

25th August 1943

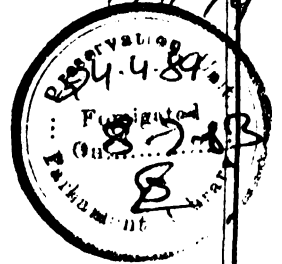
TO  
**THE LEGISLATIVE ASSEMBLY DEBATES**

**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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The Honourable Sir ABDUR RAHIM, K.C.S.I.

## *Deputy President:*

Mr. AKHIL CHANDRA DATTA, M.L.A.

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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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Mr. M. GHIASUDDIN, M.L.A.

Sardar SANT SINGH, M.L.A.

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

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# LEGISLATIVE ASSEMBLY.

Wednesday, 25th 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.

## SHORT NOTICE QUESTIONS AND ANSWERS

### QUININE STOCKS.

**Dr. Sir Zia Uddin Ahmad:** (a) Will the Secretary for Education, Health and Lands be pleased to state the total quantity of quinine in India:

(i) under the control of the Army Department;

(ii) under the control of Civil Supplies; and

(iii) under the control of businessmen who are selling quinine only in black market?

(b) Will Government adopt a method for the release of quinine similar to the method they adopted in the case of the release of cotton cloth?

(c) What measures do Government propose to make quinine available to persons now suffering from malaria?

**Mr. J. D. Tyson:** (a) (i). It would not be in the public interest to disclose the information that is under the control of the Army Department.

(ii) The amount of quinine in the central reserve and in reserve with certain Provincial Governments is roughly 2,40,000 lbs.

(iii) Government have no definite information.

(b) Government will consider the suggestion.

(c) About 1,46,000 lbs. of quinine have been allotted to Provincial Governments and States for distribution during the year 1943-44.

**Dr. Sir Zia Uddin Ahmad:** With reference to part (a) (ii) of the question, may I know what is the total quantity under the control of the Government of India and the Provincial Governments?

**Mr. J. D. Tyson:** About 2,40,000 lbs.

**Maulvi Muhammad Abdul Ghani:** May I know what quantity of quinine has been allotted to the United Provinces Government?

**Mr. J. D. Tyson:** I have not got individual Government's figures here, I am afraid.

**Maulvi Muhammad Abdul Ghani:** Is the Honourable Member aware that the students at Aligarh are becoming a prey to malignant type of malaria and they cannot get quinine and they are dying?

**Mr. J. D. Tyson:** I am not aware that they have been dying of malignant malaria. I understand that a certain quantity of quinine has been made over specially to the Aligarh University within the last few days.

**Mr. Govind V. Deshmukh:** Has a similar arrangement been made in respect of the other Universities in India in different provinces?

**Mr. J. D. Tyson:** Not so far as I am aware.

**Mr. Govind V. Deshmukh:** Is there any special reason for the facility that has been given to the Aligarh University?

**Mr. J. D. Tyson:** I understand they came and asked for it.

**Dr. Sir Zia Uddin Ahmad:** Is it not a fact that the Aligarh University is under the Central Government directly?

**Mr. J. D. Tyson:** It is a Central subject.

**Mr. Govind V. Deshmukh:** Has any arrangement been arrived at on the same ground with the Benares Hindu University?

**Mr. J. D. Tyson:** So far as I am aware, the Benares University has not made out any case or asked for it.

**Sir Muhammad Yamin Khan:** Is it not a fact that the Aligarh University has got only 5 lbs. of quinine?

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

**Sir Muhammad Yamin Khan:** Is it sufficient for a big university like that?

**Mr. J. D. Tyson:** It is 500 full League of Nations treatments.

**Sir Muhammad Yamin Khan:** The Honourable Member should remember that the number of students sometimes increases and then there are the members of the staff whose number is between 3,000 and 4,000. Is 5 lbs. of quinine sufficient for such a big number?

**Mr. J. D. Tyson:** I would only say that quinine is not supposed to be used in the present shortage for prophylactic purposes. It is only to be used by people who are actual malarial cases.

**Mr. Govind V. Deshmukh:** Has the Government made any arrangement under these circumstances to supply any substitute in place of quinine?

**Mr. J. D. Tyson:** Yes, Sir. We have placed orders for a large quantity of quinine substitute.

**Mr. Govind V. Deshmukh:** What is the substitute for quinine?

**Mr. J. D. Tyson:** Atebrin and mepacrine.

**Dr. Sir Zia Uddin Ahmad:** As August and September are malarial months, will the Government be pleased to release larger quantities of quinine in these months?

**Mr. J. D. Tyson:** We have released 1,46,000 lbs. of quinine to Provincial Governments, who are the normal distributors of quinine, for the current year. If the Provincial Governments come up and say that that is insufficient, we shall have to consider the matter. But we have also to conserve our resources in quinine. So far, the Provincial Governments have not said that this release was insufficient.

**Dr. P. N. Banerjee:** What is the quantity given to Bengal?

**Mr. J. D. Tyson:** I have not got individual Governments' figures here.

#### DEMOLITION OF A MOSQUE ON ASOKA ROAD, NEW DELHI.

**Maulvi Muhammad Abdul Ghani:** Will the Honourable the Labour Member be pleased to state:

(a) whether he is aware of the existence of a Mosque in Asoka Road in Government Quarter No. 9;

(b) whether the said Mosque has partly been demolished by Public Works Department men at the instance of a Public Works Department Official;

(c) whether the demolition work was stopped due to the agitation by Muslims;

(d) what steps the Government have taken to prevent such demolition and whether they have taken steps against the person at fault; if so, with what result; and

(e) what steps Government are going to take to remedy the harm done to the building?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes—of an old, dilapidated and unused mosque.

(b) No. One of the arches on the northern wing of the mosque accidentally collapsed while felling a tree against which it was leaning. The request for the removal of the tree came from the present occupant of the house—Major Anwar—who complained that the tree was obstructing the light.

(c) No.

(d) There was no demolition by the Central Public Works Department, and so this question does not arise.

(e) It is an old dilapidated building, and no harm to it has, therefore, been caused.

**Sir Muhammad Yamin Khan:** When the tree was cut, why the precaution was not taken to see that the arch which was leaning against the tree might be kept in a safe condition?

**The Honourable Dr. B. R. Ambedkar:** I have no reason to suppose that due precaution was not taken against such an accident.

**Sir Muhammad Yamin Khan:** Even the efficient Engineers of the P. W. D. could not protect one arch? Am I to take it with all due precaution, they were unable to protect one arch?

**The Honourable Dr. B. R. Ambedkar:** Such an accident may happen notwithstanding the due care and attention.

**Sir Muhammad Yamin Khan:** When the mosque exists in a quarter which is occupied by the Government and which was open to the public before the Government built their quarter, is it not the duty of the Government to see that it is properly repaired and kept in proper order?

**The Honourable Dr. B. R. Ambedkar:** I do not suppose there is any reason to believe that this mosque was in actual use either before or after the quarter was built.

**Maulana Zafar Ali Khan:** Will Government give us an assurance that the demolished portion of the mosque will be restored by necessary repairs?

**The Honourable Dr. B. R. Ambedkar:** It is quite unnecessary to do it because it was not used as a mosque nor is it a protected monument.

**Sir Muhammad Yamin Khan:** Will the Honourable Member make a way for the public to get into this mosque?

**The Honourable Dr. B. R. Ambedkar:** As I said, it is no longer in use as a mosque.

**Sir Muhammad Yamin Khan:** May I know the reason why it is not in use as a mosque?

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

**Sir Muhammad Yamin Khan:** I want to know whether the Government is going to make it accessible to the public so that it can be used as a mosque?

**The Honourable Dr. B. R. Ambedkar:** It has never been in use as a mosque.

**Maulana Zafar Ali Khan:** Has the Government any objection if I carry out the repair at my expense?

**The Honourable Dr. B. R. Ambedkar:** The Honourable Member may make an application and the Department will consider it.

**Seth Yusuf Abdoola Haroon:** Is it not a fact that the occupant of this quarter did object to the cutting of the tree?

**The Honourable Dr. B. R. Ambedkar:** The position is just the reverse. The tree was cut at the instance of the occupant of the quarter.

**Seth Yusuf Abdoola Haroon:** Will the Honourable Member make a reference to the occupant of the quarter?

**The Honourable Dr. B. R. Ambedkar:** I have no reason to suppose that the information I have given is not correct.

**Nawabzada Muhammad Liaquat Ali Khan:** What reason has the Honourable Member to suppose that the information given by an Honourable Member of this House is not correct?

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

**The Honourable Dr. B. R. Ambedkar:** I have official information. I don't know how reliable is the source of the Honourable Member's information.

## STATEMENTS LAID ON THE TABLE

*Information promised in reply to the short notice question asked by Mr. E. L. C. Gwilt on the 2nd April, 1943.*

### SCHEME FOR REGULATING THE PRICE OF DRUGS.

*Quinine prices in Provinces under the system of Government control.*

Province.	Prices charged to licensed chemists or vendors.	Prices charged to the public.
Madras	On a 20 per cent. commission basis	Rs. 0-9-0 per 100 gr. powder. Rs. 0-8-3 per 20 tablets, 5 gr. each. Rs. 0-4-3 per 10 tablets, 5 gr. each.
Bombay		Rs. 42 per lb. powder (to private medical practitioners and private hospitals only. Supplies to general public to be started after receipt of further allotments).

Province.	Prices charged to licensed chemists or vendors.	Prices charged to the public.
Bengal	Rs. 37 per lb. powder Rs. 32 per lb. tablets, 5 gr. each Rs. 5 per 200 tablets, 5 gr. each	} Not stated.
U. P.	Rs. 32 per lb. tablets	
Punjab	Rs. 70 per lb. (powder or tablets not stated).	Rs. 40 per lb. tablets. Rs. 70 per lb. (powder or tablets not stated).
Bihar	Rs. 32 per lb. tablets Rs. 3-13-0 per 200 tablets, 4 gr. each.	Rs. 36-13-0 per lb. tablets. Rs. 4-6-0 per 200 tablets 4 gr. each
Orissa	Rs. 3-8-0 per 200 tablets, 4 gr. each.	or Re. 0-7-0 per 20 tablets 4 gr. each. Re. 0-6-3 per 20 tablets 4 gr. each. Later Re. 0-8-0 per 20 tablets 4 gr. each.
C. P. and Berar	Urban—Rs. 24-8-0 per lb. tablets 5 gr. each. Rural—Rs. 10-14-0 per 640 tablets 5 gr. each.	Rs. 27-0-0 per lb. tablets 5 gr. each. Rs. 11-14-0 per 640 tablets 5 gr. each.
Assam	On commission basis; amount not stated.	Rs. 45 per lb. (powder or tablets not known).
Sind	Rs. 50 per lb. (powder or tablets not stated). (It is not known whether this is the rate charged by the dealers or the rate at which these dealers should sell to the public.)	Rs. 29-2-0 per lb. powder or tablets to private medical practitioners. Later Rs. 28-13-0 per lb. powder or tablets, (through licensed dealers.)
N.-W. F. P.	Not known	Rs. 29-2-0 per lb. powder or tablets to private medical practitioners. Later Rs. 28-13-0 per lb. powder or tablets, (through licensed dealers.)
Ajmer-Merwara.	On a 10 per cent. commission basis	Re. 0-7-0 per 20 tablets, 5 gr. each. Rs. 2-0-0 per 100 tablets 5 gr. each (to doctors).
British Baluchistan	Rs. 38-13-0 per 1 lb. 7 oz. pills (containing 1 lb. quinine sulphate).	Re. 0-10-0 for 33 pills (each containing 3 1/3 gr. quinine).
Delhi	Rs. 26 per lb. tablets 5 gr. each.  Later Rs. 32 per lb. powder (to doctors).	Re. 0-5-0 per 15 tablets 5 gr. each. Later Rs. 0-3-0 per 15 tablets 5 gr. each. (Through Government hospitals). Later Rs. 1-4-0 for 75 gr. powder, cachets or capsule and Re. 0-8-0 for six dozen mixture 5 gr. each.
Coorg		Rs. 27 per lb. powder (supplied through the Civil Surgeon). Rs. 25 per lb. tablets 5 gr. each. (Supplied through the Civil Surgeon).

*Information promised in reply to parts (b) and (c) of starred question No. 36 asked by Mr. Lalchand Navalrai, on the 27th July, 1943.*

#### SELECTION FOR RECRUITMENT TO POSTS OF ASSISTANT INSPECTORS OF WORKS ON NORTH WESTERN RAILWAY.

(b) Another selection was held in December, 1942, and not early in 1943. Three Sikhs and one Hindu were selected against posts reserved for Muslims since qualified Muslim candidates were not available.

(c) The persons who have not been confirmed are Works Mistries who were appointed to officiate in posts of Assistant Inspectors of Works. Government can see nothing irregular in these men being required to give place to direct recruits when the latter are available.

*Information promised in reply to a supplementary question to starred question No. 64, asked by Mr. Lalchand Navalrai on the 28th July, 1943.*

#### RETALIATORY STEPS AGAINST THE PEGGING BILL OF SOUTH AFRICA.

ANSWERED ON 22ND APRIL, 1943.

#### QUESTION No. 21.

For 3rd Sitting Day after 18th April, 1943

Mr. Sloan: To ask the Secretary of State for India, if he has any statement to make on the estimated effect on Indian emigration of the Legislation recently passed by the Union of South Africa affecting the status of Indians in that Dominion.



Answer to Mr. Sloan's Question No. 21.

Mr. Amery: No, Sir.

Mr. Sloan: As Indians are still members of the British Empire, and as the Minister has just finished paying a magnificent tribute to their fighting qualities and devotion to the Empire, is it his intention to make any representations to the South African Government regarding the depreciation of the status of Indians in South Africa?

Mr. Sorensen: Does the Minister realise what this involves to Indians in South Africa? Will he not take some steps to put the matter right?

Mr. Ammon: Would the Minister be interested to know that I have received in the last few minutes a cable from West Africa, from the President of the Natal Indian Association, protesting against this and calling attention to the bravery of their men in Africa? Is not this a very curious requital for that bravery?

Mr. Amery: The matter is one which has been dealt with by the Government of the Union of South Africa.

Earl Winterton: Surely my right Hon'ble Friend is aware that representations have constantly been made in the past, both by the Government of India and, I think, His Majesty's Government, when the Union of South Africa have taken action which, in the opinion of the Government of India, was derogatory and inimical to Indian interests?

Mr. Amery: This has been represented by the Government of India and discussed between the Government of India and the Union of South Africa.

Mr. Sloan: In view of the unsatisfactory nature of the reply, I beg to give notice that I will raise the matter on the Adjournment at the earliest possible opportunity.

Information promised in reply to unstarred questions Nos. 42 and 43 asked by

Mr. Muhammad Azhar Ali on the 4th August, 1943.

HINDU AND MUSLIM HEAD CLERKS IN DIVISIONAL OFFICE, MORADABAD

No. 42.—(a) Seven.  
(b) All are Hindus.

COMMUNAL REPRESENTATION IN CERTAIN STAFF OF THE MORADABAD DIVISION.

No. 43.—(a) There are 2,295 subordinates on the Moradabad Division whose scales of pay do not rise beyond Rs. 250.

(b) Europeans	6
Hindus other than depressed classes	1,594
Hindus depressed classes	5
Muslims	572
Anglo-Indians	59
Sikhs	22
Indian Christians	34
Parsees	3

MOTION FOR ADJOURNMENT.

FAILURE TO TRANSPORT GOVERNMENT PURCHASED WHEAT FROM THE PUNJAB TO FAMINE STRICKEN EASTERN PROVINCES.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice from Mr. Abdul Ghani that he wishes to move the adjournment of the House to discuss a definite matter of urgent public importance, namely, the failure of the Central Government to transport sufficient quantity of wheat already purchased in the Punjab to those parts of the country, say Bengal, Bihar and Orissa, etc., where food situation has become so serious that people are dying of starvation and also to stop profiteering which aggravates the situation.

When did this incident take place?

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): I got it from the statement of Sir Chhotu Ram published in the Press yesterday afternoon.

Mr. President (The Honourable Sir Abdur Rahim): I want to know what is the date. The matter must be of recent occurrence. It must be urgent.

Maulvi Muhammad Abdul Ghani: I learnt it only yesterday evening.

Mr. President (The Honourable Sir Abdur Rahim): It does not matter when the Honourable Member learnt it.

Maulvi Muhammad Abdul Ghani: If you permit me, I shall explain the position.

Mr. President (The Honourable Sir Abdur Rahim): It is not shown that the matter is of recent occurrence, or urgent. I rule that the motion is out of order.

**Maulvi Muhammad Abdul Ghani:** I submit, Sir, that Sir Chhotu Ram, Minister of the Punjab Government, gave a statement only yesterday. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): It does not matter who made the statement and when. Order, order. I have ruled the motion out of order.

**Maulvi Muhammad Abdul Ghani:** You have not heard my explanation fully, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. Will the Honourable Member resume his seat?

**Maulvi Muhammad Abdul Ghani:** Why are you raising your voice to such a pitch, Sir. Am I a child?

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member is interrupting the business of the House.

**Maulvi Muhammad Abdul Ghani:** I am not interrupting. With due respect to the Chair, I was making my submission.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order.

### THE DELHI UNIVERSITY (AMENDMENT) BILL—*concl'd.*

**Mr. President** (The Honourable Sir Abdur Rahim): Further consideration of the Bill further to amend the Delhi University Act, 1922.

**Mr. J. D. Tyson** (Secretary, Department of Education, Health and Lands): Sir I move:

“That the Bill, as amended, be passed.”

Sir, in commending the Bill to the House in its amended form, I would invite Honourable Members to cast their minds back to the day, a long, long time ago,—at least it seems so to me,—when this Bill first came before the House. At that time, though I expected opposition on some points of importance, I confess I had no idea that in points of detail the Bill was going to prove as contentious as the debates of the last three weeks may lead one to suppose it is. I ask the Honourable Members to look back to that time because I wish to remind them of the very limited purposes for which we promoted the measure. May I say, first of all, that we did not bring it forward with the idea of overhauling the entire working of the University or the entire text of the University Act and its statutes. For such a purpose, we should, I think have wished to seek guidance first from some Commission or Committee; nor should we have chosen the height of a great war for such a task. We never made the claim that we were seeking by this Bill to give the University a model Act or model statutes or to make it a model University, though we do hope that we shall be able in time to make it or to enable the University itself to make it a model University. No, Sir, we brought the Bill in for certain definite purposes, the chief of which and the most urgent was to make legal provision for the three years course, now in point of inauguration. We also wanted to embody in the University Code some of the more essential provisions of the revised terms of Government grant to Colleges. We wanted also to remedy certain, as we considered, obvious defects in the composition of the Executive Council of the University. We wished to reduce and reform the Committee of Selection to fit it for its new duties. We wished to set right what we conceived to be a wrong interpretation given to the original intention regarding the bestowing and withdrawal of recognition of Colleges by the University and finally we sought to make provision for the appointment of a whole time Vice Chancellor if the development of the University and the fate of the three-year degree course scheme rendered such an appointment necessary.

These were our proposals and we had nothing more than this in mind. But these proposals necessitated changes not only in the Act but in a number of the statutes and we considered it advisable, while amending the Act, to make the necessary changes in the Statutes also, to ensure that they were in line with our intention and with the Act as amended. When the Bill came to be drafted, we were advised that the Legislature could not make a single change in the Statutes without the whole body of the Statutes being placed in the Bill

as a Schedule. This was because, as Honourable Members will recall, the parent Act of 1922 had given the University a set of statutes described as "the First Statutes" and set out in a Schedule: and the University had been given power and had exercised that power to add to and amend the original Statutes as occasion required. In these circumstances as we could not alter the existing Statutes and continue to describe them as the "First Statutes,"—the phraseology of the Act,—as in fact the University itself had altered and added to the original Statutes, the course we had to adopt was to re-enact the existing Statutes, as they were at the date of the introduction of the Bill, with such changes as we wished to make in them, and to alter section 29 of the Act to read as it now reads:

"On the commencement of the Delhi University (Amendment) Act, 1943, the Statutes of the University shall be those set out in the Schedule."

That is the phraseology now, instead of the original phraseology:

"The first Statutes shall be those set out in the Schedule."

I have explained this again because I find that some Honourable Members are still puzzled about our having all the Statutes in the Bill and are even now under the impression that the generality of the Statutes that we have been discussing for the last week or two are new statutes drafted by the Government. In point of fact, omitting purely verbal changes, drafting changes like such changes as "per mensem" instead of "per month" (we took the opportunity to make the number of those) the Bill proposed only about 17 changes, confined to eight of the 35 Statutes.

Sir, that was the scope of the measure as we envisaged it when we placed it before the House and at the time of the introduction that was the way in which we placed it before the House and that was the way in which the House viewed the Bill at the time of the debate on the motion to refer to Select Committee. Now, Sir, I am not complaining that Honourable Members have used the debates on clauses to move amendments which were outside the scope of our intention. That was, of course, completely within their rights; and as a matter of fact, we have accepted some of the amendments as the debate proceeded. I only want to make it perfectly clear that it was not part of our original intention to make this Bill a means for completely overhauling the existing Act and the Statutes and it does not follow that we regard the amended Act and Statutes as representing the last word in University educational wisdom.

The Bill as it has emerged from these deliberations will render it possible for the University to admit students to the three-year degree course which is on the point of beginning. And as regards this I will say that, though doubts are apparently still entertained in certain quarters of this House about the feasibility and even about the desirability of a three-year degree course, the University itself in the Court, in the Academic Council and in the Executive Council accepted the proposals in the Bill not only without demur but with approval. Indeed the Academic Council and the Executive Council sitting together recorded the following opinion on this point:

"They are in agreement with the Government of India in the objects and reasons of the Bill so far as they relate to the provision for the introduction of a three-year degree course, which is an essential feature of a scheme for the development of the university."

And the Court agreed in this respect with the two Councils. This was the most important feature of the Bill and the House can rest assured that in legislating to provide for this change it has done what the University desired. The University have, of course also passed the necessary Ordinances and they have had the Preparatory Class going for a year in preparation for admission to the three-year degree course.

That, Sir, was from our point of view the origin and the most important feature of the Bill. To go on,—the Bill gives statutory effect to those features of the 'conditions of grant' for example, representation of the teaching staff on the governing bodies of colleges and the establishment of a provident fund by the colleges for their staffs, which it seemed appropriate to provide for in the statutes. Further, we have now provided for representation on the Executive

[Mr. J. D. Tyson.]

Council of the professors by the election of one (and not, as we had originally proposed by two) of their number, and for the addition of two women by nomination. We have provided for a small and efficient Committee of Selection, very much on the lines suggested by the Executive Council and the Academic Council when we referred the Bill to them, and that is in place of the very unwieldy body now existing. Further, on that point, we have with the help of my Honourable friend Mr. Chattopadhyaya, found a way of associating the colleges with the committee, when it meets for the purpose of recognition of teachers, without adding, as we were very unwilling to do, all the six representatives of colleges to the committee. Then, further, in pursuit of our original intentions we have distributed the responsibilities of according and withdrawing recognition of colleges between the legislative and the executive bodies of the University in a way more in keeping with their respective compositions and functions,—at one and the same time securing, as I believe,—that effective action will be possible, should the need arise, but that the withdrawal of recognition shall not be lightly decided upon; the Bill requires that a clear majority of the whole body of the Executive Council shall vote for taking away recognition, and of course we have provided an appeal to the Central Government. While I am dealing with that point may I reiterate that it by no means should be assumed that the Government Member on the Executive Council will always favour the withdrawal of recognition from a college. Nearly all the arguments yesterday on this point proceeded on the basis that the Educational Adviser and, I presume, the Superintendent of Education would be the forefront of the attack for withdrawing recognition. That should not by any means be assumed. Nor do I for a moment admit that the Executive Council as now constituted will be a Government-controlled body or a Vice-Chancellor-controlled body,—which again, with due respect, is not necessarily the same thing. I do not want to take the House into the details but the allegation has been made and will, I daresay, be repeated today, that the Vice Chancellor, or the Government, or both, control a majority of the Executive Council. Now, Sir, as against the Vice Chancellor himself, the Treasurer, the Educational Adviser and the Superintendent of Education and four nominated members,—eight persons in all,—you have seven elected members,—members elected directly to the Council, five by the Court and two by the Academic Council. There are, therefore, seven on one side against eight who are Government officials, University officials or nominated members. Over and above that there are ten other members of the Executive Council. These comprise six Principals of colleges who, I venture to say, if they are controlled by any one at all, are not controlled by the Vice Chancellor. Then there are three Deans elected by the Faculties and one Professor elected by the Professors. I do not want to state names on the floor of the House but Honourable Members know who the Professors are at present, and it is not to be said that they are people under the control of the Vice Chancellor or of the Government. Even assuming that the four chancellor's nominees would always vote with the official members, an unwarranted assumption, what sort of control can Government have, or the Vice Chancellor for that matter, over the votes of the Principals, the Deans and the Professor, i.e., a group of ten?

Finally, Sir among the objects for which we introduced this legislation, in providing for the contingency of a whole-time Vice Chancellor being required, we have with the help of the Select Committee evolved a machinery which gives the Executive Council concurrent initiative with the Chancellor in moving for such an appointment, and it also associates the Executive Council very closely with the actual selection. The pay and the term of office of the Vice Chancellor have been laid down in the Bill and have no longer been left, as the original Bill proposed to do, to the discretion of the Chancellor. In many of these matters, as I have endeavoured to point out, the final proposals differ from the proposals originally placed before the House, and I have to thank the Select Committee and the House as a whole for their help in making a number of improvements.

Now, Sir, as I have said, we did not set out in this Bill to overhaul the entire structure of the University or its entire working. There are many facets of the University which we did not propose to touch on in our Bill. We have not reviewed, and we did not contemplate taking up, such issues as the working of the University institutions from the communal point of view and we have not been able to accept, for embodiment in the Bill, the many and far-reaching proposals on this subject that have been put forward by the Party opposite and in other quarters of the House. This does not mean that we are satisfied with the present position. From this side of the House we should like to see the minorities playing a larger part in the University. To that end we have introduced two amendments, while the Bill was before the House, designed to strengthen the voice of the minorities in the Court of the University, and we have accepted another amendment which is likely to give the Muslims at all events, though they were not mentioned by name, a bigger showing in the Academic Council. For the rest we have undertaken to use such influence as Government have in the University,—according to some of my Honourable friends an overwhelming power to influence, but I am afraid they greatly exaggerate,—to get the principle of proportional representation accepted for elections into the University.

Now, Sir, my Honourable friends opposite have made no reference to this in their speeches. That is partly no doubt because, so far as this Bill goes, it was not a live issue. The matter came up at a stage at which it could not be put into the Bill even if we had decided that that was the best way to do it. But their reticence is also, I cannot help feeling, due to the fact that if Muslim representation is to be based on the part the community has so far been able to play in the University it will at present fall a good deal short of the claims made for the community in this House. Let me explain this because we have heard a good deal about what should be the share of the Muslims in the various bodies in the University, and it is as well that these claims, if they are going to be repeated, should be judged against a background of the actual figures of Muslim participation in the University. As the House, I am sure, realizes, though some Muslims study in other colleges there is only one Muslim-managed College—and that not a very large one—out of the six Colleges of the University. According to the latest figures that I have been able to obtain there are only 46 Muslims in the 518 Registered Graduates—say 1/11th of the Registered Graduate Body. It may be that the cut, to which we have recently agreed, in the fee payable for registration may help the community in that respect. The figures for examinees in the University over the last three years do hold out a hope of better things for the community from the point of view of participation in the University as Under-graduates and therefore later at the Registered Graduate stage. They average just under 300 out of an average of about 1,300 a year—say 1/6th as against the figure which I have just quote of 1/11th of Registered Graduates. So I would ask the Party opposite not to be in too much of a hurry to turn down the principle of proportional representation if the matter is raised by the University. It is fair in itself. It offers an opportunity to a minority community of sufficient size to secure fair representation in the University bodies and an inducement to improve that representation by greater participation. I realize that the proximity of Aligarh militates to some extent against high Muslim enrolment in Delhi; but my friends opposite cannot have it both ways. If they want to pull their weight as a community in the University of Delhi, they must first put that weight there.

I have taken longer, Sir, than I intended to do and I do not want to end on a controversial note. We have spent several weeks on the Bill and I think we have improved it. We have not always seen eye to eye over it, but we have agreed to differ without bitterness and I thank the House for the courtesy extended to me throughout the many occasions on which I have had to inflict my remarks on them.

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

“That the Bill, as amended, be passed.”

**Dr. Sir Zia Uddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Our laborious task of consideration of the clauses which extended over two weeks is now over and I will just say a few words generally on what we have done in this particular Bill.

My Honourable friend mentioned in his speech today, and it was also mentioned in the original Bill, that the objects of the Bill are only three: (1) introduction of three years Course; (2) whole time Vice Chancellor; and (3) the tightening of the question of recognitions and also controlling the teachers.

These three objects could have been achieved by a short Bill containing only three clauses. It was quite unnecessary, in order to achieve these objects, to have all the Statutes altered from A to Z, and to widen the scope of this Bill and bring into discussion all those points which the objects do not justify.

We have spent a good deal of time over this communal question and, I think, had the Honourable Member confined his attention to the original objects, this thing would not have arisen. But I may just point out that this consideration is not only peculiar to India. It has been common in other countries too. May I remind him that in Dublin, they had one university, but on account of the communal issues a new university had to be set up there—the National University of Ireland—in spite of the fact that the Dublin University was there. May I also remind him that in Prague there was perhaps the oldest University, but when the Czechs came into power they wanted a separate University for themselves, and so they had two Universities—the Prague University and also a new university for Czechs. When this new university came into existence there was such a great tension between the two universities as never existed before. I happened to go to Prague myself. I invited the Professors of Mathematics of both the universities. The Professors of one university came first and when the Professors of the other university came and found that other professors were also invited, they left. Afterwards they sent me a letter of apology and explained that in Prague itself the professors of one university never mix with the professors of the other university. They meet in foreign countries but not in their own land. This is the kind of tension which exists between these two universities. My Honourable friend may accuse some men here but the position in other countries is much worse than it is here at present, in so far as that in other countries the tension which existed between the different communities resulted in the establishment of another university. These questions ought to be taken in the manner in which they exist. It is useless to preach sermons. It is useless to talk in theory. Take the facts as they are. If action is not taken in time, then I may warn the Government that the demands of the Mussalmans will be of the same nature as the demands of Irish people in Dublin and of Czechs in Prague.

Coming to these three points, the first is the three years' course. There is practically complete unanimity in the House that there should be a three years' course, and had this been the object, the Bill would have been through in half an hour. There would have been no opposition whatever. But if you read the Bill itself, you will find that there is no mention of the three years' course. People really ask where is the three years' course discussed. Some of the influential people in this House and some members of the Council of State came to me and looking into the Bill asked me as to where the three years course, which is the principal object of the Bill, is mentioned. And they were really surprised and disappointed when I told them that it was in the small amendment of section 36 of the Act where the Higher Secondary Examination of the Board of Higher Secondary Education is mentioned. Nobody can get at it easily. The first thing which ought to have been done was to explain what the Secondary Education Board is and then subsequently bring in this three years' course. I am not a lawyer but the Leader of the House and my Honourable friend, the Law Member, will be able to tell whether a reference to a particular examination which has got no position whatsoever in any law can be mentioned, namely, the Secondary Education Examination of the Delhi University about which nobody knows anything. I do not know whether it is or it is not *ultra vires*. What I

want to make out is that if they wanted to have three years' course, it was necessary only to bring forward one clause Act and if they had done that, I am sure it would have been carried within half an hour and with no discussion of any kind.

As regards the second point, namely whole time Vice-Chancellor, it has been provided in the Act that he may be part time or whole time. Considering the work which falls on the Vice-Chancellor, I am inclined to believe that a whole time Vice-Chancellor is necessary. It is immaterial whether he is paid or not, but a whole time Vice-Chancellor will be necessary. But even if the Government wanted to make it optional, I think the addition of another sub-clause in the original Act would have achieved that object. There was no occasion to introduce this long Bill.

Now the third thing is about the question of recognition and withdrawal of recognition. I am not even now very happy about the arrangements that we have made. If as my Honourable friend had given us to understand that the Court, the Executive Council and the Academic Council had approved this particular item, then why did he not bring it into the Statutes. The Statutes can be altered without any reference to the Legislature. Now I do not see why the discussion from the Court is transferred to the discussion in the Legislative Assembly. The Statutes could have been amended under the old Act by the Court with the approval of the Governor-General in Council. The whole thing could have been discussed in the Court and could have gone to the Government of India and we would have been relieved and saved from this laborious period extending over two weeks and from thrashing out all these amendments from A to Z.

Now these discussions have opened a new field. They have brought up all kinds of problems dealing with every aspect of university education, which was not the original intention of the Bill. They ought to have confined our attention to the three objects they had in view and left everything to be done by the Statutes, which could have been amended or repealed in the manner provided for in the Act by the Court with the consent of the Governor-General in Council. It was quite unnecessary to drag the whole Legislature into the reconstitution of the Statutes. Then while the whole constitution was under discussion, it was only fair that the Bill should have been circulated to other educationists, but this was not done.

As regards the first point, I am still very unhappy. Though we have passed the Bill what is to happen during the transition period? My friend, Mr. Sargent, gave us some idea and I am entirely in sympathy with him, but I do not see any trace in the Act or the Statutes whether those proposals will materialize. Perhaps it will be done by Ordinances, but there ought to have been some mention in the Statutes that Ordinances would be framed to provide for the transition period for the migration of students from this University to other Universities and *vice versa*.

As regards the selection of the Vice-Chancellor, I quite agree that the proposal of having a Committee of Reference to which suggestions may be made is a great improvement and I wish the other universities adopt this proposal which has been introduced for the first time in this university and I think that it is a very salutary suggestion.

As regards the withdrawal of recognition, I am very unhappy. My friends who are now piloting the Bill are considering the position of the Delhi University as it is, and I can visualise what the position of the University will be tomorrow if these persons are changed. Keeping this thing in mind, I am very nervous about the arrangements made. I stated at the consideration stage, when the Bill was first introduced, that I doubted very much whether, with the advent of different sets of individuals who would come tomorrow to work out these suggestions, these colleges would continue to exist. It would have been much better to reduce them to a position similar to that in the Dacca University. They may continue to flourish under the personnel which are now

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working with the universities, but see what would happen tomorrow. And I see it very clearly. The position would become difficult and this is a thing about which I have been very nervous. The next thing is the question of recognition of teachers and the number of hours they should teach. It is very difficult to ask what the teachers should do and should not do and how much time they should teach. We must try to create a feeling of responsibility among the teachers and see that they take an interest in their pupils. We should keep them in a cultural atmosphere and see that their leisure hours are spent in research and that they make the college a seat and temple of learning. These are the four objects to which our teachers should be trained. If such an atmosphere is created, that in itself will be sufficient to meet difficulties. It will take a long time to achieve these objects. Before we give all these powers to the teachers, we must wait and see if such interest, as I have detailed above, has been created among them. I am in favour of giving greater powers to the teachers; at the same time, there should be some kind of supervision to see that these feelings, which I have just mentioned, have been inculcated among the teachers themselves.

There are other decisions which might have been accepted. We made a suggestion about the Instruction Committee, similar to the Grant Committee. Now this proposal would have been very salutary. I am given to understand that a scheme of this kind may be taken up as a kind of post-war reconstruction work. It should be done in the interests of university education as a whole.

One point was referred to by Mr. Tyson today, *viz.*, that we should consider the position of Mussalmans in proportion to their strength in the various bodies in the University. Now, this theory I think as far as we are concerned is dangerous. It was advanced in 1924 that the position reserved for the Mussalmans should be in proportion to the number of applications received for a particular post. Now if this theory be accepted and we give places to the Mussalmans in proportion to the applications received or the number of graduates in the particular community, I am afraid that they will never be able to achieve their objects. Those who are backward will continue to be more backward as time goes on. We have to provide special facilities for those who unfortunately for many reasons, and chiefly on account of mistakes on their part, have not taken the fullest advantage of the facilities offered to them. Our remedy lies in offering them these facilities. I am sure they will take advantage of these and a larger number will be available.

Though we have passed through these different stages of the Bill, still I am not very happy, though I am in perfect sympathy with the objects of the Bill. But the manner in which they desire to give effect to these objects, *viz.*, by the Statutes which they have now framed, makes me doubt very much whether they will be attained, because if transition arrangements are not made. I am sure there will be difficulty about the three years course and the University will have to give it up. If they have not made proper provision about the Vice Chancellor there will be trouble about that too. As regards recognition, here again there will be reactions.

Therefore, they will have to be very careful about the manner in which they will achieve their object, because this is much more important than the actual achievement itself.

**Syed Ghulam Bhik Nairang** (East Punjab: Muhammadan): Sir, in the Third Reading stage of a Bill, it is customary to congratulate the mover of the Bill on the skill, tact, perseverance, and intelligence which he has displayed in piloting the Bill through the stormy seas of the debates in the House. Out of personal regard for the Honourable the Mover, which I have never concealed, I do congratulate him, at least in this sense, that his very arduous task is finished. To my mind, unless I am mistaken, the Bill has been under discussion in this House now in the present session for 12 days and the labours of my Honourable friend Mr. Tyson can be looked upon as the twelve labours of Hercules.



He has brought his labours to a successful termination and deserves congratulations. He deserves them all the more because in the speech which he addressed to us today he has congratulated himself. He has taken stock of all that he intended to do and has successfully done, and there was an unmistakable note of self-congratulation in the speech he addressed to us. It did come to a certain extent as a surprise to us, because in his speech moving for reference of the Bill to a Select Committee, he did not take the House into his confidence to the extent to which he has done today. Today he has unfolded a good many of the objects which he had in view when introducing this measure and has given many more details than were supplied in the beginning.

We understood all along that the object of the Bill was to make the Delhi University a model university for the whole of India, that the distinguishing characteristic of the university would be that it would have a three years' degree course and that would be introduced in to this university and tried as an educational experiment; and in case that experiment succeeds it is to be followed in other universities. That was one object. The second object which was disclosed to us was the appointment of a whole-time paid Vice Chancellor under certain circumstances. The rest of what was contained in the Bill appeared to be intended as conducive to the attainment of those two great objects. Our Honourable friend, Mr. Sargent was quite frank in the first speech he made in this House on the subject of this Bill and he said he was trying this great experiment and in doing so he really wanted to build from the roof, instead of following the hackneyed procedure of first laying the foundations and then building the superstructure thereon.

Anyhow, whether considered in the light of the speech of Mr. Tyson or of Mr. Sargent, we thought that the two objects which the Bill had in view were the two that I have mentioned, *viz.*, the appointment of a whole time paid Vice Chancellor and the introduction of a three years' degree course. As must have been evident throughout these debates, nobody in the House really differed on those two questions. The proposals had the blessings of all concerned; especially educationists of the standing of Dr. Sir Zia Uddin Ahmad. We all agreed, that the experiment should be made. In fact, as far as experiments are concerned, the entire history of modern education in India is a history of experiments. We have been constantly subjected to a kind of dissection to study our physiology and anatomy from the educational point of view and we have been constantly subjected to experiments. Innumerable experiments have been made and we have got so much habituated to experiments that we do not object to any new experiment being made which comes before us plausibly put and expounded by experts, whom of course we have always trusted to guide us in our march towards the goal of education. So, to this experiment of a three year course we all of us consented.

The appointment of a whole time paid Vice Chancellor also was not objected to; only his emoluments and the term of his office were under discussion, and of course they were eventually agreed to. What we really complained of from the very beginning was that this Bill was hurled at the devoted head of this Honourable House all at once. It looked as if the proceedings contemplated in connection with this Bill were intended all along to be a kind of legislative blitz. The Honourable the Mover himself felt it and in his very first speech he felt he owed an apology to the House for confronting it with a formidable looking Bill at the end of the Session. Not only that he felt that this would be a blow—because his next sentence was:

"Though we are anxious to get the Bill through quickly, we have attempted to soften the blow and have contented ourselves with moving for its reference to Select Committee instead of taking it on the floor of the House."

So, he was fully conscious—and he would not be Mr. Tyson if he were not conscious that it was a blow; he felt it and confessed it and said that he wanted to soften it by moving for reference to Select Committee. But he very curiously added that unless the Select Committee or the House wanted to make it so, the Bill was really not so formidable as it looked. Anyhow, the House having been taken by surprise practically, because the Bill had been circulated only about

[Syed Ghulam Bhik Nairang.]

seven days before to the Members, and they had not had time to study and form any definite views about it—my Honourable friend Mr. Lalchand Navalrai moved for circulation of the Bill to elicit opinion thereon. That motion was supported by his Party and by the Muslim League Party. But the Government with the aid of the large army of votes at their command and assisted by certain auxiliary forces in the House, carried the motion for reference to Select Committee, so that the Bill was in due course sent to the Select Committee and emerged from it in a certain shape; and during the present Session it came before us for consideration.

One more effort was made by a motion of my Honourable friend, Maulvi Muhammad Abdul Ghani, to get the Bill even at that late hour circulated for eliciting opinion thereon. But, in spite of all efforts made to that end the circulation motion not only failed but gave rise to certain suspicions in certain quarters. My Honourable friend, Pandit Nilakantha Das, whom I miss in the House to-day and have missed for several days, detected in the circulation motion a murderous design and definitely accused the Muslim League Party of having an intention to kill the measure. It was only lucky that Government did not think with him; otherwise, Maulvi Muhammad Abdul Ghani or the Muslim League Party might have been hauled up for attempted murder or abetment of murder. Anyhow all is well that ends well, we have escaped that predicament and now the Bill is before the House.

I have already said that this Bill was a kind of legislative blitz. We may be permitted to heave a sigh of relief that the blitz is now over and "All Clear" is about to be sounded. But as is natural, one may at this stage be permitted to examine the damage done by the blitz and to look at the casualty list. This blitz succeeded in spite of the very strong barrage put up by the House in the shape of so many amendments, and it is those very amendments which on being counted now, give us a very heavy list of casualties. I call it a roll of honour, which was the phrase used in the last Great War, because, although most of our amendments have been rejected, on the whole, at any rate, we have certainly secured a moral victory. We do not labour under a sense of defeat. We think that we have really secured a moral victory over the forces of bureaucratic stubbornness, and well—shall I say, reactionarism. What was there which was objectionable in the so many amendments which sought to secure for the Mussalmans a representation on the several bodies of the University? What was wrong in that? After all, the University intends and purports to cater for the education of the entire population of the province of Delhi, and in fact, also for those hailing from other parts of India who may be temporarily living in Delhi. When this is the object and scope of the University, if a section of the population gets up and says, I have also an interest in this institution, my voice also should be heard in running it and in managing its affairs and in carrying on its work, what is there which is objectionable in such a demand? As a matter of fact, to-day's speech of Mr. Tyson indicates to me, unless I have not properly understood it, that even he feels that there is some justice in that claim. Perhaps,—of course again I am not quite sure—he holds out a hope that this demand of ours may receive better consideration and better treatment in future. But when will that future become the present we do not know. Such futures are usually a kind of mirage which recedes further and further as we march towards the wave of water that we see in the distant horizon. Our thirst compels us to march in the direction of that wave but that wave recedes further and further back as we advance. Anyhow some hope is held out. It may be that better sense may very soon dawn on the official mind and may very soon lead to another amendment of the Act as it will stand after the present amendment, or some other method of ensuring to the Mussalmans better representation in the university. But for the present I think—I am not going into details on this occasion, because a good many details I have already given in discussing the amendments that I moved,—for the present I will say we find that the

Delhi University stands as it stood before the present amending Bill, and, as I said on a former occasion, is to us nothing better than a kind of Hindu University of Benares; in fact, if a different name is required, I would call it the Indraprastha University. It should not be taken that we grudge our brethren of the other community the progress which they have made in education or the hold which they have on the university at present. We do not grudge it, we only want fair treatment at their hands and at the hands of the Government. We want just to be associated with them in the work of the university, and I do not think that any fair minded man will look upon that as a sinister design on the Bill. And that is all that we had been aiming at in the course of the debates that have been held over this measure.

I need not further detain the House, but I may just say that we have had the advantage of listening to the very enlightening speeches, on certain occasions, of Mr. Sargent, and I have not concealed my admiration for the way in which he helped us in understanding points which he alone as an educational expert could expound to us. I admire the way in which he and Mr. Tyson have not only sat shoulder to shoulder but worked shoulder to shoulder in the course of these debates, and I think the congratulations I have offered to Mr. Tyson equally apply to Mr. Sargent.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): I think we must congratulate ourselves—I mean congratulate all the Members of this House, on having come to the end of a very weary debate on this Bill, which according to Government, as stated by Mr. Tyson, was not contentious at all such as they could get through as a matter of course. However, I say that I congratulate the House also on another point. During the discussion we were feeling monotony over several points especially the communal feature coming from one side of the House.

**Syed Ghulam Bhik Nairang**: Whatever we said was not from the "communal" point of view.

**Mr. Lalchand Navalrai**: That is only professing it.

**Syed Ghulam Bhik Nairang**: It is a fact and I can swear to it.

**Mr. Lalchand Navalrai**: May I give to the Honourable Member *seriatum* the communal amendments that were put forward?

**Syed Ghulam Bhik Nairang**: Not one.

**Mr. Lalchand Navalrai**: Of course, according to you, they are not communal. If you have a communal demand and ask for communal rights, then let the Government give you but I only ask you not to get it through the back door. That is our position. I think the Honourable Members of the Muslim League should be thankful to us. We do not want their legitimate rights to be denied to them but we say that in the sphere of education, there ought to be purity, no quarrel over communal question and no disturbance such as we see in the country now.

Their I submit that the monotony is also over. There remains the question whether we should congratulate or thank the Honourable Members, Mr. Tyson and Mr. Sargent for having put in an arduous effort to gain their point. I must at least thank them for this, that they put in a very strong and robust attempt and effort to gain their point and in that I should think they have succeeded in spite of all the amendments and discussions which this side of the House wanted should be acceded to. Anyway I think they have put their case very ably and I also think they must have spent a few sleepless nights over this Bill when the communal phase came into it and they were being troubled over it. They must have felt that they were between two fires. On the one hand, they were feeling that they should keep the purity of education and there should be no revolution of any nature in the university education. On the other side, they saw that this Party on this side, I mean the Muslim League Party, put in amendments, as many as about 69. That must have frightened them and I must say that they have stood to their guns, though they vacillated in one or two matters. On the whole, they stuck to the view that the communal cancer should not be introduced into

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university education. I will however say that there is a reduction in my thanks to them, because they vacillated and changed their policy with regard to one or two communal matters.

Now, so far as the Bill is concerned, it was introduced with an eager desire to see that the university education is developed and that the University should have powers under which they can have a three years' degree course established. Well, I should think that these objects could have been secured without bringing in this Bill into the House. The Act of 1922 itself gave many powers to them and I think they could have achieved their object by passing ordinances and not resorting to the statutory body. They could have done that. They have therefore to thank themselves for the controversy that has been introduced into this House by bringing in this Bill. Of course, the discussion has come to an end. They deserve thanks for it but I trust that the Bill will be worked in such a way as to show that the only object of this Bill is the development of university education by three years' degree course. If they are not going to work it in that spirit, then this enactment will be of no use.

Now I should think that the blame for bringing in this Bill and creating a trouble and quarrel in this House lies on the advisers of the University and the Government themselves. Under the present Bill, there were two contentious points, one is with regard to the three years' degree course and the second is with regard to the appointment of a permanent Vice Chancellor. It seems to me that the Government came determined on what was suggested or inspired by one or two individuals. They made up their minds and then they acted like experts. The experts when they make up their minds, they think that they are the only persons who are in the right and then they stick to every word of their opinion. The same thing has been done in this Bill. It seems to me that some person or persons were fascinated with certain ways of giving education in England and then they made up their mind that in India also the same thing should be introduced. But those persons who wanted this experiment forgot that India was India and England was England. England is an advanced country. They have got every kind of facility for making the universities ideal universities. I do not mean to suggest that in India, the universities should not be ideal. Who will not wish it but the point is—is the present Government going to help India in that direction? Have they done it up to this time I ask? What do we find? We find no uniformity in the education that is being given in several universities and the standard of education is not the same. Even the subjects that are being taught are different and when these students come out from these universities, they compete before the Public Services Commission and what do we find? One university is competing with another and one university is having a greater advantage over another university on account of certain curriculum that they have in their university.

Sir, this is a subject which I would not enlarge. This question has been hanging fire for a long time and I believe it was referred to the Central Advisory Board to consider it as part of the uniformity of education and to bring co-operation between the various universities. Now, we have not found anything here to show that that object has been achieved and any progress has been made in that direction. I am asking particularly about this at this stage because the Delhi University is having an enactment which is certainly not prevailing in the other Universities. Therefore, when are you going to ask for that uniformity and co-operation? After you have given them this enactment? Is it not like sending for and possessing ropes before you have got the goat? It is doing something before-hand and then thinking of doing something which ought to have been done first. Sir, I was glad once or twice to find that my Honourable friend Mr. Sargent gave us some assurances that co-operation and uniformity in respect of education and other matters will be obtained by an attempt to be made hereafter. We are waiting to see

Now it happens, but according to me it should have been done first. However, we will not weep over the spilt milk and we will wait and see how far that assurance is going to be fulfilled. I hope an assurance which is given by such a big authority will be fulfilled soon. Until that time, we are not satisfied either that the Bill has been passed or the manner in which it has been passed.

Now, let us see what we have done and what are we going to achieve? The first and the most important question is with respect to the permanent Vice Chancellor. How far the Delhi University wanted a paid Vice Chancellor is known to us. I think the present Vice Chancellor in consultation with the Educational Adviser came to the conclusion that the Vice Chancellor should be a paid officer. For what reasons this conclusion was arrived at, we do not know. The work was going on very well with an unpaid Vice Chancellor. In future they may have somebody in mind whom they want to appoint as a paid Vice Chancellor. That is only known to them. We do not know anything about it. Even if they wanted to appoint a paid Vice Chancellor, where was the necessity of hurrying up and bringing this Bill for that purpose? They also brought it before this House in a manner which was very stringent. The whole power was being given to the Chancellor. It was contested in this House and I am glad that to some extent in the Select Committee some improvement was made. That we cannot deny. Now, it will not be the Chancellor who will make the appointment but it will be made on the recommendation of the Executive Council. So far, it is an improvement. Still, I do not like that the Vice Chancellor should be appointed by the Government or the Chancellor. He should have been appointed in a democratic manner, that is to say, he should be appointed by the University itself. They should elect somebody from amongst themselves as a Vice Chancellor if they have such an important man and not leave it to the Chancellor. Even in our Municipalities and other institutions we have got now democratic ways of doing things. However, we will wait and see how far this provision is going to be used. We have to see whether this appointment is given to a man without influence and purely on his merits.

Then, Sir, coming to the question of the three years' degree course, I do not want to take much time of the House on this subject. On this side it is said that there is a unanimity that there should be the three years' degree course. I should think that requires a little exception before we come to admit that. I have been thinking over this matter that if the Government wanted to develop education in the Delhi University or in any other university, they may have three years' course for making a graduate. Instead of that, they might have kept the present two years and created a post-graduate class where these B.A.'s could go. Where was the necessity of adding one year which will be inconsistent with other Universities in India? But they are now bent upon seeing that the present method should be adopted. Let us see how it works. At present we are given only lip assurances and if they fructify, I shall be very glad. But then the point is this. They say that the University will teach the first year and the second year of the college, which is equivalent to F. A. and the Intermediate. They say that F. A. and Intermediate will be done by, creating the secondary standard in the High Schools. Now, that would mean that F. A. and Intermediate will be taught there. That in its turn, will depend upon the grant which they can get from the Finance Member. We know the Finance Member has been unusually generous in this direction. In other respects, he is very cautious. He says economy is needed; war is going on; we want money for the war; we want even contributions for the war and so on and so forth. But he seems to have given much money to the Delhi University—we do not know how much it is—for the purpose of carrying on the University in the manner the Government want it to develop.

Well, all right, let it be given. Now, Sir, I want that it should be used in such a manner as really to develop first of all the schools. I am addressing

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these remarks specially to Mr. Sargent, that he should see that the efficiency and the ability of the schools do not deteriorate but increase. That can come about only when he gives more money to the High Schools. Not only should he provide more money for the schools, but also devise better mettle in the masters and bring them more or less to the standard of Professors. Then only probably, I am saying 'probably', deliberately, because I am not certain, they will get as much education as in the Intermediate class now. Until that happy time comes, there is great difficulty at present. Several students have gone away from Delhi fearing that when they are not going to pass the Intermediate examination, they will not be taken elsewhere. Therefore, I submit that this difficulty remains there. That is a great blow to the students in Delhi and also to those who used to study in Delhi. After all the Delhi University is not meant for students of Delhi alone. It is meant for others also. Delhi is a cosmopolitan place where officers from all parts of the country come and stay for short periods and their children have to study here during the period of stay of their parents. Now, they are confronted with a great difficulty. That is why they are going to other Universities. I think they would be losing one or two years. Therefore what should be done is the co-operation and consent of other Universities should be sought and obtained without any delay.

With regard to other branches of education that should be given, I think it would have been much better if the Delhi University had, instead of creating a three-year degree course, given attention to provide medical education and created a Medical College here. For that purpose there is very great need. Now, students have to go to other Universities for medical education. They have no facilities at present in Delhi. In Delhi they have made one facility, that is that students now can go to the Polytechnic Institute for one year and then they will be taken in the B.Sc. class in the Delhi University. I do not know whether they will have to study for two or three years in B.Sc. course. I think they should be allowed to finish the B.Sc. course within two years after coming out of the Polytechnic. So far so good. But for Engineering course and the Medical course, there will be great difficulty. The Government should get the Polytechnic course recognised by other Universities as equal to Intermediate standard or some other course acceptable to them.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is going into details.

**Mr. Lalchand Navalrai**: I am going to finish soon. Now, I wish to say one or two words about this communal question, about the communal amendments which have been moved.

**Syed Ghulam Bhik Nairang**: There are no "communal" amendments. You are only saying they were so.

**Mr. Lalchand Navalrai**: Now, I am speaking from my own mouth that they are communal amendments.

What I submit, Sir, is this: they may gloat over the fact that after all they have gained some victory over some communal amendments. But I say, it is all an eye-wash. I must tell them that. The eye-wash has also been applauded and rather admired so that the Educational Adviser or the Educational Secretary or the University might say, after all we have given them something. If they ask for more, we will give. No, Sir, my Honourable friends will not have any victory in that way. I think it should be left to the University without being influenced by any higher authority, as the Honourable the Education Secretary or the Honourable the Educational Adviser. If the University of their own accord feel that they ought to grant the legitimate rights of certain people, then it should be left to the University. Not that these demands should be made one after another, we want five Muslim Members here or three Muslim Members there, we want Muslim teachers, we want that the Professors should be Muhammadanised, or that an institution should be Muhammadanised and so on—all these things are wrong. I do not think the University should agree to this. I should utter a note of warning to the University, that they should not imitate the weakness of the Government here when Mr. Tyson and his friend

climbed down and changed their attitude which they adopted in the beginning. There are two things in which they yielded and that is wrong. Firstly, they increased the number of Members of the Executive Council with a view to give more representation to Muslims. Of course the Muslims wanted that they should be given on communal basis. The Government said, no, no. We are not going to give on communal basis . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has said all that at the second reading stage.

**Mr. Lalchand Navalrai**: All right, Sir. Let me conclude. What I am submitting is this. The University should not take a leaf from this book. What you have done in this house is wrong. The University should of their own accord find out what is right and what is really to be done.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must conclude now.

**Mr. Lalchand Navalrai**: Now, Sir, one more word with regard to the functions of the Court in the University. In my opinion that is being trifled with. They are not being considered as the highest authority, there is not much previous consultation with them as it should be.

Finally, I hope and I expect that the Bill as it is enacted now into law will be used by the University in a most cautious, legitimate and pure manner.

**Sir Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): Sir, the debate on this important Bill is coming to a close and has revealed several very interesting phases. I think the whole House will join in paying a tribute to the patience of my Honourable friends Mr. Tyson and Mr. Sargent on the Government side. They have been patiently replying to all questions from this side which might have exasperated and tried the temper of many people, specially when they were met by constant opposition and criticism from these Benches. All credit must be given to Honourable Members who do their duty properly with satisfaction to themselves; and on this side we must admire the patience, the tenacity and the optimism of my Honourable friend Syed Ghulam Bhik Nairang. In spite of constant opposition he never lost heart and up to the last amendment he stood his ground giving some reason or other; and when he found that the same arguments would not convince the other side he was always ready with fresh arguments and reasons to convince them. He fought this battle with the greatest valour. It is easy to fight a winning battle, but people who fight a losing battle often are demoralised and leave the battle-field, but my Honourable friend fought his battle with tenacity up to the last. Syed Ghulam Bhik Nairang deserves as much credit as the two Honourable Members on the Government side whom I have named.

Sir, we did our duty according to our lights. Our duty was to protect those whom we have the honour to represent here and to bring justice to them. I can assure Government and my Hindu friends that the Muslim League was never actuated by any feeling of aggressiveness. We tried only to safeguard the educational interests of all the communities who live in this city. The Hindu nation and the Muslim nation can never be one unless proper regard is shown to our interests by our brethren as they show to their own community. If the same interest is shown in the education of Muslims as it is done in the education of Hindus we will feel happy. We felt that we were not having our proper share and we ventilated our grievances with proper facts and figures. We did not make it a political agitation because there is nothing political in it, but we showed that the education of Muslims was not having the attention that it deserves, and that was because the University did not have a fair representation of Muslims in all its different bodies. My Honourable friend Mr. Lalchand Navalrai may claim to be a nationalist and he may say he is not "communal". But we have found that whenever any point is discussed he always raises the question of Sindhis. So, if he is not communal he is at least "provincial", and wants to get benefits for his province at the expense of other provinces, which is worse.



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He may say that it is not a moral victory for us. He may shut his eyes to facts but our moral victory lay in the fact that we were able to bring round those gentlemen who did not see eye to eye with us at the beginning and Mr. Tyson had to admit,—I congratulate him on his frankness,—that the Mussalmans did not get their proper share in the University and that they will try to secure that share for us. That admission and that statement was the greatest moral victory for this side of the House. We have shown that our education could not progress to the extent which we desired on account of paucity of funds and on account of the circumstances in which we were placed. We therefore want that the Government should come to our help.

Sir, may I refer the House to the remarks made by the Honourable the Finance Member while he interrupted when we were discussing the financial condition of these colleges and to which, I may say, I take exception. Speaking about the colleges which may find it difficult to erect their own new buildings on account of lack of funds, the Finance Member said: "We help those who help themselves". I should have thought, Sir, that the Government was helping those who could not help themselves. The principle of a good Government should be that they should come to the help of those who need it most. It is not necessary for the Government to help those who can help themselves, but their help becomes necessary in the case of those people who cannot, because of certain circumstances, help themselves. The proverb actually is: "God helps those who help themselves". I never thought that the Government will assume that position. In the matter of education, it is the duty of the Government to come to the help of those people—to whatever community they may belong—who cannot, on account of lack of funds, make further progress. The use of such a phrase as the Honourable the Finance Member has used does not appeal to us; we want the Government to act otherwise.

Sir, it will be interesting to note that on practically every amendment on which we challenged a division, we had the majority of elected members on our side; we never lost so far as votes of elected members were concerned. If you will refer to the names, you will find, Sir, that not only the Muslim League but the Nationalist Party and some unattached members also voted with us. But even in such cases where we had the support of the Nationalist Party, the Government did not like to give in. In view of what they say about 'democratic institutions' and 'democratic Government', the attitude adopted by the Government in certain cases was not very convincing. The proper course for the Government should have been to leave everybody free to vote as they liked, and if they had also given that liberty to the Nominated Non-Official members—in whom they have full trust and, who perhaps have been nominated on the ground that they possess a good deal of commonsense—it would have been very much appreciated by everybody and it would have served as a good example. I feel, Sir, if the Government had given that choice to everybody, even some of the Government officials would have voted on our side. Anyway, taking into consideration the votes of elected members, the majority of them were on our side, and that is the moral victory which we claim we have won. But I must say that if the proper course had been followed, we would not have lost even a single division. There may have been certain reasons which influenced the Non-Official Nominated Members who have unconsciously voted with the Government, but I feel that if they had listened to the debate and if they had been left free to vote, the whole lot of them would have come to our side. I may say, Sir, that we had the support of some broadminded Hindu Members also. When the question of representation of Muslims on certain bodies came up for discussion, we found to our satisfaction that on many occasions two members representing the depressed classes voted with us. The leader of the Nationalist Party also supported us on several occasions. Sir, I say that it was the justice of our cause which appealed to these Members. I am sure if the Government were placed in that position at the last stage, probably they would have been convinced and would have changed their mind the other way. But they had to pass the Bill as it had emerged from the Select Committee. The debate on this Bill must have revealed to them,



however, that there are many things which require further amendments, and I am sure when the Act comes into force, the Government will realize that we are right and that they should have accepted our amendments. I am, for one convinced that a change is bound to come and Government will accede to our requests on many points.

I think, Sir, that the changes which the Honourable Member has accepted will, to some extent, afford a little relief. But those changes will not satisfy my Party or my community which is represented by my Party. I can only hope that the Government and our sister Hindu community will some day realize that India can never rise and progress if a section of the population is left behind and is not able to advance with the same rapidity as others. Therefore, they will not like in any way to become averse to the education of the Mussalmans,

1 P.M. and this University of Delhi will after some time begin to play a part which will make it to be considered as a model University. This University is situated where the seat of the Government is, and we want that this University should rise to that extent as to lead the other Universities in different spheres and in this University in the field of education all communities in this city will get a proper share and a proper impetus and encouragement.

I do not want to go into the details of the Bill and the sections and clauses which have been amended or ignored, because they have been dealt with already and it is useless to repeat those things. But I wanted to make a few observations on the broad features of the Bill and the debate as it has emerged today.

I hope this Bill will be, as it is emerging, put to the test and that the other requirements, which we think and consider necessary, will soon be also found to be essential by the Government as we find them today.

Sir, with these words I conclude.

Mr. M. Ghiasuddin (Punjab : Landholders): Sir, we have been debating this Bill now for about two weeks and the Bill as it has emerged at the end of the two weeks is, I am sure, a great improvement on the Act that existed. These long discussions have demonstrated one thing, and that is the interest that this House takes in matters of education. It has shown to the world how interested Honourable Members are in the cause of education and that they are prepared to give their valuable time in order to further this cause.

I want to say something about the giants that have emerged from this debate. One is Mr. Tyson. He has piloted this Bill with great patience and forbearance. The other is Mr. Sargent who helped him with his technical knowledge of the education in this province. Then there is my Honourable friend, Ghulam Blik Nairang, who put forward his point of view with great clarity and wisdom and his advocacy was able to win many a vote on his side, including the vote of the distinguished person, the Honourable Dr. Banerjea, the Leader of the Nationalist Party. This is a tribute to the advocacy of my Honourable friends of the Muslim League as well as to the fair-mindedness of my Honourable friend, Dr. Banerjea, who has demonstrated that he came here with an open mind and when he saw a cause worth supporting, even at the cost of temporary unpopularity, he has not shirked his duty and done the right thing.

Sir, I am glad that Mr. Tyson gave the assurance that this Bill is not the last word. As the debate progressed we found that all was not well with the administration of the University of Delhi. This prolonged debate has at least served one purpose, viz., it has brought the present administration of the Delhi University to light and public attention has been focussed on it, and I hope that the Members of the Government of India who are ultimately responsible for, and who have to watch, the administration of the University, will keep a keen lookout and try to remedy all the defects which they find. They will show further fairmindedness if, after they find that even after their supervision matters do not improve, they bring a further amending Act to this House, in which they might find it possible to incorporate some of the necessary amendments which the House rejected this time.

Sir, as for the Bill itself I won't say very much, but one of the improvements I find is the provision of the permanent Vice Chancellor. We find in a good many universities that people should have real connection with a university

[Mr. M. Ghiasuddin]

before they can put their heart and soul in it, and for the successful running of an institution like the Delhi University, it is absolutely necessary that a man should be permanently attached to it and I welcome this inclusion.

There was one more revelation made by Mr. Tyson and that was that Muslim students appeared to be very few in the University. I do not know whom to blame for it—whether the proximity of Aligarh, as he pointed out, is responsible for it, or whether they do not get enough encouragement, or their finances are low. Whatever the cause, I think it is not a very satisfactory state of affairs and I hope in future every effort will be made to induce the Muslim residents of this Province to send their sons and daughters for higher education here, so that this deficiency may be made good in a short time.

Sir, I have nothing more to say except to add my good wishes for the passage of this Bill. I do hope that the University of Delhi will benefit by it.

**Mr. Kailash Bihari Lall** (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadian): I have seen Honourable Members have congratulated themselves and have also congratulated Honourable Members on behalf of the Government piloting this Bill, and I also feel the urge that we should congratulate ourselves that we have acted in a befitting way. Although we have heard just now that moral victories have been gained—I am not prepared to admit whether the victories were real, moral, ephemeral, spiritual, or God knows what: But this much is certain that there has been victory on some side; and when I see my Honourable friend, Mr. Ghulam Bhik Nairang admitting that there was not a single communal amendment . . . . .

**Syed Ghulam Bhik Nairang**: Mr. Lalchand Navalrai definitely charged me with putting forward communal amendments which I deny most solemnly.

**Mr. Kailash Bihari Lall**: Do you deny that your amendments were communal?

**Syed Ghulam Bhik Nairang**: I simply deny that charge; it is not for me to invent charges against myself and then to deny them.

**Mr. Kailash Bihari Lall**: There need not be any wrangle over the pronunciation of the term or its spelling. I felt that it was not the right spirit in which he had understood the thing; and as soon as he admits that there was not a single communal amendment I felt that there had been some moral victory; and the Government at least should congratulate themselves upon this moral victory; a little fairness on their part has created this atmosphere that people are not prepared to own that there was anything communal. As for injustice to a certain set of people, no one will support it, whether it is communal or national or something else; much less would any Government support it; if they did, they would have to rectify that mistake. But one little thing discouraged me and that was the setback on the part of the Government in showing some sympathy and admitting that perhaps they failed in their duty as they could not fulfil certain demands. To that extent this Bill should be taken as a moral defeat because of that weakness. I felt they should gird up their loins for still further victories and regard it as if they have done a service to those for whom they feel they have not done as much as they would have liked to do. I feel that the Government has done good to those very people who urged those communal amendments, even if they deny it now. I do not know what term should be used—whether communal or party; but they did real good to them because I realise that it is really doing good to those who believe that things should be otherwise; but it is surely for their good that Government sometimes takes a strong step and in the end Government stand justified. For instance, I may say that if my Honourable friend, Babu Baijnath Bajoria had been here I do not know what his repercussions would have been in the matter, as we know how very conservative he is. He would have even objected to the abolition of Sati if he were allowed to do it. As I have studied him, he is a conservative, but we have seen that Government is not going to relax its policy as far as that custom is concerned. Mr. Bajoria would be disappointed in that; and I say that people of that type would be surely disappointed . . . . .

**An Honourable Member:** Do not speak of him in his absence.

**Mr. Kailash Bihari Lall:** But his principles are so public and I do not think I am doing him an injustice when I say that. It is in that light that I say that Government would be justified in taking strong steps by doing some good to people though they may be detested for the time being for doing so. My friends should not take it in that light because I am not only speaking of their amendments but also about the Government amendments as contained in the Bill itself. I opposed the communal scholarships because I am not satisfied with the Bill as it is; I hope better sense may prevail later, and if at all our education is to be purified in the interests of the nation, a time may come when further amendments would be necessary. There were some amendments like the one about the safeguarding of Islamic culture which . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member need not go into those details.

**Mr. Kailash Bihari Lall:** I am simply referring to them. I am passing on. Sir Yamin Khan also referred to the moral victory . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I think the Honourable Member has said enough about moral victory already.

**Mr. Kailash Bihari Lall:** All right, Sir. As my remarks about moral victory have been enough, I shall talk about immoral victory; the immoral victory is on the side of the press people who have been doing less than justice in announcing to the world that the Members of this House are engaged in communal wrangles. They should not have taken advantage of the matter in that way, because we have seen that what we have discussed here is not in the communal interests; better sense has prevailed and the Government has piloted the Bill in such a way that they have withstood that kind of onslaught and there was no wrangle on this communal matter. Of course, certain grievances were placed before us and those grievances were looked into and answered. That does not mean there was anything communal about it.

**Mr. Lalchand Navalrai:** Is the press right or are you right?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member ought not to interrupt.

**Mr. Kailash Bihari Lall:** Of course, stress should have been placed on the national rather than on the communal point of view; and I therefore think the immoral victory is on the part of the press people who have announced that the Central Assembly is doing something in that strain.

So far as the working of the Act is concerned, I have already said that the Bill as it stands now is not wholly satisfactory, but I do not think it should be thrown out; it should be given a fair trial to see how it works; and then we will have time to bring in further changes if we feel like it. With these observations I think the Bill should be given a chance.

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, Sir F. E. James (one of the Panel of Chairmen) in the Chair.

**Mr. Govind V. Deshmukh** (Nagpur Division: Non-Muhammadan): It is usual for the House to congratulate the Member sponsoring a Bill. I was thinking whether I should congratulate the Government with whom the sponsoring of this Bill rests, and particularly, those Members who are actually piloting the Bill—and the leader of the House, or the Muslim League which has taken such a prominent part in the discussion of this Bill. Whether I should congratulate the Muslim League for the determined stand that they have made, or the Government Members for standing those shock tactics. Whether the Government is war weary I know not, but when I just entered this House I was given a piece of information from newspaper reports that there is going to be no November Session. If it is so, it seems to me that the Government is very much struck by the onslaughts of the Muslim League, and has become very war weary and needs rest. I do admit that the Leader of the House and my Honourable

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friends, Messrs. Tyson and Sargent, have had to stand a good deal of rough knocks from the Muslim League. However, I congratulate both of them and also the Leader of the House, and here on this side, particularly my friends Ghulam Bhik Nairang and Mr. Abdul Ghani the Members who took an intelligent part in the discussion of this Bill, and have shown themselves to be what one might say the intelligence department of the Muslim League.

**Mr. Lalchand Navalrai:** What about the Autumn Session?

**Mr. Govind V. Deshmukh:** I referred to Mr. Nairang and Mr. Abdul Ghani. They appeared to me from the labour that they had put in and the amendments that stood in the names of these persons that they were really the intelligence department of the Muslim League and they had taken great pains. One is reminded of the good old days of the Congress whenever they wished to sponsor a Bill or wished to lead an opposition,—they worked as a great team. This is an example which I hope hereafter will be followed by other parties, and I do think that Government will appreciate such efforts and not be desirous of taking rests whenever there is such an opposition.

One thing that I wish to refer to is the desire of the Muslim League to get representation on these different educational bodies of the University. Nobody can have any complaint as regards their desire. Government is not against it. If I remember correctly, Mr. Tyson said, though Muslims have not been specifically mentioned there, that it is the desire of Government that all communities should be associated in the efforts of education, which meant bodies of the Delhi University. He laid down one rule for guidance and the Muslim League laid down a different rule for guidance. Mr. Tyson said that their association will certainly depend on their participation in the university education and the efforts depend on their participation in the university education and the efforts they make. It seems to me a very sound proposition that if a community shows a greater interest in education, that community should be associated in proportion to the interest it takes in education. It is said, as Dr. Sir Zia Uddin Ahmad said they may be partly responsible, it is their own mistake, and it seems to me that they are responsible. If they are backward in education it is because they did not wish to take advantage of the facilities which were then given. I read an article in the *Dawn* about two days ago by a Muslim gentleman who gave a description of Delhi as it was in the 1837 and there he gave the number of students who were in the colleges. Even in the good old days the number of Muslim students was really one-third or one-fourth of the Hindu students who were attending the colleges. If anybody neglects to benefit himself of the facilities given, opportunities given, then you cannot blame that the person who has provided the facilities has not given the facilities. The argument that because a community is backward, therefore it should be helped in every possible way would mean this, that there would be no incentive left to the community to make any progress. If anything, they would like to be backward. Whether they are backward or not, they would like to say that they are backward if some premium is put on the backwardness of a community, if that becomes the sole ground not only of promotion in services or recruitment but also preference in the matter of representation on bodies connected with education. Therefore it seems to me unreasonable that anybody should come before the House and say, we deserve support because we are backward. The sensible rule by which any one would be guided is the interest that the community takes in any walk of life which would entitle it to a representation.

Having said this much, let me say that the Government has expressed its desire,—it has made arrangements for the association of all communities in the matter of education in the University. When the Government, i.e., Mr. Tyson said that, he had not only the Muslims in his mind—he has said so, though he has not mentioned Muslims specifically, he has made a good deal of provision for them to be taken on to the several bodies connected with the university,—but the scheduled classes also, the scheduled classes need not feel disappointed. All the minority communities—that is what he said in the opening

speech to-day—he has all the minority communities before him. I should like to say this, in connection with the education of the depressed classes, that it is the desire of every one, whether it is Muslims or Hindus, that they should educate themselves. May I say that it is not only the Government which is trying its level best but the Hindu community also takes greater interest in the education of the depressed classes? As a matter of fact, it would be doing injustice if one were to say that the majority community was not doing anything for the depressed classes. The Arya Samajists are doing their level best. They teach them not only in the ordinary schools, but they have gone to the extent of educating them in their own Gurukuls. They have brushed aside all ideas of caste. They have not only done that, but they have appointed them in several cases after having given them proper education as preachers of Arya Samaj. It would be doing the Hindus an injustice if it is said that they are not doing all they can possibly do in the face of the opposition of the Sanatanists to uplift the depressed classes even in the matter of education.

Sir, I very much wish that this Bill, before it came before this House, had the advantage of securing the advice of men like Dr. Zia Uddin. It seems to be the intention of Government to have three main points carried out in this Bill. One is a whole time Vice Chancellor, I thoroughly agree that there should be a whole time Vice Chancellor. We should have Vice Chancellors who not merely carry on the old ideas but we must have Vice Chancellors who have got new ideas, who can put new life into the University at times and give fresh ideas and put some life into it which will be beneficial to the student community as well. But this idea could have been carried out, as Dr. Zia Uddin pointed out, by having only a clause in the Bill. Then another clause as regards the three years degree course and one other item also, recognition of colleges or something likewise. If we would have had that advantage, we would have been spared the trial of going through this long debate over these questions. It was unfortunate that the Muslim Members of the Select Committee did not take any part in it and staged a walk-out. It is really to be deplored and hereafter one may expect that the Party will be in a position to give all the co-operation that it possibly can.

Sir, these are the main points on which I wished to address the House and after all this, I have to congratulate the Government Members who have borne this great stress and stood the strain. It would be desirable to carry into practice the ideas which they have put in this Bill and I hope there would be no delay. With these few words, I resume my seat.

**Maulana Zafar Ali Khan** (East Central Punjab: Muhammadan): We have had a very lively discussion on the subject of the Delhi University Bill for the past 12 days and the memory of this discussion will go down to history as a very remarkable case of complacency on the part of the Government. While hundreds and thousands of people in India were dying of starvation, like a swarm of flies in the streets of Calcutta and Benares and elsewhere, in this House a Bill was being merrily discussed to give education to the people of Delhi. If the Government wants to be congratulated, on that feat, I shall join the ranks of those who have congratulated them. When the Bill came for second reading, we were under the idea that the Government wanted to create a full fledged model university. The Government were also under that impression and they thought in their superior wisdom that the Bill as it emerged out of the Select Committee was a non-contentious measure. Later on, a new life was introduced into this discussion by the historic attitude taken up by the Muslim League. The Government thought that the appointment of a whole time salaried Vice-Chancellor and the experiment of the three years degree course were the two main features of the Bill and after a discussion on these two items, they thought they would be able to carry this measure in one or two days through a pliant House. They thought that because the Congress Benches were empty, the Nationalists gave them some sort of support and because the nominated members were always their henchmen ready to vote on their side in any circumstances they would be able to carry the Bill through.

[Maulana Zafar Ali Khan.]

But for the first time in the history of this Legislature, His Majesty's Opposition, the Muslim League, comes forward and gives the Government a battle royal and in that battle they succeed. The moral victory, as has been pointed out by many speakers, is on their side and when this battle was over, suddenly Mr. Tyson and Mr. Sargent had to admit that the University was not a model University. It will be a model university in the days to come—first admission first defeat. What is a model university according to the best views on this subject? A model university according to the Mussalmans is a university which does not tax knowledge, which does not require a student to pay his fees for the learning that he acquires. This is the first principle so far as the subject of education is concerned in Islam. The Holy Prophet says:

*"Al ilmo ilman; ilmul abdan wa ilmul adyan."*

Knowledge is of two kinds—theology and medical science. So according to that saying, in all Muslim seminaries and universities throughout the length and breadth of the world Islamic curriculum not only includes history and literature, astronomy, theology but also medical science and every Mussalman, is expected to be well read, expected after having taken his degree to be a *hakim*, a *tabib*. The Mussalmans have always held, according to the teaching of their Holy Prophet that knowledge of philosophy or science is the lost property of the Mussalman. It is his right to acquire it from whatever source he gets it. The Greek system of medicine, for instance, had its origin in the wisdom and the skill of the people of Greece. When the Mussalmans came and began to raise great Universities, they followed Greece in medicine and throughout their history the Greek system of medicine was upheld and fostered by the Mussalmans.

**Mr. Chairman** (Sir F. E. James): I ought to observe that we are not discussing the Greek system of medicine. The Honourable Member had better come to the Bill.

**Maulana Zafar Ali Khan:** That is the proper preface of what is to come. If anybody opposes the Greek system of medicine, the Mussalmans say: "We will fight against you". They are against allopathy, not because allopathy is a foreign art, but because they have not taken to it as being an inferior system. So, with these glorious traditions at their back, when the Mussalmans demand that in the management of the University, in every section of it, they shall be represented as Mussalmans, Mr. Tyson follows the practice of the Hindu wife who does not name her husband out of modesty when asked to do so. He takes up that attitude and says: "Well, we will give you some share in the Governing Bodies of the University but you shall not be specifically named". Why not? What is a Mussalman and what is the Islam of which they are so much afraid? We believe in the Unity of God; we say prayers five times a day; we keep fasts for 30 days in the year; we give two and a half per cent. of our annual income in alms and once in our life time we perform the Haj. Are these beliefs and practices an obstacle in the way of non-Mussalmans who are monopolising the University? Because I happen to believe in the Unity of God, does it mean that I will be against the Hindus in the Syndicate or the Academic Council or the Court? Nothing of the sort. This was the question that was taken up by the Muslim League and we called upon the Government, as our birth-right, to give us proper and adequate share. We did not ask for proportionate share, but we asked for adequate and effective share in the government of the University as such, not as unnamed, unsung and unhonoured beings but as Mussalmans who had a glorious history and glorious traditions extending over a period of 1,300 years. We have won to a certain extent, to the extent of compelling the Government to give the Chancellor the right of nominating us. But we tell them that we shall not be nominated. We have the right to be elected by our own electorates and this will come in a very few years' time. That time is coming and I warn you that if you do not take proper heed, the writing on the wall is there.

You shall have to part with power; we shall acquire that power and with the help of the Nationalists, the Hindus and the depressed classes, whom we mean to enfranchise, we shall have our own University and we shall have our own laws and the Bill as it has emerged from the Select Committee and passed the third reading will be thrown into the waste-paper basket.

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): Sir, a protracted debate on the Delhi University (Amendment) Bill is now about to come to an end and the Bill is at last going to be placed on the Statute-book. I have on many occasions dealt with the details of this measure and at the present moment it is not desirable on my part to emphasize those details once again. I will, therefore, confine myself to a few observations of a general character.

Mr. Chairman, I and my Party have very often opposed this Bill in the various stages of its career. But we have not done so for the mere purpose of opposition. Our purpose has been different. We have been trying to rid this Bill of its objectionable and reactionary features and add to it provisions of a wholesome character. Indeed, from the very first to the last it has been our constant endeavour to improve the Bill to the largest possible extent. We did not deal with this Bill in a spirit of carping criticism but made suggestions and moved amendments in order to see to it that the Bill becomes useful and beneficial to the people at large. I admit that some of our suggestions and amendments have been accepted by the Government and the House. I would have been happy if many more of our suggestions and amendments had found favour with the Government and this Assembly. But the attitude which was taken up by the Government was so adamant and so intolerant that we did not succeed in achieving our object. But it is no use harping now on the past. We must concentrate our attention on the future.

Before I deal with what should be done in the future, I should like to say just a word about the general policy which has guided us in dealing with this measure. We have tried to keep before our eyes the educational interests of the people and nothing else and we have attempted to steer clear of officialism on the one hand and communalism on the other. This has been our general policy. We have not fully succeeded in carrying out the policy but that has not been our fault. We are satisfied that we have done our duty. As regards officialism, it is clear now that the nominated element has been greatly increased on the different bodies of the University. I have always been opposed to the policy of nomination. But the Government have thought

otherwise. As regards communalism we have thought it our duty to oppose those amendments which in our view—I do not say our view has always been right—appeared to us, rightly or wrongly, designed to further the communal cause. But I must make it very plain that I and my Party do not stand against the participation by minority communities in the working of the Delhi University. We have accepted all suggestions and amendments which we could accept without sacrificing our principles in this regard.

As for the future, we have to consider what should be our primary object in giving effect to the provisions of this Bill. Our primary object, in my opinion, would be nothing more and nothing less than the advancement of learning. The Government have now secured to themselves much greater power than they possessed before and I would advise them, if I may, to use this power in the best interests of this University. I know that there a feeling in Government quarters that because the Government make large grants to the Delhi University, therefore, they are entitled to exercise control over all its affairs. That, I submit, Sir, is a mistaken view. Control for the sake of control is a most undesirable thing. I believe the House knows that large grants are made in England to the Universities of Oxford and Cambridge and London. The Government of that country never seeks to interfere with the administration of their affairs. I am a Member of the Convocation of the London University and I always get copies of the proceedings of that great institution; it has never come to my knowledge that the Government has ever



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interfered with the normal working of that body. Here also, I hope the Government will take up the same attitude.

Now, coming to some of the details with regard to the working of the Delhi University, I would suggest that all parties concerned in the welfare of the University should concentrate their attention on some of the important points. In the first place, they should do their best to inculcate a spirit of discipline and a sense of duty in the minds of the teachers and students of the University. We have seen that a sense of duty is the most important thing which a man or a woman should possess. As regards discipline, I use the word 'inculcate' in the minds of students by teachers; I do not use the word 'enforce', because enforcement of discipline does not create a healthy frame of mind. Inculcation in the mind of students of a spirit of discipline is on the other hand a very essential and desirable thing. Now, this discipline which I wish to be inculcated should be more on the moral plane than on the physical plane. In the University, the discipline should not be that which prevails in the army or in the police force, but it should be the discipline of an entirely different sort. This discipline can be inculcated more by example than by the use of the rod. As regards teaching, we have heard many complaints and it should be the earnest endeavour of every person connected with the Delhi University to improve teaching arrangements. If we are unable to improve teaching arrangements in the Delhi University, we shall never be able to make the Delhi University an institution worthy of the capital of India.

The next point which I should like to emphasise is that greater attention should be devoted to industrial and technical training. In this respect, the Delhi University has been very sadly backward. I know that there is a Polytechnic which has been doing useful work during the last three or four years, but this Polytechnic has not yet been absorbed in the University and it is doing work of a somewhat inferior character. It will be desirable now to amalgamate the Polytechnic with the Departments of the University so that it may become an institution which will not only train artisans and small handicraftsmen, but also organisers and captains of industry and trade.

I deal next with the question of scientific training. This has been rather badly neglected in this university. We should all remember that the present age is an age of science and we should encourage the students to take up scientific subjects in preference to the arts subjects, in order that they may be able to advance the economic interests of the country to a much greater extent than they have been so far able to do.

Lastly, I should insist on greater facilities being provided for research work. There is a Records Department in this city, the capital of India; this department is a storehouse of information for all earnest-minded students. But there should also be a well-equipped library in the university which students may utilise for their work. I know that since the arrival of Sir Maurice Gwyer the library of the University—which was a tiny little thing six or seven years ago—has considerably developed; but there is still a great deal of scope for further development. And side by side with the development of library facilities you will have to erect a central laboratory for research work in the University,—a laboratory on the lines of the Calcutta University which has 30 many departments and where so much good work is being done.

So much regarding the detailed work of the Delhi University; I turn now to its general aspect. It should be the aim of every well-wisher of the Delhi University to bring about a pure academic atmosphere in this institution. But how is that object to be attained? It cannot be attained without having in view a common goal for all. And what should be that common goal? The common goal, as I have said before, is the advancement of learning and nothing else. We should brush aside from our minds all ideas about the needs of particular sects and communities. I do not mean to say that safeguards in respect of the educational interests of different communities should not be provided; I am anxious that the educational progress of every community should



be fully secured. But that should be done by mutual understanding and in a spirit of accommodation. If the majority community in Delhi has not so far done its duty towards the minority communities it is up to every well-wisher of the Delhi University and of the country at large to insist on this being done now. If the minority communities have any feeling that they have not been properly treated, certainly that feeling should be removed and no stone should be left unturned to satisfy the legitimate demands of every community. But granting all that, we should see to it that a proper academic atmosphere prevails in the Delhi University. As a majority community has its duties so also have the minority communities. They must work in a spirit of co-operation and not in a spirit of exclusiveness, and it should be their endeavour to secure the goodwill of the majority community. If that is done and if the different communities of India are assisted by Government in taking proper action the Delhi University may become a real centre of learning. My Honourable friend Mr. Tyson said that it was the ambition of Government to make the Delhi University a model institution. I fully sympathise with that ideal, but how far it will be translated into action will depend largely on Government and on the people who will administer the affairs of this university. I hope and trust that advancement of learning will be adopted not as a motto in theory but should be translated into practice; and if that is done the Delhi University will be able to make a substantial contribution to the progress of education in this country.

**Mr. J. P. Sargent** (Government of India: Nominated Official): Sir, I wish first of all to express my sincere appreciation of the kind things which have been said about my Honourable friend and myself by Members in different parts of the House. I should like Honourable Members to know that this is not a mere formal expression of gratitude; because, Sir, I realise that on many occasions during the last fortnight it has been my misfortune to have to try and explain in this House some rather technical educational points which may be quite familiar to me but are probably much less familiar and intelligible to other Members. And I realise as clearly as other people how limited my powers of exposition in these matters are. In spite of that I have received every indulgence and Members have listened to me with the utmost patience and kindness; consequently, Sir, my gratitude is really genuine.

Now, Sir, as an educationist I cannot help feeling that this Bill has been a little unlucky to be drawn into so large and important an issue as that in which it has found itself. I make no complaint whatever about that; I have myself not intervened in any of the discussions of what have been described rightly or wrongly as communal issues, and I do not propose to say anything on that point. In spite, however, of this prolonged debate and in spite of the rather formidable appearance of our Bill,—I must admit it came to me as a bit of surprise when I received it from the printer,—not a very great deal, I think, has been said in the last fortnight against the principles to which I personally attach great importance.

It has been a pleasure to me, although I knew his views more or less beforehand, that my Honourable friend, the Vice Chancellor of Aligarh University, has in no unhesitating way expressed his general approval of the three years' degree course. Other gentlemen have done the same. I was also interested to hear him say that to carry out the scheme we have in hand in connection with the re-organization of Delhi University he appreciated that a whole time Vice Chancellor might well be necessary. I do, however, in that connection wish to assure, if I may, my Honourable friend, Mr. Navalrai, that certainly I have no one in mind as a successor to the present Vice Chancellor; it may not even be necessary to employ the powers which we thought it was desirable to incorporate in the Bill. Those are two of the items of the Bill which I quite agree were very important.

But I have to refer yet once more to a subject on which the House must be getting very weary of my voice, and that is the question of co-operation between the University and the colleges to raise the standard of teaching and

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the standard of scholarship all round. The main aim of the re-organization scheme has been to improve the status of the colleges and to increase their weight in the scholarly and teaching activities of the University. There have been complaints in the past into which I do not propose to enter. There is no doubt—as in most complaints there is—something to be said on both sides; it has been said with regard to the colleges, to put it very briefly, that they or some of them have not paid salaries or offered conditions of service which attracted the sort of teachers who could be satisfactorily employed as readers or even teachers of the University. The colleges, or some of them, have retaliated with what I know from my personal experience is a good deal of justice, that in fact the University has been dominated by one or two colleges and that they themselves did not get either a fair weight in the Councils of the University or a fair share of the higher teaching posts. As I say, I do not propose in the least to attempt to analyse the justice of either of those complaints, I only wish, in appealing to the Members of this House and to the wider public outside for a fair trial for this experiment, to point out that we have already done a good deal to enable the colleges and the University to co-operate more fully than has been practicable in the past. Agreed scales of salaries, which I think compare favourably with those obtaining in other Universities and institutions of higher learning, have now been introduced in the colleges and in the University, together with such conditions of service as will ensure reasonable security of tenure for all teachers, and so we hope that that will enable the colleges to employ teachers who again in their turn will be not only recognized by the University but will be regarded by the University as eligible for its higher teaching appointments. That is perhaps an optimistic view, but to a certain extent it is based on what has already been done and what it was within the competence of the University to do, with the increased financial assistance which was placed at its disposal, and what I hope the colleges will also do if they are, as I hope, prepared to co-operate in this scheme.

I do not want to traverse what I have said previously or to delay this House a minute longer than it is necessary. But one argument which perhaps concerned me more than any other argument which has been brought against the main educational principles of this scheme, has been the apprehension which has been expressed as to whether this scheme is going to be operated in a manner which is going to make the University better than it used to be. My Honourable friend, the Deputy Leader of the Muslim League,—I do not pretend to quote him verbatim but I understood him to say that he has never put much faith in this scheme and he expected to think less of it in future. That is a view to which he is perfectly entitled, but I hope that with the changes which we are introducing and with the co-operation of the colleges we shall be able to make this University a model in one sense at any rate. By 'model', I do not mean that it will be perfect—educational institutions are never perfect, and probably Universities least of all institutions—but, at any rate, it will be an institution which people will come from other parts of this country to see and, I hope, from outside.

Among other apprehensions—and I have to admit that they are valid—is the one that we are taking a plunge which will take us out of the same stream as the other Universities of this country by introducing a three years' course while they still adhere to the two years' intermediate and two years' degree course. There again, I am on the side of optimists, and while appreciating the difficulties, I can only hope that if and when this House has put us in a position and put the University in a position to approach other Universities on this particular subject, our proposals receive that consideration which I think they are entitled to receive in view of the general attitude which all the Universities of this country have, I believe, unanimously taken up towards the particular principle which the University of Delhi is now seeking to implement. There may be difficulties—I fully appreciate there are difficulties. If we cannot secure the consent of the Universities, I admit that a very serious position will arise, but until that unfortunate event has occurred, I am going to pin my faith on the good sense and the intelligence of the bodies of this country, which

control Universities. But they are entitled to ask certain things; they are entitled to ask for our Act and Statutes; they are entitled to ask whether in fact our standards are being raised in Delhi to an extent which will justify their treating a student who is admitted to the first year of the three years' course in Delhi as equivalent in standard to the young men who enter the second year of their intermediate course, and *vice versa*. That is a matter on which we have to satisfy the Universities and I am optimistic enough to think that we shall be able to do it.

There is one other apprehension which has been expressed on a good many occasions, namely, that this is a hasty and ill-considered measure. I wont refer at all to the circumstances under which it was introduced into this House, but again I may say with regard to its general educational principles that a very critical examination of those—as some Members of this House know—by prominent educationists in the various bodies of the University has been going on for some three years past, and I think that after all the discussions and the final measure of agreement which was reached, it must have been rather a surprise to them—I confess it was to me—to find that this measure raised so much opposition at this stage.

There is one other matter I wish to say a word on, and that is the question of finance. It may come as a shock to the Honourable the Finance Member to learn that I have been brought up with a strict sense of financial propriety in all public affairs and I do want, if possible, to clarify a particular issue to which my Honourable friend, the Deputy Leader of the Muslim League, has referred more than once. He has suggested that we have adopted a minimum standard in considering the staff of the colleges because I, in fact, had less money to distribute than I anticipated when we addressed the letter to the colleges in 1932. I want to be fair to the Honourable the Finance Member and the Standing Finance Committee when I say that that is not so. But certain factors have arisen since then. When we got the estimates from the colleges—and I do not blame them in the very least—their other expenditure had risen in some cases in quite an alarming manner owing mainly to increased prices. We were also faced with the problem of preparatory classes in which we did not know how many students there would be because we did not know how many high schools would be ready to undertake the 11th class this year. We did not know what would be done in regard to co-operative teaching at that time and to what extent the University would be able to relieve colleges of certain duties. The consequence was that I suggested—and I do not think there was any serious objection from the financial representatives of the colleges—the higher limit of 20 students to one teacher should be taken for the purpose of calculation. With this went the two undertakings to which I referred to the other day, firstly that there was no desire to bring down the staff of teachers, and further that as soon as the preparatory classes were extinguished and the colleges had attained their normal size, the whole matter would receive reconsideration. That, Sir, was not merely given as an undertaking from me, which might be regarded with suspicion; it was incorporated in a letter sent to the colleges through the Chief Commissioner in June of this year in which I said—it was my own letter:

“The method outlined in Appendix II for determining the grant admissible to the colleges would be reviewed if necessary when the preparatory classes disappeared and the colleges attained their normal size.”

I think the people who are responsible for spending money will hardly feel that I have been unnecessarily niggardly in distributing the sums at our disposal, or that the representatives of the colleges have been unreasonable in the way that they received my suggestion to wait and see what the first year's experience would produce.

I attach a great deal of importance to this financial issue and I do so for a reason which was touched on by my friend, Mr. Lalchand Navalrai this morning when he reiterated his surprise that at a time like this Government should have

[Mr. J. P. Sargent.] thought fit to provide a substantial sum of money for educational development, particularly as he pointed out with the knowledge that we were not at the end of this development and that more money would be required. I know that and I do not seriously differ from the calculation which my Honourable friend the Deputy Leader of the Muslim League has put forward. If we are to carry this through, I should imagine that the sum to which he referred may well be required. With regard to that, however, we shall have to depend on the future state of Government's finances.

But I do feel a very considerable responsibility myself because I have backed this scheme. Members know that there is not a great deal of money available in this country for education. I have done what I could since I came to this country to envisage the problems of education in those areas for which the Central Government is responsible, or those institutions in which the Central Government has an interest and to try and form some idea as to how the money available or likely to be available could be best distributed in the public interest. Now, Sir, that is not an easy thing to do when the needs are so great and the money is so small. I have been rather made fun of by my friends opposite, because when I made my maiden speech I ventured to say that in Delhi we had adopted the principle of building from the roof. That has been brought up against me as being a stupid thing to do. What I meant to make clear was this. Anybody setting out to reconstruct an educational system would normally begin from the kindergarten and primary schools, and having established them would go on to the secondary and high schools and then provide the roof, or attic, or top storey in the form of university and higher technical education. That is the procedure that I advocated in the other centrally administered areas and the procedure which I should have advocated under normal conditions in Delhi. But for certain reasons which I explained to the House conditions were not normal. It is a fact that a crisis had been reached in the Delhi University, that a number of us felt that the three years scheme was a good thing which could be introduced in that University, that the need for reorganising the high schools was urgent and that here we might set an example which might create interest, if not emulation or imitation, in the higher ranges of education while we were trying to do something in the lower stages in the other centrally administered areas. That is what I meant when I said that we proposed to start building from the roof. But I did not mean to suggest any kind of Heath-Robinson structure.

I am advised by my architect friends that it is by no means impracticable or even unusual to start nowadays constructing a building from the roof. If you do that however it requires more careful planning and more careful instruction.

**Nawabzada Muhammad Liaquat Ali Khan** (Rohilkund and Kumaon Divisions: Muhammadian Rural): It must have been a P. W. D. engineer who gave you this advice.

**Mr. J. P. Sargent:** From that point of view I want to make the House realise that I have a very special responsibility in having suggested to my Honourable Member and through him to the Honourable the Finance Member and the Standing Finance Committee that a very considerable sum of money should be sunk in this experiment. I only say that because my responsibility is there and I give it as a proof that in so far as in me lies, and I have been credited with almost super-human powers during this debate, I shall endeavour to see that this thing is carried through and made a success of.

But, Sir, I realize as clearly as anybody else that if this is to be carried through, there must be goodwill. In spite of the Government subsidy, I defy the Vice Chancellor of the University or myself or any of our supporters to impose a complicated piece of educational Mechanism like this reorganization of the University of Delhi against constant and large opposition from people who have the same place and interest in the University as we have. If this is worth doing, then I plead that it should be done with goodwill. Nothing could

be fairer, I think than most of the speeches to which I have listened here. In fact that there did appear to be a general disposition on the part of Members who opposed this measure to say that if it was put through, they hoped it would be given a fair trial and that they would not be disappointed if it was a success. My attitude is very much the same, and any support which we can lend to the University in making this successful we shall do it.

My Honourable friend, Sir Muhammad Yamin Khan, reminded me that a large number of things which I thought confidential in my office was well known outside. He will not mind my saying that a considerable number of reports of what has been said in the conclaves of his Party and other Parties opposing this Bill has penetrated to my office. Whether they are accurate is neither here nor there but they are penetrating also about the city of Delhi and it is being said that Government is not in earnest, that Government is already on the run, or if not on the run here and now they will be made to run somewhere else. The result is that the students are hardly in that atmosphere of assurance as to their future, which is desirable, if an important change is to be brought into operation. However I do hope if and when we have passed this Bill through all the appropriate stages and every opportunity of criticism and opposition has been exhausted, we shall have time given to us to see whether it can be implemented. It does not matter and I do not care a bit whether anybody hurts the Government of India but I am concerned that the University should not be hurt or the students for whose benefit that University exists. We have been given a fair hearing, and as my Honourable friend and I have said more than once, we shall bear in mind what has been said, and we shall see in what way, without sacrificing this Bill,—the legitimate points which have been raised can be met. If people will take my word for it, I hope that we shall be inaugurating an era of increased prosperity in the University of Delhi by means of this Bill.

**Nawabzada Muhammad Liaquat Ali Khan:** Mr. Chairman, the tenacity which the Government have shown in getting this measure through was worthy of a better cause. The House will recollect that in the last Session, when this Bill was introduced and when the motion for circulation was under discussion, there was practically unanimous opinion of the non-official Members of this House that the Bill should be circulated for eliciting opinion. The Government took up a stubborn and unreasonable attitude and turned down that proposal; and as I stated then—and I repeat it now—we believe that that attitude of the Government in flouting practically the unanimous opinion of the non-official Members of this House was due to the fact that they were sure of victory on account of the official votes which they have at their disposal. Sir, reference has been made to the withdrawal of the members of our Party from the Select Committee. In the absence of the Congress, which was the largest party in this House, a great responsibility has fallen on the shoulders of the Muslim League. It being at present the largest Party which is functioning inside the Assembly, it is its duty to protest against any action of the Government which is meant to ignore and flout the opinion of the non-official Members and it was as a mark of protest that we had refused to lend our support to the Government in the deliberations of the Select Committee. Nothing has happened since which can show that the attitude which we had adopted on that occasion was not fully justified.

My Honourable friend the Educational Adviser has appealed for goodwill. Let me tell him that when we moved the motion for circulation and when we again in this Session asked for circulation it was for no other purpose than to secure the goodwill of all the interests which are closely bound up with the success of this scheme which you are introducing. If the University fails to secure that goodwill, without which I entirely agree that this new experiment can never be a success, it will be due entirely to the attitude, the unreasonable and stubborn attitude of the Government, and not to any action of the non-official Members of this House.

[Nawabzada Muhammad Liaquat Ali Khan.]—

My Honourable friend, Mr. Lyson, while taking part in the debate on the 4th of August, when I had put forward the position as it existed in the University today with regard to the admission of students in the various colleges stated:

"Parents want to be careful; they do not want to take the risk; and in this particular case I am bound to say that those who have had their misgivings about the whole scheme have certainly not been shy of giving publicity to them, and one cannot wonder therefore if parents have at the outset been a little nervous."

I cannot, Mr. Chairman, allow this insinuation to go unchallenged. If there is nervousness amongst the parents it is not due to the fact that we have done our duty in this House. It is due to the fact that the Government have adopted an attitude which is most unreasonable and that in reality is the main cause of the nervousness which exists among parents and guardians. What did my Honourable friend expect the non-official members of this House to do—to sit here and say 'Aye' to whatever he put before this Honourable House? It was our duty, when the Government deprived this House of obtaining independent opinion on this measure, it became the duty of the non-official Members of this House to examine that Bill in detail; and if we had not done that, we would have failed in our sacred duty which we have taken upon ourselves. The nervousness that exists and which has been recognised and the great fall which has taken place in the number of students who have sought admission this year to the University is not due to what we have done. It is due entirely to what the Government have done with regard to this matter; and the last speech of my Honourable friend the Educational Adviser is a further proof, if any proof was needed, of the indecent haste with which the Government have gone on with this measure. He himself stated, referring to the proportion of students to teachers, that when in April 1942 the Government drew up the scheme, they were not in possession of so many facts which emerged afterwards. Now, I ask him, was it right for the Government to have embarked on such an important measure without collecting and getting all the facts about the success of this scheme? It is no use his coming forward now and telling us that he himself in June last—that is more than a year after they had put forward their proposals—suggested that the number should be raised to 20. Is that any argument I ask my Honourable friend? I have stated before, and I repeat it again, that as far as the question of a three-years degree course is concerned, we have not opposed it; and my Honourable friend knows that my personal attitude from the very beginning on this point has been very sympathetic. If he will take his mind back to the conference which was held at the house of Mr. N. R. Sarker who was the then Education Member, he will remember that I was one of those few who supported his three years scheme at that conference. It is not that we did not want to try this experiment. Our position throughout has been that it is a revolutionary change in the educational system of this country: it is a change which cannot be successful unless you have the co-operation and goodwill of all the other Universities in India. But our advice has not been heeded, and if the Government had not shown this excess of impatience, I can assure him that they would have got greater support, greater goodwill, and greater co-operation from every section for the success of this scheme.

My Honourable friend, the Education Secretary, referred to certain amendments that have been made in the Bill when we were considering it clause by clause. I can say without any fear of contradiction that there is not a single material amendment which has been accepted by the Government. The Bill to-day as it is placed before this Honourable House for final reading is practically, materially and for all purposes in the same form as it was when it was introduced in the last Session. The disregard that the Government have shown for the opinion of even those who are closely connected with the University of Delhi, not only closely connected but who are the

University of Delhi, is really deplorable. My Honourable friend, Mr. Tyson, while speaking on the motion for circulation in the last Session, stated that they were going to get the opinion of the University of Delhi which would be placed before the Select Committee. The University of Delhi is another name for the Executive Council, the Academic Council and the Court. Jointly they constitute the University of Delhi. The opinion was sought, opinion was given and it was placed before the Select Committee. But I state here categorically that not a single suggestion of either the Academic Council or the Executive Council or of the Court has been accepted by the Government.

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

So what was the use of asking for the opinion of the Delhi University? My Honourable friend, Mr. Tyson, stated that they had received the opinion of the Vice Chancellor of the University of Delhi also. But I do not know why a copy of that opinion was not supplied to us just as he had been kind enough to supply us with copies of the opinion of the Executive Council, the Academic Council and the Court. He said that the Vice Chancellor of the University of Delhi does not agree with the opinion of these bodies with whom he has to work if the scheme is to be successful. I do not know what has been the reason for that. Here I would like to clear up one misunderstanding. I think it was stated by some Members that the object of this Bill was to provide certain remuneration for the present Vice Chancellor. In fairness to Sir Maurice Gwyer I must say that he has himself, as was told by the Education Secretary to this House, declined to receive any salary as long as he is the Vice Chancellor. So, I think Honourable Members who have any such suspicion in their mind should not harbour it any longer. As a matter of fact, I would go so far as to say that I could have understood the attitude of the Government, if the present Vice Chancellor had said that he could not carry on unless he got a salary for doing this work, and as he has been associated with the University for the last four years and as the scheme has been introduced and has been devised during his regime, his presence for some time at least to come would have been essential. But that is not so. He does not want any salary. Therefore, as far as that goes, even that justification is not there.

The Bill as it is before this House does make a very fundamental and revolutionary change not only in the system of education but in the whole administration of the University of Delhi. It does place all the power in the hands of the members of the Executive Council and deprives the Court that was more or less the supreme authority in the University so far, of any power that it might have had in the past. This to my mind is not a very good change. To place power in the hands of a few is always a very dangerous proposition. There is a greater chance of that power being abused than if that power rested with a larger body composed of varied interests whose deliberations were open to the public and whose decisions could be challenged. Therefore, Sir, for my Honourable friend to say that in this Bill they really wanted only a very few minor changes apart from the three years degree course is not putting the position very fairly before this Honourable House.

My Honourable friend says that the idea of this Bill was not to overhaul the entire University and that this Bill is not intended to make the University of Delhi a model university. Well, Sir, I must say that this has come as news to us. Throughout the discussions, throughout this debate during the last so many days, it has been stated more than once that the object of the Government was to make this University a model university.

**Mr. J. D. Tyson:** So it is.

**Kawabsada Muhammad Liquat Ali Khan:** Then why did my Honourable friend say that the idea under this Bill is not to make it a model university?

**Mr. J. D. Tyson:** I said that we would not make it, by means of this Bill and this Bill alone, into a model university.

**Nawabzada Muhammad Liaquat Ali Khan:** When the Government are embarking on this big scheme that involves a very heavy expenditure, I want to know if it is right for the Government to come forward with a proposal which is not likely to make the University later on into a model university. I do not quite understand what my Honourable friend means. If the object of all this expenditure is not to make the University into a model university, if the object of this three years degree course is not to make the university into a model university, if all the conditions that are laid down in this legislation to improve the University are not to make it into a model university, then I fail to understand what is the object of this Bill and what is the purpose of these large sums of money which are to be spent on this new scheme which the Government are introducing. The only justification that the Government could find for financing this big scheme would be that they intended to make this into a model university, and that it could only be done if they could make some very drastic changes in the present constitution. And my Honourable friend tells me that this Bill does not make any drastic changes in the present constitution of the University.

**Mr. J. D. Tyson:** I did not say that.

**Nawabzada Muhammad Liaquat Ali Khan:** . . . and that this Bill will not make it into a model university. Anyhow, my Honourable friend says that he did not say that. I hope he will be good enough to explain, when he gets up to speak later on as to what he means and what is the position of this particular legislation. Is it intended to make this University into a model university, or is it not? That is the point that I hope my Honourable friend will make clear.

Then, my Honourable friend has given an argument as to why they considered it necessary to bring before this Honourable House all these 35 statutes that are attached as schedule to this Bill. As I stated last time, Mr. President,

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this could have been easily done by the Court. Would it not have been better to work out the details through the Court, which is the body more directly concerned with the University than the Legislative Assembly, and frame the necessary statutes? Why was it considered necessary to come to this Assembly for the revision or amendment or repeal of any of the statutes that were added as part of the Act of 1922. We suspect that you came forward before this House because you were not sure of carrying this through the Court of the Delhi University and you were certain that on account of the absence of the Congress Party you will have a majority here and carry through anything. This fact alone does not show that my Honourable friend the Educational Adviser desires the goodwill of those authorities that are to work this scheme which is embodied in this Bill. If they wanted the goodwill of that authority, if they wanted the goodwill of the Court and of the Executive Council and the Academic Council, they should have gone to them to frame the statutes and frame them in such a way as would be in the best interests of the University and would receive the greatest co-operation from these various authorities of the University. Now, what is the use of my Honourable friend appealing for goodwill when he himself (by 'he himself' I mean those who are responsible for this Bill) has shown great lack of goodwill or co-operation with the people who are directly concerned with the administration of the University.

Sir, a great deal has been said regarding what my Honourable friends are pleased to call the communal amendments that were moved by the Muslim League Party. Indeed, Mr. President, it is a matter for very careful consideration as to what is national and what is communal. Is it national to hand over an institution to one community or is it national that all the various communities in this country should have an adequate share in the administration of a particular institution? My Honourable friends talk of communalism. I make bold to say that the University of Delhi would have been less communal in its composition if they had accepted our amendments and it is indeed the acme of hypocrisy that a Government whose composition, whose existence is based on communalism and racialism should come forward and decry communalism.



What is the composition of this Government? There are two Honourable Members who belong to the Service. I shall say nothing about them but take the eleven non-official members who are supposed to represent the people of the country in that Government. Can my Honourable friend Sir Edward Benthall say that he is not there to represent the European interests in this country? Can my friend Sir Jogendra Singh say that he is not there to represent the Sikh interest and can my Honourable friend, Sir Sultan Ahmed, Leader of the House, stand up and say that he is not there to represent the Muslim interest? What is the use of trying to come forward with such slogans and such tall talk of not introducing communalism in the University? Your life breath is communalism. You exist on communalism. The real reason was that you wanted to deprive the Mussalmans of their right, and of what is their due. During the debate, we showed by facts and figures as to what was the position of the Mussalmans in this University. We showed by concrete examples that injustice had been done to the Mussalmans in the past and our case was so conclusively proved that my Honourable friend Mr. Tyson had to admit that our grievance was genuine and legitimate, that he deplored the existing conditions in the University. Let me read out for the benefit of the Honourable Member of this House a few passages from the speeches of my Honourable friend Mr. Tyson when we had moved amendments about the representation of the Mussalmans on the various committees of the University. My Honourable friend brushed it aside by saying: Well, yes, it is true it existed in the Dacca University but the conditions were different there. I fail to see why were the conditions different there. He quoted from the Report of the Sadler Commission in justification of his attitude and of the attitude of the Government. He said that it is stated in the Sadler Commission Report that "there is a strong disposition which is now moving the Mussalmans of Bengal and especially those who live in the Eastern part of the presidency to avail themselves more fully than hitherto of the opportunities afforded by modern education". Don't the Mussalmans of Delhi want modern education? Are they not actuated by the same feelings? Is it not the same desire that exists among the Mussalmans of Bengal that they should benefit from this modern education? This was the only quotation which he made from that report refuting our claim for giving representation to the Mussalmans in the University of Delhi and justifying that what was embodied in the University of Dacca was done so under peculiar circumstances. I do not know what are those peculiar circumstances. The circumstances that exist in Delhi are the same as anywhere else.

Then, Sir, my Honourable friend admitted the justice of our claim and he stated:

"I do not for a moment suggest that the Muslims have not got some legitimate grievances against the University or against some of the electing bodies of the University on account of the paucity of Muslims who have been returned by the elective bodies. I do not think they can have any complaint as regards the nominated element. But certainly the university has from that point of view made a poor show on the elected side."

Then, later on, my Honourable friend on another occasion stated:

"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. I am not satisfied. I think the composition is in respects deplorable."

The Government recognised that the composition is deplorable. And what is the sop that they give to the Mussalmans? My Honourable friend comes forward with two proposals to which he referred this morning. One was that the number of persons to be nominated by the Chancellor should be increased from 15 to 25, and out of this increased number the Mussalmans might get a few seats. The other proposal was that the number of persons to be elected by the Associations, who will be recognised by the Chancellor on the recommendation of the Court, should be increased from 8 to 12. So, he expects that out of these 4 extra members, there may be some Muslim Associations who might be authorised to return some members. This is all that my Honourable friend has done to remove this deplorable condition which exists in the University of Delhi. Does my Honourable friend think that the Mussalmans are so devoid of sense and intelligence that they do not understand that there is nothing substantial in

[Nawabzada Muhammad Liaquat Ali Khan.]

what the Government are supposed to have given them? The position is exactly the same as it was before these amendments were moved. My Honourable friend himself has admitted that now, in fact, the Executive Council will be the body in the University. It will, indeed, be the body of the University which will exercise practically all the powers. I want to know what representation he has given to the Mussalmans in the Executive Council. None. Let me tell the Government that the time has past when the Mussalmans could be satisfied with lollypops. These amendments are in the nature of lollypops that you give to children. We are not satisfied and our resentment against your attitude with regard to this matter is as strong as it ever was. And it is, indeed, a matter of great regret that this Government, which always poses as the Government that looks after and protects the interests of the minorities in this country, should have been responsible for depriving the Mussalmans of what is their legitimate and due share. And what is more—and I think it is more deplorable than anything else—there has not been a single division in this House on which the Government have won with the majority of elected votes. I say it was absolutely wrong to use your official votes to deprive the Mussalmans of their due rights. These official votes were never meant to cut the throat of one community and shower favours on the other community. It is, indeed, a matter of great regret. Personally, I am not sorry. There are still some Mussalmans who believe in the sense of justice and fair-play of the British Government. This should be an eye-opener to them. They should realise that they cannot get what is their due in this country without creating inherent strength amongst themselves. I am not sorry and I assure you I have no bitterness because you have turned down our demands. It has only convinced us more than ever in our belief that we shall never get what is our right in this country unless we have inherent strength in our own selves. It is no use depending on anybody and, especially, on broken reeds like the Government of India.

My Honourable friend Mr. Tyson and Mr. Sargent have, I must say, shown great patience and courtesy throughout the debate. Hard things have been said and they are bound to be said. We do not sit in this House just to pay compliments to each other. We are here to speak out frankly and openly our minds. But I assure them that we greatly appreciate their courtesy which they showed to us throughout. And whatever I have said is not meant against any individual as such. It was unfortunate for my Honourable friends, the John Brothers, that they on this occasion were entrusted with the task of defending the indefensible Bill of the Government of India. They have all my sympathy and I assure them that we have no bitterness on this side of the House. The debate has been long; it was bound to be long; it could not be helped. But there is no bitterness; we part today and we will meet again in the future tomorrow. The fight will continue till we get what is our due. I cannot give my support to this Bill but I give my blessings to my Honourable friend, the Educational Adviser.

**Mr. J. D. Tyson:** Sir, the debate to which we have listened today has consisted mainly of statements by Honourable Members of the House of their point of view on the Bill generally and even on the future of the University of Delhi and has not called, I think, and was not intended to provoke any detailed reply or comment from me; and I therefore propose, as I feel we have really had enough of this Bill in this House, to be very brief. There are only two points that I would like to take up in the speech of my Honourable friend, the Deputy Leader of the Muslim League Party, who has just spoken. The first of them is to clear up any misunderstanding that there may be about what we have said about a model University in Delhi. We do hope that Delhi will have a model University and we do intend to facilitate that taking place, but we did not claim and we do not claim to complete the process by this particular Bill although the Bill itself is directed to that end and was introduced for certain limited purposes directed to that end. Our Bill, therefore, was directed towards that end, but we are very far from claiming that by a Bill introduced for these very limited purposes we are completing the process.

Now, Sir, the other matter to which I want to refer is the suggestion that after we had undertaken on the second reading of the Bill to refer the Bill to the Delhi University for opinion and to place the opinion before the Select Committee, we paid no attention whatsoever to the opinions received from the Delhi University and did not adopt them. We did not adopt them all. I can say that at once. But first of all it must be understood that the bodies of the Delhi University to whom this Bill was referred adopted our Bill to a very great extent and blessed it. Let me clear the way first by saying that the Court of the Delhi University did object to all the proposals in the Bill—they were not many; I can only think of one at the moment,—for taking away the power at present residing with the Court and transferring that power to the Executive Council. They objected to that and we thought they would object. The Executive Council did not object. The Executive Council welcomed it, but the Court did object. But in objecting; the Court said that if the Select Committee does not accept our view that this power of recognition and taking away recognition should remain with the Court, well then, we are content to take the view of the Executive Council and of the Academic Council and we would put that view forward to the Select Committee. That was the attitude of the Court and I think that in most matters, they agreed with the Executive Council and the Academic Council. Now, Sir, on the Bill as a whole, the Executive Council and the Academic Council sitting together said "they have given the most careful consideration to the provisions of the Bill and, except in the cases noted below, they are in favour of the changes about the Acts and Statutes which the Bill seeks to make": and in particular, of course, they blessed the three years degree course. Of the particular cases that they "noted below"—I shall be as brief as possible—the first one was the appointment of a whole-time Vice-Chancellor. They said that except in very special circumstances, the appointment of a whole time Vice-Chancellor may not be necessary, but that it will perhaps be desirable to make a provision in the Act for such appointment, particularly in view of the fact that a unique educational experiment has now been undertaken in Delhi by the University in co-operation with the Government of India. They then made suggestions as to how such a Vice Chancellor should be appointed, which may be summarised in their own words, that "instead of recommending a single name as has been the practice in the past, the Executive Council should submit a panel of three names to the Chancellor for the appointment of a Vice Chancellor, the names to be selected by plural cumulative voting, if voting is at all necessary." So, Sir, they gave their blessing to the idea, and as regards selection they made a suggestion which is not very different from the suggestion which is now in the Bill. Secondly as regards recognition of Colleges and withdrawal of recognition,—this was not liked by the Court, but it was approved by the Academic Council and by the Executive Council, save that they wanted a two-thirds majority. We have not been able to accept a two-thirds majority for taking away recognition, and there is that difference between us and them on that point. For the constitution of the Executive Council, they agreed that there ought to be a provision for the representation of Professors and for increasing the representation of women. They did not like the method we proposed in either case, but they thought that what we were aiming at was good. For the constitution of the Committee of Selection they made a most helpful suggestion which we have adopted in the Bill practically in its entirety. The last point—it is not so important—is about the disciplinary powers of the Vice Chancellor. They entirely agreed that the words "in accordance with this Act, Statutes and Ordinances" should be omitted. They made certain suggestions about the disciplinary powers of College Principals which we adopted and embodied in the Bill. So, Sir, it cannot really be said that we paid no attention to the opinions of the various bodies in the University when we had sent the Bill to them and received their opinions.

We have been told, Sir, that in all the Divisions that have taken place in this House, our friends opposite polled the votes of a majority of the elected Members of the House and we have been told also that the victory was shared

[Mr. J. D. Tyson.]

and that there had been moral victories on one side or the other. I do not want to pursue that matter and enquire whether the majority was a two-thirds majority or where the moral victory rests. I am content, Sir, that my Honourable friends opposite should feel that their labours have not been entirely in vain, and I fully agree that if patience and forbearance and good temper have been displayed throughout a very long-drawn-out debate, they have been displayed equally in all quarters of the House. We have had much constructive criticism and help and I hope that we have produced by our united efforts a Bill which, if now adopted, and adopted in another place, will be of great and lasting benefit to the cause which I think every Party and every person in this House has very much at heart.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is: "That the Bill, as amended, be passed."

The motion was adopted.

### THE PUBLIC DEBT (CENTRAL GOVERNMENT) BILL.

**The Honourable Sir Jeremy Raisman** (Finance Member): Sir, I move:

"That the Bill to consolidate and amend the law relating to Government securities issued by the Central Government and to the management by the Reserve Bank of India of the public debt of the Central Government be circulated for the purpose of eliciting opinion thereon."

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): By what date? No date is mentioned.

**The Honourable Sir Jeremy Raisman**: There is no date in the motion placed on the list of business against my name, and I understand that it is not necessary to specify a date in a motion of this kind.

**Dr. P. N. Banerjee**: Will you not give us some idea?

**The Honourable Sir Jeremy Raisman**: I am afraid I am not yet in a position to say at what stage we shall proceed with the Bill after opinions have been received, but our object would be to collect opinions within the course of the next two or three months.

Sir, the purpose of this legislation is explained at some length in the Statement of Objects and Reasons, and I do not think the House would desire me to recapitulate the explanation which is there given. Broadly, the main necessity for this legislation arises from the fact that until recently most of the Government obligations in India have been held in the form of promissory notes which are ordinary negotiable instruments and the main provisions of the law relating to them take the form of an extension or modification of the ordinary law relating to negotiable instruments. The position now is that in India as in other countries public debt tends to be held to an increasing extent in the more modern form of stock certificates which are certificates of registration of title of these securities with the public debt authority, with the Reserve Bank. This fact makes a good deal of our legislation on the subject of public debt inapposite and inadequate and it has become necessary to amend the law on the subject. It also results from the constitutional change which has taken place since the present Act, the Indian Securities Act of 1920, was passed, that any legislation passed by this House can relate only to central public debt, to the obligations of the Central Government, whereas the existing legislation also covered provincial loans. We have therefore now to bring our amendments together and to bring together in one place in a single central Act all the provisions which we desire to regulate our own public debt, and that is the purpose of this measure. It is rightly described as a consolidating and amending Bill. We realise that the changes which are to be made should be carefully examined by all interests concerned and should be before the country for a sufficient time to enable Government to take note of any difficulties which may be felt or of any views which may be expressed on the probable effects. For this reason, Sir, I am making a motion of circulation in order to elicit public opinion.

I do not think, Sir, at this stage of a long and protracted Session the House would want me to go into any greater detail, particularly in view of the fact that the motion is one for circulation.

Sir, I move.

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

"That the Bill to consolidate and amend the law relating to Government securities issued by the Central Government and to the management by the Reserve Bank of India of the public debt of the Central Government be circulated for the purpose of eliciting opinion thereon."

**Dr. P. N. Banerjee**: Sir, may I ask a question? What is the legal position with regard to the debts of the Provincial Governments which are sought to be dealt with in this Bill? Will it be necessary for the Provincial Legislatures to pass Resolutions in order to enable the Central Legislature to enact legislation?

**The Honourable Sir Jeremy Raisman**: As I understand the matter, the Indian Securities Act of 1920 will continue to regulate provincial securities but will cease, on the enactment of this measure, to apply to Central Government securities to which this Act applies. If any Provincial Government should find it necessary to amend the provisions in so far as they affect its own securities, it will of course promote its own legislation.

**Maulvi Muhammad Abdul Ghani** (Tirhut Division: Muhammadan): Sir, I want to draw attention to clause 9 which mentions succession certificates. A period of six months is given to produce a succession certificate to the bank, but very often objections are raised by other parties and more time is taken. I submit that this period is insufficient and should be raised to one year. Then under clause 10 securities belonging to minors and insane persons may be vested by the bank on any one it thinks proper as representing the minor or insane person. I think some adequate safeguard should be made before the bank makes such a decision. Then in sub-clause (3) of clause 14 it is said that when evidence is taken by a Magistrate or officer of the bank, oath should be administered to the witness. Up till now there is no compulsion about taking oath by any Muslim or Hindu; there is only solemn affirmation. I think it should be made clear that no one should be compelled to take the oath.

**The Honourable Sir Jeremy Raisman**: Sir, the points which my Honourable friend has brought forward are the kind of points which I shall expect to come to notice in the course of circulation, and the House will of course have further opportunities of discussing details of that kind.

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

"That the Bill to consolidate and amend the law relating to Government securities issued by the Central Government and to the management by the Reserve Bank of India of the public debt of the Central Government be circulated for the purpose of eliciting opinion thereon."

The motion was adopted.

The Assembly then adjourned *sine die*.