muslims are not available, therefore a sufficient number of Muslims are not on the various Faculties. Because a sufficient number of Muslims do not get a chance of being appointed, therefore a sufficient number of Muslims are not available. So if we were to go round and round in this vicious circle, I am afraid we will never be able to find a solution of this trouble. I have to repeat once again and I have no doubt in my mind that if the Muslims are given an adequate share in the authority of the university and are represented on the various bodies that administer the university, they will have opportunities of improving their position in the university as a whole. Unless we have that, no amount of pious wish can improve the position of the Mussalmans. As far as the amendment is concerned, it is exactly on the same lines as the last one. As far as the position of the Government is concerned, I am glad to find that they have at last been convinced that we do have a legitimate grievance. But I am afraid the remedy that has been suggested and on which Government seem to rely will not eradicate this evil from the administration of the University of Delhi.

**Sir George Spence:** Let the question be now put.

**Maulvi Muhammad Abdul Ghani:** It has just been pointed out that there is some change in the attitude of the Government regarding the deplorable condition of Muslim representation in the Delhi University. But I feel that the change amounts to nothing. It reminds me of the formula which has been taught in our school days. There is a formula that  $(a+b)^2 = (a+b)(a+b)$  but it is also equal to  $(a^2+2ab+b^2)$ . So the change in the attitude of the Government is similar, and it leads to the same result in another form, and nothing else. The reply given by the Government is the same stereotyped kind of reply. A friend of mine has just suggested that the deplorable condition of representation of Muslims on the Delhi University, should better be decided finally and once for all whether to give any representation or not; it will be a good thing indeed if we know it. You know, Sir, that we would have been the last persons to demand such things if the Muslims have had not made any contribution to the Delhi University. The money is going to be paid out of the general taxpayers, and Muslims here form the bulk of the population and in all possible ways they are contributing to the advancement of learning here.

I may remind the House that once an amending Bill was introduced in this House that the Aligarh University should have the privilege and the right to affiliate colleges outside Aligarh and run with Muslim money all over India. But this too was vehemently opposed by the Government and my other Hindu friends who always come out with the plea of nationalising. My friend, Mr. Kailash Bihari Lall, is doing the same. Our difficulty is that we do not know where these will end. When we want a separate thing, it is denied to us. When we want representation on common things, it is denied to us. In practice, all the doors are shut against us. It is nothing short of an irony of fate. However, we do not despair. We regard these failures to be the

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surest sign of our success and we will succeed in the end. My friend, Mr. Kailash Bihari Lal, said that there is so much communalistic talk that it is nauseating. When a man eats too much the first symptom is nausea. As his community has eaten too much, they shall have nausea and they will have to purge out.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** The question is:

“That in clause 16 of the Bill, to sub-clause (iii) of clause (1) of Statute 7 in the proposed Schedule, the following proviso be added:

‘Provided that at least one-third of such teachers shall be Muslims.’”

The motion was negatived.

**Syed Ghulam Bhik Nairang:** Sir, I move:

“That in clause 16 of the Bill, in sub-clause (iv) of clause (1) of Statute 7 in the proposed Schedule after the word ‘persons’ the words ‘at least half of whom shall be Muslims’ be inserted.”

Sub-clause (iv) of Statute 7 runs thus:

“such other persons as may be appointed to the Faculty by the Academic Council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty.”

As already pointed out, this Statute deals with the composition of the various faculties and among the persons who may become component parts of any faculty are these other persons. The wording of the sub-clause, as it stands, shows that these other persons will be appointed to the Faculties by the Academic Council and the reason for their appointment will be their possession of expert knowledge in a subject or subjects assigned to the Faculty.

So, both the judge of their qualifications as to whether they possess expert knowledge or not and the authority appointing them to the Faculty will be the Academic Council, about the composition of which enough has been said before on the floor of the House. I wonder whether after saying ‘no’ to my last two amendments which dealt with the teachers of certain subjects being members of the Faculties Government will have a different answer to this amendment of mine ready by this time. The other day, in defending the many inconsistencies of a very leading politician in India, it was said that the great American author, Emerson, had said that consistency is the hobgoblin of small minds. I expect that the gentlemen adorning the Government Benches are not small minded. They possess great minds and they will not run after consistency, resulting in detriment to their good name. They may very well take one view on one point and, on a slightly different point, be capable of taking a different view.

Now, the class of persons who are in contemplation in this sub-clause is really very different from the teachers contemplated in sub-clauses (ii) and (iii). Those teachers who were contemplated by those sub-clauses are teachers of the University, while these persons need not be teachers at all. They may belong to different professions and irrespective of the walk of life to which they belong, the Academic Council may consider it proper and conducive to the efficient working of a Faculty to appoint them to the Faculty. I think no harm will be done at all to any non-communalistic interests or any cultural or educational interests if the scope of this is widened so as to enable some Muslims to get in by this door. I wonder whether this is a door or a window or a skylight. Anyhow, the idea is to enable them to get into the Faculty through this aperture. I am very sorry to have to remark incidentally that our Honourable friend Mr. Tyson not only in the ordinary sense of the phrase does not see eye to eye with us but even literally he does not see eye to eye with us. When giving his stereotyped answers he looks at his papers and his desk and not at us. He must look at this problem with an open heart and with an open mind and judge every amendment on its own merits and not simply say that as he has already said so many times about such and such amendments he is unable to accept this particular amendment. Let him tackle the problem in some detail and judge of each amendment as it comes up independently, whatever his decision may have been on the other amendments. Sir, I move.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Amendment moved:

“That in clause 16 of the Bill, in sub-clause (iv) of clause (1) of Statute 7 in the proposed Schedule after the word ‘persons’ the words ‘at least half of whom shall be Muslims’ be inserted.”

**Mr. J. D. Tyson:** Sir, the possession of expert knowledge in a subject assigned to the Faculty is the *desideratum* in clause (iv) of Statute 3 P.M. 7(1). How can we reconcile that with a requirement that half of the persons should belong to a particular community? I cannot accept it.

**Mr. Muhammad Azhar Ali:** Sir, I find that all avenues to enter the University of Delhi have been closed for Muslims. If there are any Muslim experts even, they will find it very difficult to enter this University. We have been denied the right of entrance for teachers and professors and in the Academic Council or in the Executive Council by nomination of by any other way that we have tried on the floor of the House. I find it is no use for me now to make an appeal to the Government about our rights. Only the other day, Government fixed a number for our Harijan friends and issued a communique on the subject. They did issue a communique about the Mussalmans too at one time. But I doubt very much if the Government is honest in its communiqes and declarations.

I would however address now to my non-Muslim brothers and refer them to the statement of the Honourable Mr. Tyson as to how the Muslims have been tolerant in their own college, the Arabic College. That statement should be a very clear eye-opener as to how the Muslims have been able to entertain English professors as well as Hindu professors. We have also got Hindus as Professors of Mathematics and English. It is not because we cannot find Muslims for these posts; because there are hundreds of Muslims going about with their applications for posts in colleges and in Government departments. But if the Muslims find that there is a competent Hindu, they do not stop short of appointing him. So, I would ask my friends here to be a little tolerant today at least and think twice before opposing us in this House. It is not only one instance that I can cite. If my Honourable friend Dr. Sir Zia Uddin Ahmad were to stand up and narrate here, he will be able to say how many Hindu and English professors we have had in the old M. A. O. College, Aligarh, and how many we have even now in the Aligarh University. Only recently, I find, they have appointed two Englishmen to teach English. If these facts are not an eye-opener, then I would say that it is simply a sort of colour prejudice to some and it is a religious prejudice to others that has clouded their minds. We have never said that we do this simply to placate other communities. We do it because we know that we do not make any differentiation between the Hindus, the Christians and the Muslims. That is not the case in other colleges of Delhi. There are practically no Muslims in the other colleges of Delhi. I am sure I am not wrong to that extent.

If we are broad-minded, I hope you will not be narrow-minded. I expect my non-Muslim friends will not be narrow-minded as they always claim to be the majority community. They are just like elder brothers. So, I ask them not to be so narrow in their views. Sir, I support the amendment.

**Qazi Muhammad Ahmad Kasmi:** Sir, I am thankful to my Honourable friend Mr. Tyson that he has assigned some reason for opposing this amendment. So far as I could understand him, his only reason is that technical knowledge is required for this purpose and that is why he has opposed it. May I ask him that in case where there is no question of technical knowledge, will he be prepared to accept our amendment?

**Mr. Kailash Bihari Lall:** Sir, as my friend Mr. Azhar Ali has made an appeal to the non-Muhammadans to be charitable . . . . .

**Mr. Muhammad Azhar Ali:** Not to be narrow-minded.

**Mr. Kailash Bihari Lall:** I will correct myself and say to be just. I think I should tell him what is the right way to be just.

**The Honourable Sir Sultan Ahmed** (Leader of the House): I do submit respectfully, Sir, that the Honourable Member should confine himself to the amendment. He is again starting with a big speech on the general question of Hindu-Muslim unity or Hindu-Muslim disunity. I submit that would be completely out of place.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** At this late stage, I do hope that every Honourable Member will confine himself to the actual motion before the House.

**Mr. Kailash Bihari Lall:** Sir, I would abide by the sense of the House and oblige the Leader of the House. I was only referring to the point made by Mr. Azhar Ali because I thought that his appeal should not go unheard. So far as long speeches are concerned, that is beyond my control because the House is not under my control.

My friend Mr. Azhar Ali referred to the appointments in the Aligarh University of non-Muhammadans. Surely, it was not out of charity that non-Muhammadans were appointed. There must be some reasons why non-Muhammadans were appointed in the Aligarh University. It must be that they were satisfied with the merits of these professors and thought they would make a good contribution to the teaching staff of the University. I am prepared to give that credit to my friend and I want that the same credit should be given to other Universities also. If the authorities of other Universities say that they are making the appointments only by keeping in view the merit of the persons concerned, that credit should be given to them. Of course, I do not say that they should be unjust to one community and partial to the other. From the figures that have been supplied, it seems that there are Muslim professors also in the Delhi University. Now, the question is raised that except for Persian and Urdu and other allied subjects, no Muhammadans are taken for English, Mathematics and such other subjects. It may be so and I wanted to ask a question on this subject when some allied subject was being discussed the other day, but how many Muhammadans take up the post-graduate studies in subjects other than Persian and Arabic? So far as my knowledge goes, in Patna University, and in my College also, because of leniency, because of facility in these subjects, the Muslim students take mostly Arabic, Persian or Urdu for their post-graduate studies. Naturally their number must be more in these subjects, and their number must be very few in general subjects like Mathematics, Philosophy, English, etc. It is not a fact that on account of dearth of candidates, they are not taken. I do not say that there are not any Muslims really well up in Mathematics or Philosophy or English or History or Economics, there may be a few, but if at the time of appointment, their merits are compared, they may not come up to the level of other candidates. So far as I can see, my Honourable friends who have supplied the figures have not supplied any figure of post-graduate scholars and of those who applied for Professors' posts, they have not said anything about the comparative merits of the applicants. It should not be that because they are Muslim applicants, they should be appointed as Professors of Mathematics or English or History in preference to abler candidates who come from non-Muslim communities. I do not say that there are not eminent men among Muslims in the field of Mathematics. If there are any such, like my Honourable friend Dr. Sir Zia Uddin Ahmad, they are bound to shine. When such scholars are shut out, then of course there is injustice. You come out with particular cases. Here is a case of a scholar who has got such and such University degree, and he has been shut out in comparison with another who is decidedly inferior in merit. Then of course a good case can be made out. But simply because one is a Muslim or a Hindu or a Christian and he has been an applicant and he has not been taken, that does not sound good reason. I hope that my Honourable friends in the name of justice would not try to persuade the House or the authorities that simply because one belongs to a particular community, he should be taken in the teaching staff and that he should not be neglected. After all it is a question of merit in teaching, and if you take people of inferior merit and, only in the name of communal representation even in the teaching staff, you will surely be doing injustice to the very cause of learning which you want to encourage. It is for that reason I say that such appointments should not be made, in the name of justice, from particular community only. I hope I have made my

point clear. Of course, I am not for doing injustice to any community in the matter of appointments, even when there are candidates equally qualified or more qualified than the other candidates. They should not be shut out simply on the score of community. That surely is injustice. If my Honourable friends have got any particular instances that such and such a brilliant scholar though having greater merit than such and such a scholar was actually shut out on such and such an occasion, then surely that would be a good case for condemning and I say that the Government or any authority which is party to such a course of action stands guilty. But simply in the name of communal representation, the service should not be spoiled or the efficiency should not be impaired. On these grounds, I oppose the amendment.

**Dr. Sir Zia Uddin Ahmad:** Sir, in spite of the speeches we on this side have been delivering for the last full one week, my Honourable friend Babu Kailash Bihari Lall has not understood the view point of Muslims. We never proposed that a person should be appointed simply because he is a Muslim. What we do press is that a Muslim should not be declared disqualified simply on the ground that he is a Muslim. That is our position. We do not want a person to get in simply because he is a Muslim. We want that a person should not be turned out simply because he is a Muslim. That is our view point that we have been advancing from this side of the House. As regards the number of post-graduate students, I want to give a reply to my Honourable friend. I have been trying my level best to have more students in Persian, Arabic and Urdu. Unfortunately, I have not been able to get. We even offered scholarships of Rs. 30 and Rs. 35 a month for students who take up Arabic, or Persian or Urdu for post-graduate course. We did not get enough men. Take one subject, Geography. All the students who take Persian, Arabic or Urdu put together would not be even half the number of students who take Geography alone or English alone or History alone in the Aligarh University. These are the three subjects which are exceedingly popular among students—History, Geography and English. Persian, or Arabic or Urdu is no longer popular. Now, again the number of students who take up Science subjects is much greater than before. In B.Sc., third year, the number of students who have taken up Mathematics alone in Aligarh University this year is about 150. The number of students who have taken up Physics, Chemistry alone in one class are 200. My difficulty has been, our chief complaint has been that enough number of students do not offer themselves for post graduate course in Persian, or Arabic or Urdu. Evidently my Honourable friend Babu Kailash Bihari Lall does not understand these things. He seems to be living twenty years behind times. In Science subjects and in General subjects like History, Geography and English we get more students than we can possibly admit. We have got no room for all of them.

**Dr. P. N. Banerjee:** What about Economics?

**Dr. Sir Zia Uddin Ahmad:** Economics ought to be exceedingly popular in India, because it is a subject which suits the Indian mind. But unfortunately the teaching at present does not come up to a very high standard and that is the only reason why a large number of students do not take up Economics and other such subjects.

The fact of the matter is that we on this side of the House want only a fair deal, a fair chance. We do not want any kind of favouritism. The days of favouritism are gone. I do not want that Muslims should get any favour. That is not a good thing. We stand for open competition. Unfortunately we are not given equal opportunities. Though we are assured that it is open to all people, yet, as I repeatedly said, it often happens that we are not given equal opportunities. This defect we want to remove. We want, on this side of the House, equal opportunities for Muslims. For example, if you take a person by mixed election, we have seen what the result of mixed election has always been. It is on account of this experience that Government have agreed to separate electorates. As I said already we, Muslims, do not want any favour.

[Dr. Sir Zia Uddin Ahmad.]

we only want a fair deal. We find that in appointments there is no fair deal. That is what we are fighting against. I can once more assure my Honourable friend Babu Kailash Bihari Lall that the numbers of Muslims who take up Persian, or Arabic or Urdu are very small. There are more students who offer Geography, English, History and other subjects. They come in large numbers and that is why we want more appointments for Muslims who are competent and who can compare themselves with others, given equal opportunities.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** The question is:

"That in clause 16 of the Bill, in sub-clause (iv) of clause (1) of Statute 7 in the proposed Schedule after the word 'persons' the words 'at least half of whom shall be Muslims' be inserted."

The motion was negatived.

**Syed Ghulam Bhik Nairang:** Sir, I move:

"That in clause 16 of the Bill, to clause (a) of Statute 8 in the proposed Schedule the following be added at the end:

'at least one-third of whose members shall be Muslims'."

Clause (a) of Statute 8 deals with the constitution of Committees of courses and studies in which my amendment proposes that one-third of the members shall be Muslims. I think in a matter of this kind which is of the highest importance to the educational work of the university, *i.e.*, committees charged with the duty of prescribing courses of studies and laying down the syllabus, the representation of Muslims is a matter of vital importance. No doubt in the course of the many speeches made by me and others in connection with other amendments we have been pointing out why on a certain body the representation of Muslims is necessary, but I think the amendment which I am now moving concerns a matter which yields to none of the matters so far discussed in point of importance and necessity. Prescribing the courses and preparation of syllabus is really the most important part in the actual practical educational work of the university and if that matter is left in hands which may not be well enough informed or well enough disposed towards the needs of the Muslims, matters may go wrong very seriously indeed. It has often happened that some book is prescribed for a certain course of study; each member of the Committee which prescribes it is not supposed to have read it. One or two may have read some particular book and taken a fancy to it and may consider it a useful book which should be included in the course of studies. He tells his colleagues in the committee and they trust him and accept his opinion. It then turns out that the book contains matter which is most objectionable and offensive from the point of view of a certain section of the community,—using the word "community" in the large sense, and not talking only of the Muslim community or the Muslim nation. Sir, I can give a number of instances but it is hardly necessary. Books in history have been prescribed which contained the most objectionable and unfounded libels on Islam and Islamic history and the heroes of Islam; books have been prescribed containing the most obscene matter; matter subversive of Indian culture and subversive of the healthy political ideas which we think our young men should imbibe; books have been prescribed in which the tenderest religious feelings of a particular community have been wounded by its contents. Attacks on the life of the Holy Prophet have been made, and there have been many other such cases. I therefore say that in the constitution of committees for prescribing the courses of study it is necessary that a sufficient number of Muslims should be included along with non-Muslims. It is a matter of the highest importance and I will ask my Honourable friend Mr. Tyson to give this matter more serious thought than appears to have been given to many of my amendments, and not brush it aside with the laconic reply that he is unable to accept it. Sir, I have got certain figures here and my Honourable friend Nawabzada Liaquat Ali Khan has given the details. There are 56 members of these committees of courses and studies of whom nine only are Muslims, one of whom happens to be a member in the subject of Economics, two in the subject of History, six in Arabic, Persian and

Urdu. So really only three of them relate to subjects which are not specially connected with Muslims and six are there because of Persian, Arabic and Urdu. As to Science: in Physics there are 5 non-Muslims—Muslim nil; in Chemistry there are 4 non-Muslims—Muslim one; in Biology there are 5 non-Muslims—Muslim nil.

In the Faculty of Law, there are 7 non-Muslims and one Muslim. Such is the state of things obtaining at present and unless a change is made in the law, we are afraid, Sir, either matters will remain as they are or they will go from bad to worse. Sir, I move.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Amendment moved:

"That in clause 16 of the Bill, to clause (a) of Statute 8 in the proposed Schedule the following be added at the end:

'at least one-third of whose members shall be Muslims'."

**Mr. J. D. Tyson:** Sir, I can well appreciate my Honourable friend's anxiety to have representation for his community on these important committees, but I have already explained that I am unable to accept in this Bill the principle involved in the amendment, namely of statutory communal reservation, and therefore, Sir, at the risk of being stigmatized as "consistent" I must resist the amendment.

**Sir Muhammad Yamin Khan:** Sir, I was surprised and rather disappointed at the reply of my Honourable friend, Mr. Tyson, and the way in which he brushed aside such an important question while realizing that it was essential that this community should be represented on these committees. He said briefly that it involved the communal question . . . . .

**Dr. P. N. Banerjee:** Because he wants to save time.

**Mr. J. D. Tyson:** I did not say that it involved the communal question; I said it involved statutory communal reservation.

**Sir Muhammad Yamin Khan:** Sir, at this time I expected him to propose something and give some kind of indication as to what method is proposed to be applied by the Government. If there is not to be a statutory provision, then how otherwise does he propose to secure representation of Muslims on these important committees. There must be some proposal or suggestion. We on this side are absolutely in the dark as to what the Government has got in their mind and in what way they propose to secure the representation of Mussalmans.

After all, the Government knows that some of the prescribed books were so objectionable that they caused great resentment in the minds of Mussalmans, and it so happened because at the time when they were prescribed there was nobody to advise and put forward Muslim point of view. It only became known when it was too late and so nothing could be done for a year or so. If there had been Muslims on those committees they would certainly not have allowed those books to be accepted as courses of the University. If this is true—and my Honourable friend realizes that it is so—and if he feels that this evil should be eradicated and realizes that it can be eradicated by proper Muslim representation on these Committees, then, may I know what is his suggestion? If he does not agree to make a statutory provision for communal representation, then what else does he propose to do? He ought to have told us on behalf of the Government that although he was unable to accept this amendment he was going to tackle the problem in this or that manner. He should have said whether he would take us through the backdoor or frontdoor. That is essential and, I think, in the absence of any proposal or suggestion from the Government, we are very much disappointed. With these remarks, I support the amendment.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is:

"That in clause 16 of the Bill, to clause (a) of Statute 8 in the proposed Schedule the following be added at the end:

'at least one-third of whose members shall be Muslims'."

The motion was negatived.

**Syed Ghulam Bhik Nairang:** Sir, I move:

"That in clause 16 of the Bill, Statute 13 in the proposed Schedule be omitted and the subsequent Statutes be re-numbered accordingly."

Statute 13, you will see, is in respect of withdrawal of degrees and diplomas. It lays down:

"The Court may, on the recommendation of the Executive Council, by a resolution passed with the concurrence of not less than two-thirds of the members voting, withdraw any degree or diploma conferred by the University."

Sir, as the Statute is worded, it appears that the degree or diploma of this University is a very shifty and risky thing. If the wording of the Statute had indicated the grounds on which a degree or diploma may be withdrawn one might have considered whether such a ground is valid for the withdrawal of a degree or diploma. But the only pre-requisite to the withdrawal of any degree or diploma is a decision of the Executive Council and when the Executive Council recommends to the Court that such and such a person's degree or diploma be withdrawn, the Court acts as "Your most obedient servant"; withdraws the degree or diploma. Reference is made to section 20 but when one turns to that section one finds that it is not helpful as far as the question of grounds on which a degree or diploma can be withdrawn is concerned. That section deals with the powers and duties of the Court and after recounting in clauses (a) to (c) specific matters with respect to which the Court is given power by that section, rounds up at the end by saying, "Shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statute." I thought that, when I considered the present Statute objectionable because of its silence on the point of the ground on which a degree can be withdrawn, perhaps section 20 might help me. I looked up that section and that was even more oracular and I could not understand it.

I think the withdrawal of a degree or diploma should not be left to the whim of the Executive Council because when once the Executive Council has under this Statute recommended that a degree or diploma be withdrawn, the Court has no option but to withdraw it—"shall withdraw" are the words! So we ought to have been told what were the grounds on which a degree or diploma could be withdrawn. To leave the matter vague is most dangerous. There may be an element in the Executive Council which may have predominant influence in the councils of the Executive Council: which may entertain, say, particular views on questions political, and may think that a graduate of the University who is carrying on propaganda opposed to the political views of the Executive Council or the majority of it, deserves to be penalised—let his degree be withdrawn: let his diploma be forfeited. In that case there is nothing in the law to prevent such degree or diploma from being withdrawn and the Statute as at present worded leaves the whole matter to the sweet will of the Executive Council and the power, that may for the time being rule the decisions of the Executive Council. To lay down such a dangerous principle in the form of a Statute is, I submit, giving in the hands of a mad man a lethal weapon to kill anyone. So I submit, Sir, that this is a matter which concerns the well-being of all the graduates, irrespective of caste or creed. It is not a communal matter, and I think it would be very dangerous indeed to incorporate that Statute as it stands in this Act. I do not think I need say at greater length or in greater detail what will follow if such a dangerous piece of legislation is adopted by this House. Sir, I move.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Amendment moved:

"That in clause 16 of the Bill, Statute 13 in the proposed Schedule be omitted and the subsequent Statutes be re-numbered accordingly."

**Mr. J. D. Tyson:** Sir, I have listened with curiosity to learn why my Honourable friend objects to this Statute. It seems to me, Sir, that a University which has any regard for its own good name, must have a power to remove from its books the name of any graduate who openly and flagrantly disgraces himself and the University at which he took his degree. Such Statutes are common in the Statute Books of Universities. I have not examined all the



Acts of the Universities in India, but those that I have examined so far all have similar provisions. I happen to have here with me the Aligarh calendar. I find the Court of Aligarh may, by resolution passed by a majority of not less than two-thirds of the members present in voting, "on the recommendation of the Executive Council withdraw any ordinary degree or diploma conferred by the University."

My friend, I think, if I understand him right, felt that if there must be such a power, and I think he felt that there should be such a power, it ought to be hedged round with some kind of specification of the circumstances in which the power could be exercised and the degree could be taken away. Sir, as I said on another amendment affecting discipline in the University, and I would say the same here,—it is very difficult to foreshadow and embody exhaustively in a list all the possible ways in which a man who is a graduate of the University may disgrace himself, and I think it would be a hopeless task and an infructuous one for a University to attempt to make up any such list or catalogue. The degree cannot be lightly taken away, for, first of all, you have a recommendation of the Executive Council who are not likely to make such recommendation lightly: and then there is to be a resolution passed with the concurrence of not less than two-thirds of the members voting in the Court. I think, Sir, when my Honourable friend referred to having such a Statute "incorporated in the Statutes of the University" he was under the impression that this was a new Statute. I think he is under the impression that this is some wickedness that I have introduced into the present Statute, hoping that it would not be observed by a somewhat tired House. But this Statute was among the "First Statutes" of the University. For twenty years this Statute has been there.

**Nawabzada Muhammad Liaquat Ali Khan:** How many degrees have been withdrawn?

**Mr. J. D. Tyson:** I do not know that any has been withdrawn.

**Syed Ghulam Bhik Nairang:** It has a prescriptive right to be there.

**Mr. J. D. Tyson:** No. But in the twenty years of its existence, he has not been able to show that it has been misused once. I think we must have a Statute of this kind, and my Honourable friend has not suggested any way in which it could be amended to meet his own difficulties about it. He merely suggests deleting it. I cannot agree to deleting what I regard as a very necessary Statute for any University.

**Maulvi Muhammad Abdul Ghani:** I could not follow the arguments advanced by my Honourable friend, because a student after undergoing hardships and lots of trouble and spending lots of money secures a degree. Not only has the poor fellow to suffer; his parents have to suffer and the taxpayers also have to be taxed on account of the grant of a degree to the student. It is not as if he got the degree by the mercy of the Government; it is not a reward or prize or title; it is earned by labour. No ground is mentioned here in the Statute that for such and such a fault the degree should be withdrawn. It is all in the dark—to suit the whims and fancies of the Vice-Chancellor or the authorities of the University. We had a very bitter experience the other day—it was rightly pointed out by my friend Mr. Nauman that at Patna a student, Mr. Azizur Rahman, who gave the information that the Vice Chancellor had acted against principle in asking certain examiners to pass certain students who had secured less marks, and to get certain students who had got higher marks to be failed, had to suffer and his degree was withheld although he was declared duly passed. Does my friend Mr. Tyson want this kind of thing in the Delhi University, that for the dishonesty of a Vice Chancellor the poor student who has spent so much should suffer? No indication of fault or offence has been given here. The Penal Code is there and every offence is defined; and even after mention of offence, persons accused have to take the help of defence counsel and others and only after that they are punished. But here the poor fellow has to seek the help of the members of the Court, to go from door to door begging votes; and you are penalising him for no fault of his. Had there

[Maulvi Muhammad Abdul Ghani.]

been any mention of a fault, I could have seen some sense in it; but without any mention of any fault at all, this sort of punishment is going to be inflicted. I could have understood if you did it in the case of persons to whom you had given honorary degrees and then withdrawn their degrees; but these degrees have been earned at the cost of his money and labour and you seek to withdraw them for no fault of his whatever.

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

I cannot follow that. You know what is the state of things in India for securing a degree. About fifty per cent. only are able to secure degrees and about 50 per cent. get plucked. The report of the Chief Commissioner for Education in India for 1938-39 says that out of a total of 20,647 students only 11,885 persons had the fortune to secure degrees in 1937. About 50 per cent. had to fail. The authorities are not satisfied with this kind of punishment, that is, failure, but want to impose another nonsense kind of punishment which does not obtain anywhere else in the world. In no other part of the world is this kind of punishment inflicted. He should have copied his home country. Is there any instance in his own country where a poor fellow, without knowing what is his fault, has his degree taken away? Has he quoted any instance in England? I do not see any reason . . . . .

**Mr. J. D. Tyson:** One does occasionally read in the papers of barristers being disbarred, of a clergyman being unfrocked, and of medical men having their degrees taken away for professional misconduct.

**Maulvi Muhammad Abdul Ghani:** That is not a degree. The system there is to dine, dance and secure degrees. A degree proper is one where a person has to devote his attention and his labour and his money.

Here in the Act, if you will refer to section 40 you will find that there is a supplementary provision which says:

"The Chancellor shall with the concurrence of not less than two-thirds of the Members of the Court for the time being in India have power to remove the name of any person from the register of registered graduates."

But there is no question there of taking away the degree. Now, more power is going to be given in the Statute. How can it be in the spirit of the Act? Section 40 does not deal with this. It simply says that a graduate's name which on payment of certain fees is registered, can be removed from that register so that he is deprived of his voting power. It does not say or mention this kind of hardship at all. How many graduates have you produced in Delhi? In 1937 out of 506 candidates who appeared at the examinations, only 207 secured degrees, and you are going to discourage them by this Bill. I may cite the example of the Aligarh University. We intend to bring in amendments to correct any mistakes there. We are not going to keep quiet. We know there is hardship and we want to remedy the hardships. Yesterday I narrated a very hard case of that university; perhaps the House may remember that some students who were in the third year class were ill for 4 or 5 months and even then they secured pass marks for promotion to the 4th year class; but they were detained because they failed to secure 60 per cent. of attendance: the poor fellows secured 59 per cent; for shortage of one per cent attendance they were detained. Is that not a hardship? We are going to mend that kind of thing; we are not going to tolerate these things at Aligarh or at Benares or anywhere else; we are not going to sacrifice the health and wealth of our future generation, of our future hopes; everything depends on them; we have to encourage them in all possible ways and not to mar their progress by these things and crush their spirit so that the new generation may be slaves to the Government. With these words I support the amendment.

**Dr. P. N. Banerjee:** Sir, I am sorry I am unable to agree fully with the Honourable the Mover of this amendment. He wants the whole of Statute 13 to be omitted. I think there should be some provision for taking away degrees or diplomas. At the same time it seems to me that the power given

here is a little too wide. The degrees should be withdrawn only for offences involving moral turpitude; and if those words are inserted in the statute I think there cannot be any possible objection. If we cannot do this today, a suitable amendment may be moved tomorrow from the Government Benches or from the Opposition Benches, so that a due safeguard may be provided against the abuse of the power given by the statute.

**Some Honourable Members:** The question be now put.

**Mr. Muhammad Nauman** (Patna and Chota Nagpur *cum* Orissa: Muhammadan): I shall not take much time of the House on this issue. I think the Government representative does realise that this is a hardship for which there can be no analogy. A student acquires a degree owing to merit, but if you withdraw the diploma or degree you cannot make him forget all that  
 4 P.M. he has learnt; you only try to use your force and power to make others believe that he has not acquired that merit, which you had already admitted that he had fully deserved it. I cannot imagine what sense there can be in punishing a student in the manner suggested in this Bill. We on this side of the House feel that this may work adversely against that nation or community which is not adequately represented in the Executive Council of the University and which may not have a voice. An analogy was introduced by Mr. Tyson about the Bar Council, that the members of the English Bar are debarred from practising. I do not think that that analogy could apply because the Bar Council consists of representatives of the Bar and the decision is taken by members who are the colleagues of the person concerned, whereas in this case the Executive Council is not a representative of the student whose degree they want to withhold. There is another danger and it is this. This can be used as a weapon to suppress political aspirations of individuals, and it can be abused or misused in any manner according to the whim of the people or individuals concerned. This is a point which should be seriously considered. We do not want that power should be given to the Executive Council or to the Vice-Chancellor to act in the manner in which they or he would like to act in their own discretion. I hope I have made it abundantly clear that it is a hardship of a very high magnitude. No power on earth can sit on judgment to say that a certain man does not possess the merit which he acquired by virtue of passing Examination, and which had been recognised by examiners of the university and to which recognition was given by grant of a degree or diploma. With these few words I support the amendment.

**Sir George Spence:** Let the question be now put.

**Mr. Kailash Bihari Lal:** I propose to relieve the monopoly of my opposition to the amendments moved from those Benches by supporting this amendment. It deserves consideration at the hands of the Government, because if there was any question of withdrawing any diploma or degree that was conferred honorary, it would have been something; such degree or diploma is always given with the presumption that the man deserves it and he is worthy of it. But when it is earned by a man at great cost of labour and money, it does not befit the authority to withdraw it, because it looks like this. If a Government servant is convicted of some offence, surely he is unworthy to be retained in the service. His services must be dispensed with. But can it be right to ask that all his earnings in the past should be confiscated and he should be asked to deposit all the money back that he had earned? It can never be because it has been earned by the person by dint of labour and money. For the future you can lay down a condition, your service is dispensed with and so you will not deserve any more honour or emoluments. So even before conferring the degree or diploma you can think twice, whether a young man deserves that diploma or degree or not. That will be something understandable, but once you have conferred on him this diploma or degree which he has earned by his merit, to withdraw it because of his subsequent conduct is not befitting because it looks something like pilfering away from the man who has rightly earned it. As regards the foreign analogy, Mr. Tyson says that barristers are not allowed to practise. But I think perhaps

[Mr. Kailash Bihari Lall.]

the degree is not taken away, only he is debarred from practising, which is quite a different thing. Here you propose to debar a person who has already earned the degree by dint of merit and expenditure, and you cannot deprive him of it because you think he is unworthy of it. You may, if you like, debar him from any further privileges or advantages. So far as honorary degrees and diplomas are concerned, anything can be done. They are given on the specific understanding that the man deserves it and is worthy of it; and if he proves unworthy he should be deprived of it. But so far as diplomas and degrees earned by graduates are concerned, I think it will be something like pilfering away a man who has earned the thing. With these words I support the amendment.

**An Honourable Member:** Let the question be now put.

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

“That the question be now put.”

The motion was adopted.

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

“That in clause 16 of the Bill, Statute 13 in the proposed Schedule be omitted and the subsequent Statutes be re-numbered accordingly.”

The motion was negatived.

**Syed Ghulam Bhik Nairang:** I move:

“That in clause 16 of the Bill, clause (2) of Statute 14 in the proposal Schedule be omitted.”

This amendment of mine is in certain respects on the same lines as the amendment which has just been negatived by the House on account of the very curious attitude adopted by the Government. My last amendment was concerned with the power of the Court to withdraw a degree or diploma after once it had been conferred. The fault which I found with the provisions of Statute 13 was that it made the withdrawal of such degree or diploma for all practical purposes arbitrary, that it could be done for unspecified reasons at the sweet will and pleasure of certain people, because the grounds on which a degree or diploma could be withdrawn are not specifically mentioned in the Statute nor specified at least to a reasonable and intelligible extent. My Honourable friend, Mr. Tyson, had to take refuge in a certain statute which he quoted from the Aligarh Muslim University and, although he could not say whether he had examined the point whether similar and analogous provisions existed in the other universities, he believed there were similar provisions elsewhere also. Truly, Sir, if any University has got a defective provision in its law, that can be no defence for enacting a similar provision in the present Act.

Then, he said that a statute to the same effect had been there in the Delhi University Act for 20 years. I fail to see the force of that argument. Because it has existed for 20 years, it cannot be said that it has a prescriptive right to be there and that nothing should be done to disturb it. That is the reasonable and rational way in which this legislation is sought to be carried through! I was surprised even at the attitude of my Honourable friend Dr. Banerjea who professed to disagree with me and yet agreed with me. He felt exactly as I felt—that power was being conferred in such a dangerously vague form. He suggested an amendment. If an amendment on those lines or approximating to it had been made or if the statute itself had been worded in that way, I would have had no cause for complaint. Dr. Banerjea really agreed with me, though he professed to disagree. However, let bygones be bygones. The provision which I am challenging is a curious one. In addition to being dangerous, it is a provision which all reasonably-minded people will like to see expunged from the statute. Statute 14 deals with the conferment of honorary degrees and says:

“All proposals for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council, and shall require the assent of the Court before submission to the Chancellor for confirmation.

Provided that, in cases of urgency, the Chancellor may act on the recommendation of the Executive Council only.”

If an honorary degree is going to be conferred on some one and the procedure outlined in clause (1) is followed, we need not object. If the University considers a person fit for the conferment of a degree of that kind, let it be conferred. Nobody has any objection but the predicament in which the recipient of such a honorary degree finds himself is outlined in clause (2) which says:

"Any honorary degree conferred by the University may, with the previous approval of two-thirds of the members present at any meeting of the Court and the sanction of the Chancellor, be withdrawn by the Executive Council."

**Dr. P. N. Banerjee:** What about offices involving moral turpitude?

**Syed Ghulam Bhik Nairang:** The same sublime vagueness has been introduced. If the authorities of the university consider the recipient of an honorary degree fit for a degree *honoris causa*, surely the withdrawal of such a degree should not be in contemplation at all. If you honour a man today, why dishonour him tomorrow. Where is the decency about it. I deprecate the existence of such a provision on this ground alone. I do not know really whether personages who deserve the honorary degree today will ever be likely to be guilty of any such thing as moral turpitude or any misbehaviour which may amount to what my Honourable friend, Mr. Tyson said—disgracing themselves. Usually such people are men of advanced age, men whose antecedents are well known, whose political and other views are well known. You confer a degree on them. Very often they happen to be gentlemen highly placed socially. They may be the Rulers of States or the Governors of Provinces. Many Governors have been the recipients of honorary degrees. We do not grudge it. They have served the public long enough. There are also senior I.C.S. people with very creditable careers. (*An Honourable Member:* "Like Mr. Panna Lall"). They may be the recipients of honorary degrees but once you have conferred the honorary degree on a man, why commit the solecism of withdrawing it. Let matters rest there, even if you happen to disagree with him politically. In the case of the recipients of these honorary degrees the only possible thing that can rankle in the heart of those in high quarters who are responsible for the conferment is the political behaviour of the man. Why then commit the mistake of honouring a man whom you do not consider sufficiently sober in judgment, sufficiently well behaved? Once you have honoured him, let matters rest there. Why go to the extent of withdrawing the degree?

Sir, there is one thing very curious about this. I have every respect for the gentlemen who have drawn up these statutes in which, to tell you the truth, I find so many holes. There is a very curious distinction introduced here. In the case of the withdrawal of a degree or diploma which is earned after a hard labour of 14 years, it can take place on the recommendation of the Executive Council by the mere counting of heads. You have simply to count the heads and the degree goes although it has been obtained after at least 14 years hard work in the school and the university. But in the case of the honorary degree, which had been conferred more or less as a matter of favour or recognition of services, and which was not due to the attainment of any qualification or spending any time for the attainment of the degree, there is the sanction of the Chancellor provided before it can be withdrawn. But you do not provide for a similar sanction of the Chancellor in the case of the withdrawal of a degree or diploma which is obtained after hard labour. I submit this provision is absurd and it will be in the interests of decency if it is omitted.

Sir, I move.

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

"That in clause 16 of the Bill, clause (2) of Statute 14 in the proposal Schedule be omitted."

**Mr. J. D. Tyson:** Sir, I confess I was surprised that the previous amendment found support in other quarters of the House than the quarter from which it was moved. I am afraid there is a fundamental difference of approach to this matter. I fully appreciate that the taking away of a degree is a hardship upon the person who has earned the degree, but there is such a thing as loyalty to

[Mr. J. D. Tyson.]

what is commonly termed one's *Alma Mater*. I think that aspect was entirely overlooked in those parts of the House where the matter was viewed entirely from the point of view of the person who had taken a degree. Now, Sir, we are dealing as regards this amendment with the taking away of honorary degrees. But I do not think that the principle involved is different. I think the University must have a power to take away that which it has itself conferred. If there is anything in the point that these have not been earned at the University but have been conferred for other reasons, I think that weakens the case for taking away this Statute. There are parallels in public life, as regards titles and decorations. Decorations won on the field of battle are sometimes taken away when the person who distinguished himself on the field of battle by his valour subsequently distinguishes himself by villainy in his public life.

I regret that my argument about the Statute not being a new one has not been understood. Obviously I did not make it plain to my friend that it is not because the Statute is 20 years there that I defend it. I did point out to him that we were not introducing this but that it has stood for 20 years. My point was that so far as I know it has stood entirely unquestioned for 20 years and I have yet to hear that, although this opportunity for repression has existed all this time, it has actually been abused.

**Syed Ghulam Bhik Nairang:** It has been used.

**Mr. J. D. Tyson:** Used or abused,—I have not heard of either. So far as I know, it has not been used and I have never heard of a case when it has been abused.

Attention was drawn to the fact that the procedure suggested in the case which we are now considering is somewhat different from the procedure laid down as regards the taking away of an ordinary degree. But it must be recognised that the procedure of conferring these honorary degrees is different. The Chancellor is himself involved in the conferment of an honorary degree and I think it right that in such a case the extra safeguard should be there and that his assent should be necessary to the withdrawing of the degree.

**Maulvi Muhammad Abdul Ghani:** Sir, I rise on a point of order. I beg to point out that section 28 of the Delhi University Act says:

"Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:

"(a) the conferment of honorary degrees. . . ."

And then we have clauses up to (k) but none of them speaks of withdrawal of degrees. It is only the honorary degree that has been mentioned. By this amending Bill only a portion of clause (g) has been sought to be amended in which there is no mention of taking away the degree. Therefore, it is not proper for the Honourable Member to move this kind of amendment here.

**Mr. President** (The Honourable Sir Abdur Rahim): I do not think there is any force in the point of order. If the Legislature can confer honorary degrees, they have the power to take them away also, which is now proposed.

**Qazi Muhammad Ahmad Kazmi:** Sir, as a matter of fact, I am in favour of the deletion of both the parts (1) and (2). I do not see any necessity for the Universities to view with each other for pleasing some big people. What are these honorary degrees for? Are they really given to deserving people? My own experience is that it is sometimes wealth and sometimes position in the country which attracts the degree of LL.D. and we always fail to understand whether the person who really gets it deserves it. Now, Sir, what would be the case in which that degree would be withdrawn? If the man loses his position or he becomes a pauper, the degree must be withdrawn. If he continues to be rich and a man of position, the degree must continue.

Now, Sir, there is a proviso in this clause which is worthy of consideration by the House. It says:

"Provided that, in cases of urgency, the Chancellor may act on the recommendation of the Executive Council only."

What cases of urgency can there be? The urgency may be that probably they want to get a big donation from a gentleman who happens to have come to their city. There may be a danger that if there is delay in the conferment of that degree, they may not be able to get that donation. Therefore, a case of urgency would arise. Now, I ask you: You have taken the donation and given him the honorary degree. When you are going to withdraw that honorary degree, are you going to return the donation as well? Then you say you are very serious over these honorary degrees. My Honourable friend was objecting to the question of urgency. The question of urgency comes here only and not in the case of well-earned degrees. Only recently we read Madame Chiang-Kai-Shek going to various countries in Europe and the Universities there were vying with each other in conferring degrees of Doctor of Laws on her. What is the meaning of the degree of Doctor of Laws being conferred on such people? They must deserve it by having read properly and by having undergone all the labours and then come on a level with people who are really learned. You are not entitled to degrade the position of learned men by bringing to their level people who know nothing of learning and who get these degrees only because they occupy certain positions in life.

Sir, I am in favour of the deletion of the whole clause 14. There is no question of conferring degrees on people who do not deserve them. It is a disgrace to the University to consider cases of people who have not really qualified themselves for these examinations for which degrees are conferred and still degrees are conferred on them on account of their position in life which position in life does not mean possession of knowledge which alone is the criterion for conferring these degrees. Sir, I oppose the whole clause, but if that is retained, then I support this amendment for the omission of clause (e) because once a degree is given to an undeserving person how can it be withdrawn on the same excuse.

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

"That in clause 16 of the Bill, clause (2) of Statute 14 in the proposal Schedule be omitted."

The motion was negatived.

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

"That in clause 16 of the Bill, after Statute 15 in the proposed Schedule the following be inserted:

'15(A). The University and all the Colleges and Halls maintained or recognised by the University shall be inspected at least once in every five years by a Committee to be called Grant Committee; which shall consist of three persons, two of whom shall be nominated by the Finance Member and one by the Chancellor and none of these members shall have any official connection with the University.'

Sir, in the older University Acts, we have made a provision for the inspection of the Colleges. You will find that the older Universities inspect Colleges affiliated to those Universities at least once in five years. In modern Universities, we have provided a kind of penalty clause that His Excellency the Lord Rector, the Viceroy of India, has got the power to appoint a Committee of Enquiry whenever in his opinion things are not going on all right, and the University has got the right to represent and to explain all those charges levelled against it. So, Sir, the provision in the modern Universities Acts is only a punitive provision. It only operates when things go wrong and when they are not moving in the right direction.

The point which I should like to press is entirely different. In the United Kingdom, they have a Committee of this kind which is called the Grant Committee. It is not appointed by the Board of Education, but it is appointed by the Chancellor of the Exchequer. This Committee visits and inspects all the Universities in the United Kingdom at least once a year. They really examine and recommend to the Chancellor of the Exchequer how much grant a particular University requires. They are persons who examine what particular Departments are exceedingly weak which require to be strengthened. They

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recommend where there is duplication of work in the Universities which are all financed by one common fund. These are the persons who go to the Universities as friends. They do not go there simply to criticise their work. From experience we have found that this Grant Committee acts in a very beneficial manner and this Committee is very much appreciated not only by the Education Department or the Finance Department but also by the Universities themselves. Now, Sir, I think most of the Universities would very much welcome a friendly Committee of Inspection who may give them friendly advice as to the defects that already exist in that University and consider the genuine demands and requirements of that University and lay them before the Chancellor of the Exchequer. Their recommendations are not examined by the Education Department, but they are examined by the Chancellor of the Exchequer and they are of very great help to the Finance Department. A thing of this kind really exists in the United Kingdom and it has been working very satisfactorily and it has been in existence—I cannot recall exactly for how many years, perhaps Mr. Sargent will be able to tell us—perhaps for nearly twenty years and this Committee has been working very satisfactorily. I strongly recommend that a Committee of this kind ought to be started here in India. I am conscious of one difficulty that some Universities are supported by Provincial funds and not by funds of the Government of India. In this case, also, it is very desirable that there should be some kind of co-ordination and I am sure the Provinces will very much appreciate the appointment of such a Committee. I have put down 'Chancellor' and I have not put down 'His Excellency the Governor General in Council' for this reason that whenever there is inspection of a University, which is maintained by Provincial funds, we should have the opinion of the Chancellor in the selection of one person out of three in this Grant Committee.

I have seen the reports of this Grant Committee in the United Kingdom, and I have investigated the matter locally and I asked the authorities of the Universities in several cases about the working of this Committee. I thought this was an omission in our educational system. They allow things to hang on for a very long time until the public demand for a Committee of Enquiry or the Provincial Governments only move when there is a public scandal. It is not enough that we ought to stop this scandal, but that we ought to stop before the scandal occurs. If anything is wrong, it ought to be stopped in time before it becomes too late.

There is another difference between a Committee of Enquiry and a Grant Committee. When there is a Committee of Enquiry, the University is always against it. In this case when there is a Grant Committee, and if it visits the University, public opinion is always in favour of the findings of such a Committee. This makes an enormous difference in the reports and in the workings of these two Committees. It is quite possible that my Honourable friends who are dealing with Delhi University may ask why should this particular provision find a place only in the Delhi University enactment? Why not in other Universities? I quite agree that there ought to be such a provision relating to other Universities as well. I would not mind if similar Statutes quite independent of this Bill, are introduced to operate in the case of all other Universities in India. I published sometime ago an article on the post-war reconstruction of education. I am given to understand by the reply given by my Honourable friend, the Secretary to the Department of Education, that a similar thing is in progress under his Department. It is still confidential and we do not know what it is. But I am given to understand that this is one of the points which they are seriously considering in connection with the post-war reconstruction in education. Why should we wait for post-war reconstruction. If a thing is good, why not start immediately. If a thing is good for all the Universities, why not begin with the Delhi University and make a beginning with Delhi and extend the operation of this provision to all the Universities. In the first instance the Universities which come within the purview of the Government of India and



Water on the Universities which are financed from Provincial funds will accept it. It is to the advantage of the Universities, it is to the advantage of the Provincial Governments, and it is to the advantage of the persons who hold the purse of the Provinces or of the Government of India.

Another point is that in India we have got very little opportunities for research and it is impossible to duplicate research among the various universities. If we have a Grant Committee of this kind they will decide what particular type of research should be carried on in a particular university. At present we have only one professor doing research work and he is very much handicapped for want of books and periodicals; but by the help of such a committee a particular college may specialise in a particular subject. We may provide this university with books and periodicals and with necessary materials and students who carry on research in any part of India may go to this university for research in that particular subject. We know it is exceedingly difficult and expensive to have duplication in this particular direction. Therefore this higher research is one of the subjects which must be centralised in one university and we should not waste money on the same research in every university. It may of course be distributed among two or three universities which are far apart so that students may not have to migrate from one place to another. That is of course possible but I think it is a thing which is very badly needed and it is not too late to make a beginning now and accept the principle in the Delhi University Bill and gradually extend it to other universities, first to the universities under the control of the Government of India, then to those under the Provincial Governments and then to those maintained by the Indian States because they would welcome and help in this particular work. These men are not connected with the universities but they have got experience of university education and university administration and their advice would be very helpful. They would advise as regards affiliation, as regards creation of colleges or as regards the introduction of the compartmental system of examinations on which my Honourable friend Maulvi Abdul Ghani is so keen. The maximum period will be five years for any university but there are many problems in every university.

Speaking from personal knowledge of my own university I can say that I would welcome the advice of a body of experts on quite a large number of problems which are awaiting solution. We no doubt solve them in our own manner but we have our own prejudices and the advice of impartial experts without any prejudices will be very much appreciated by every university. An additional advantage is that when they say that a particular department should be encouraged it will be binding on the Finance Member, if the finances of the country permit, to give a grant and to have that department well established and developed. It will be useful to the Finance Member with his limited resources to have expert advice as to the distribution of these resources to the various universities. I am sure if a grant committee were in existence the Finance Member would have put his foot down on the Delhi University and said that they had no right to spend so much money at the expense of Aligarh and Benares for which they have got financial liability and which are treated as step-children. I seek the assistance of such a committee to tell the Finance Member what the requirements of particular universities are and how they can be helped. Therefore it will be a source of great strength to the Education Department. They will have expert opinion which will be accepted by all, the universities will be helped by their unbiassed advice and it will also help the Finance Department with advice because it is a body which the Finance Member himself will set up. So I submit that such a committee which has proved such a success in the United Kingdom should be initiated here where circumstances are similar, and it will surely prove as great a success as in England, and a number of complex problems which we have to face and which come to the notice of the public too late will be automatically solved with the help of this committee. Sir, I move.

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

"That in clause 16 of the Bill, after Statute 15 in the proposed Schedule the following be inserted :

'15(A). The University and all the Colleges and Halls maintained or recognised by the University shall be inspected at least once in every five years by a Committee to be called Grant Committee; which shall consist of three persons, two of whom shall be nominated by the Finance Member and one by the Chancellor and none of these members shall have any official connection with the University.'

**Mr. J. P. Sargent:** Sir, I am glad to say that I have a great deal of sympathy, and to a very large extent I am in agreement, with the general principles which my Honourable friend the Vice Chancellor of Aligarh University has just put in front of this House. I have myself had some experience of the working of the University Grants Committee in my own country, to which he has several times referred, and I can endorse his own commendation of the value of that Committee. But its value lies in the fact that as a body of independent experienced persons it is in a position to envisage the needs of all the universities in the United Kingdom and not of one university, in order that the funds available for university education may be distributed throughout the universities to the best possible advantage, that research may be encouraged, and that extravagant overlapping may be avoided. Sir, I have seen enough of university education in this country to realise that the existence of a similar body, if one could be created, would be of great economic and educational advantage here also. And I hope to see, in so far as it lies in my power, that the possibilities of such an institution in this country will be explored, and explored, I hope, before long in connection with plans for post-war education. But I think I must make it clear that the value of such a body will lie in the knowledge it will have of universities as a whole and the position in which it will be to allocate spheres of work, sources of income, opportunities for research, and other matters throughout the whole corpus of universities of this country, not within one university. Therefore, I think its fundamental importance is as a body surveying the whole field of university education. But unfortunately, as Honourable Members are aware, most of the universities of this country are provincial responsibilities, and I am doubtful whether without an amendment of the major Act it would be proper or even legitimate for us in this connection to introduce so far-reaching a change. The Honourable Mover might say that it would be possible for us perhaps to do something in regard to those universities in which the Government of India are primarily and financially interested. But there again I am doubtful whether our legal experts would advise that it was proper to make any such provision in an Act which concerns one university alone. Therefore, with regard to the need for a university committee or commission of some kind which will do its best to promote the future welfare and good organisation of our universities in this country I am in cordial agreement with my Honourable and learned friend. But with regard to the application of such a proposal to Delhi University by itself, I am afraid I am less cordially in agreement. I have been most probably a bureaucrat as long as anybody in this House and in spite of that I am not in favour of unnecessary complications. I find that in the Act and the Statutes, as they stand, provision does exist for the Chancellor to institute an enquiry into any aspect of the University life which he may think desirable, and provision is also made for both the Executive and Academic Councils, separately or together, to institute an inquiry into practically any aspect of the organization or teaching of the colleges. Therefore provision does exist for inquiries to be instituted where necessary.

I am sorry to hear that my Honourable and learned friend suggests that an inquiry instituted by a person so high up as the Chancellor usually has some kind of penal suggestion about it. I am extremely sorry that that should be the case and I can only hope that with goodwill we may eliminate that implication. Indeed it is felt in connection with one distinguished institution in this country—the Indian Institute of Science, Bangalore—that a periodical inspection

as helpful to the Institute itself as it is to anybody else. It would certainly be my intention, to stimulate if I may use so disrespectful an expression, the Chancellor to institute periodical inspections into the University of Delhi to see whether, in fact, the hopes which we have ventured to express in this House as to the reorganization of the University are actually being fulfilled. But, Sir, in view of what now exists, I should be sorry to see the existing provisions complicated or the suggestion that any inquiry set on foot by the Chancellor is a penal business confirmed by adding this particular Statute at this particular moment. I think also it might obstruct what both my Honourable and learned friend and I have in mind—the institution of a much wider and more authoritative body than could possibly be set up in connection with the Delhi University to deal with University affairs of the country as a whole. I should be extremely sorry to see such a case being prejudiced. I can conceive the faint possibility that the Universities of this country might accept the idea of a University Grants Committee, but I cannot see them accepting the idea that a committee which had been set up for one University alone might be extended to engulf all the others. Therefore, I should think that we should have much more chances of success—although I am not so young as not to appreciate the difficulties—if we get about that good and beneficial idea with a clean slate, rather than if we tagged it on to something we have done in connection with the reorganization of the Delhi University. For that reason and because I think that the constitution of the committee as set out in the amendment might require in any case further consideration,—unless of course it is the learned mover's intention that it should purely be a financial committee,—I sincerely trust, while assuring him of our interest in the matter, that he will not press his amendment. Finally, I may say that I am quite sure that we shall have an opportunity to discuss this matter later on as it embodies a principle with which Honourable Members on this side of the House are in full agreement.

**Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural):** Sir, I have risen also to give the same advice which Mr. Sargent has given to the gallant friend. Sir there are two points in this amendment. With the first part, I think the House will have sympathy and I may say that I have also great sympathy. I have reasons to believe that a committee of this nature will be a very substantial check upon the grants that are being made to the University. There is an instance here. When this Delhi University Bill with regard to three years Course was introduced in this House we were sure that this will cost much and the scheme will be very expensive. Government may not agree. Therefore, I think it is a good suggestion that there should be a watch-dog committee over the Government and if a committee of this nature is appointed it will, from time to time, see what grants are really needed, not what the Government wishes to give. Such a committee will make a report which will be considered by the Government and even if they use their own choice and preference still it will be a matter which can be properly criticised. At present we are not able to criticize. The Government says 'we have given enough to the Delhi University'. How are we going to check? Is there any expert committee appointed which could say how much is needed for, say, the secondary education, and how much more is needed for the University course. Therefore, I submit that I am whole-heartedly in sympathy with this suggestion and I agree that a committee of this nature is really necessary. There is much sense in the reason given by Mr. Sargent with regard to this, namely, that such a committee should not only adjust the grants to be given to one University but it should deal with all the Universities. My Honourable and learned friend, Sir Zia-Uddin, wanted that we should make a beginning with the Delhi University only. Sir, I submit that as I do not agree with the latter part of the amendment, I think we need give no consideration to that matter, though of course there is substance in that too.

With regard to the second part, Mr. Sargent said that in England there are experts available who know all the circumstances and give their opinion. Here

[Mr. Lalchand Navalrai.]

where are the experts at which the amendment is aiming? Nomination by the Chancellor and by the Finance Member—the very Finance Member who is to give money—he will say I will give so much and no more. In the like manner, the Chancellor is also influenced as to how much grant should be given.

Therefore, I say that the amendment as it stands, is not acceptable at all, because you are not appointing independent men, you are not appointing experts, and you are not getting elected men. You are again going to have underlings of the Government. Therefore, I submit that the first part is acceptable and the second part is not.

The Assembly then adjourned till Eleven of the Clock on Friday, the 20th August, 1948.