

Friday, 27th August, 1943

# **COUNCIL OF STATE DEBATES**

**(OFFICIAL REPORT)**

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**(2nd to 31st August, 1943)**

## **FOURTEENTH SESSION**

**OF THE**

# **FOURTH COUNCIL OF STATE, 1943**



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## COUNCIL OF STATE

*Friday, 27th August, 1943.*

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the Chairman (The Honourable Sir David Devadoss) in the Chair.

### MEMBERS SWORN :

The Honourable Mr. John Philip Sargent (Nominated Official).

The Honourable Mr. Satyendra Nath Ray (Nominated Official).

### DEATH OF THE HONOURABLE SIRDAR NIHAL SINGH.

THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss) : Honourable Members, before we proceed with the business of the day, it is my painful duty to inform you of the death of one of our respected members, namely, the Honourable Sardar Nihal Singh. He belonged to a very distinguished family. Though his family was a Punjab family, his family was given an estate in the United Provinces for very eminent services rendered during the Mutiny. Afterwards that family settled in the United Provinces and Mr. Nihal Singh himself had a distinguished career. He was a member of the Improvement Trust of Lucknow and in many other ways he rendered very good public service. In this House, as you know, he was a nominated member from February, 1937 and he has been with us for more than six years. He was a perfect gentleman, well versed in so many things; he was a very distinguished scholar and he always spoke and did what was right. It is our duty to send our condolences to the bereaved family and I hope you will agree with me in sending them to his family.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : I beg to associate myself with what you have said, Sir. It is a matter great of sorrow to us that one of our colleagues has passed away.

THE HONOURABLE SIR JOGENDRA SINGH (Education, Health and Lands Member) : Sir, in the death of Sirdar Nihal Singh I have lost a personal friend. He was a great sportsman and a great gentleman. He came from the ancient family of Atari and he upheld the traditions of this great family, loyalty and devotion. I mourn the loss of a very sincere and old friend.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan) : Mr. Chairman, those of us who belong to the United Provinces have learnt the news of Sirdar Nihal Singh's death with particular regret. All of us had known Sirdar Nihal Singh for a number of years. He was an excellent friend and his modest exterior concealed genuine ability. He was a well educated man and was willing to prove himself a friend indeed by helping his friends in need. It is a great pity, Sir, that such a man should have passed away and it is but right that the Council should convey its sympathy to the relatives of the deceased.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : On behalf of my Party I wish to associate myself with the remarks of Pandit Kunzru. We remember the last action of his in the last session. He moved a Resolution for the uplift of the agriculturist, the backbone of the country.

THE HONOURABLE NAWABZADA KHURSHID ALI KHAN (Nominated Non-official) : Sir, I associate myself with the remarks made by you and other Honourable Members on the sad death of Sirdar Nihal Singh.

THE HONOURABLE THE CHAIRMAN : I will direct the office to send condolences to his family.

### NOTICE OF MOTION FOR ADJOURNMENT.

THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss) : I have received notice of an Adjournment Motion from the Honourable Mr. Hossain Imam. As at present advised, I think it offends against rule 12 and I would ask him to explain how he can move this, because it combines two things. I will read the notice of Motion, so that the House may understand the objection.

**THE HONOURABLE THE CHAIRMAN :** The Motion refers to two things : (1) the failure of the Government of India to get gold from His Majesty's Government, and (2) the alleged sale by the Reserve Bank of India of gold on behalf of the British Government. Under rule 12 the right to move an adjournment of the Chamber for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely :—

(i) not more than one such Motion shall be made at the same sitting ;

(ii) not more than one matter can be discussed on the same Motion, and the Motion must be restricted to a specific matter of recent occurrence.

I would, therefore, ask the Honourable Member to say how he gets over this sub-rule (ii) of rule 12.

**THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) :** Mr. Chairman, as a matter of fact both the things, though they may appear to be disjointed, are links of the same chain. The fact is that gold is being sold by the Reserve Bank. We are informed, I cannot say officially, but unofficially, that it is His Majesty's Government's gold.

**THE HONOURABLE THE CHAIRMAN :** I do not want you to justify your Motion by going into its merits—

**THE HONOURABLE MR. HOSSAIN IMAM :** The sale on behalf of His Majesty's Government is taking place. Now the result is that the profits, I mean the difference between the English and Indian prices, goes into the pockets of His Majesty's Government.

**THE HONOURABLE THE CHAIRMAN :** Honourable Member, we are not concerned with the merits. I have raised a preliminary objection under sub-rule (ii) of rule 12. Well, you have to show how you can get over that sub-rule, how you can combine two things.

**THE HONOURABLE MR. HOSSAIN IMAM :** They are links of the same chain. I mean the sale of gold is taking place. I say that the sale should take place to the Government of India and not to the Indian public. This is how I join both these matters. If His Majesty's Government have any gold to sell they should sell it to the Government of India and not to the Indian people.

**THE HONOURABLE THE CHAIRMAN :** Well, I regret I cannot accept the contention of the Honourable Member and as the Motion offends against sub-rule (ii) of rule 12 I disallow the Motion.

### DELHI UNIVERSITY (AMENDMENT) BILL.

**THE HONOURABLE SRI JOGENDRA SINGH (Education, Health and Lands Member) :** Sir, I rise to move :—

"That the Bill further to amend the Delhi University Act, 1922, as passed by the Legislative Assembly, be taken into consideration."

It is not my intention to dwell today on the detailed proposals of this Bill which have been under close and critical examination in the other place. The fundamental educational principles however which find sanction in this Bill have not been challenged ; the controversy ranged round other aspects which have no direct relation with education. As light dispels darkness, so differences and distinctions disappear where the light of knowledge shines. I am full of hope that the cordial co-operation between the colleges and the University and between communities will follow as higher education escapes from the eclipse which has been shadowing its light.

The main object of this Bill and of the reorganisation scheme, with which it is intimately connected, is to create in Delhi, the capital city, an All-India University of the first rank, which will set a standard for other universities to follow.

Nor one would deny that the Delhi University five years ago was not what its founders intended it to be, a University worthy of the capital city of the Indian Empire. No advantage had been taken of the magnificent estate which had been handed over to the University by Government. The colleges were ill-housed, excellent sites allotted to them were still vacant. The general conditions of service and salaries which were offered to the staff were not attractive enough to secure the best type of teacher. The University itself was without a suitable building.

I rejoice that there was a crystallisation of ideas on the subject of university reform. It was held that it would be in the public interest to establish in Delhi a

University of the first rank; a real seat of learning. Sir Maurice Gwyer, the Chief Justice of India, whose love of learning attracted him to the University was ready to give all his spare time to the cause of higher education in India. What the Delhi University owes to his knowledge, vision and enthusiasm it is not for me to describe. We know that it is on sound education that the destiny of every nation chiefly depends. It has been Sir Maurice Gwyer's endeavour that those who serve their apprenticeship of life in Delhi University should learn the art of living; be given a sense of proportion and wisdom to make the best of this imperfect world. Sir Maurice Gwyer has held the office of Vice-Chancellor of Delhi University since December, 1939. It is significant of his devotion to the interests of the University that although his term of office as Chief Justice has expired, he is staying on in this country in a purely honorary capacity simply and solely to see that the great work to which he has put his hand is firmly established.

I will not refer to the details of the scheme which he produced and the Government of India approved for making Delhi University an All-India institution in which specially those subjects, which have a direct or indirect bearing on the art of government, would be studied under the most favourable conditions; above and beyond the range of barren and sterile currents which promote divisions and distinctions.

The most important feature of the reforms is the substitution of the three-year degree course for the two-years intermediate course and two years degree course which is the normal system in all universities today. I am amazed to hear this step, recommended by all authorities, is regarded in some quarters as a retrograde step. Perhaps it is not known that originally the Sadler Commission recommended the change in 1919. In 1935 the Inter-University Board approved of it and it was endorsed by the Conference of Indian Universities in 1939. The Central Advisory Board of Education supported the recommendation. Incidentally the Universities Organisation Commission set up by the United Provinces Congress Government in 1938 approved of it.

It may be asked why with all this weight of authoritative opinion behind it, the change was not put into operation so long. It may be partly due to the fact that universities all over the world are notoriously slow moving and when vested interests are linked with natural inertia the obstacles to change are greatly strengthened. I believe the main difficulty is inherent in the issue as it requires the reorganisation of the high school system, so that it may absorb the whole or part of the work now done in intermediate classes and set universities free to concentrate on their proper function, namely, teaching of degree standard. The advantages of such a change are obvious. It will give the high schools a higher standard of scholarship and better qualified teachers; it will give the universities better prepared and generally more mature students. I do not under-estimate the difficulties particularly in areas where the high schools run into thousands, and geographical, communal and other considerations have to be borne in mind as well as finance. But the change must come in my opinion before long, and in Delhi, where the reorganisation problem presents no insuperable difficulties. In overcoming them we will show the way to all the other universities. The reorganisation of Delhi University acquires an All-India significance. The principal aim of this Bill is to give legal sanction to the reorganisation scheme.

For reasons I have given, I regard it as an educational experiment of great value. I believe that what is now being done in Delhi is watched with sympathetic interest and perhaps even with envy in university circles up and down this country. Once we have proved that it can be done, we shall not have to wait long for its adoption by other universities.

Finally, may I assure the House that the changes which we have introduced have no other object but to improve the efficiency of the administration of the University, to give the staff a sense of security, to bring the colleges in healthful surroundings and to create a spirit of helpful co-operation in an atmosphere in which a search for truth may prevail.

[Sir Jogendra Singh.]

I can say in the words of Hafiz :—

" Dip deep in the vat of wine  
The prayer mat.  
If the dispenser of the drinks says,  
For the pilgrim is not unacquainted ;  
With the stages of the journey and the rules of the road ".  
Sir, I move that the Bill be taken into consideration.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, may I make the Circulation Motion first, so that both the Circulation Motion and the Consideration Motion may be considered together? I have given notice of it : it is the first in the list of amendments. I will formally move it ; I will not make a speech now.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official) : Sir, the Motion for Circulation is, according to the practice of this House, out of order. I will read out a ruling given to this effect in 1937. The Motion then was that the Bill be circulated for the purpose of eliciting opinion thereon. The Honourable the President then ruled as follows :—

" As Honourable Members are aware, there are several rulings on this point that in the Second Chamber it is not usual to make a Motion for Circulation of a Bill.....In 1932, my predecessor, Sir Henry Moncrieff-Smith, gave a ruling. In 1934, on two occasions, I had to deal with similar Motions. It is not necessary for me to go into all the previous rulings today, both as regards circulation and reference to Select Committees, but for the benefit of the new members of this House I shall refer to only one ruling of mine—the last ruling—on the subject in 1934 when this point was raised. I might as well read what I said then, because that will save me the trouble of repeating the same arguments....."

The Chair then discussed the point, and ruled the Motion for Circulation out of order.

THE HONOURABLE MR. HOSSAIN IMAM : Will the Honourable the Secretary refer to the occasion when this ruling was given? And on what date?

THE HONOURABLE MR. SHAVAX A. LAL : This was in February, 1937. The Honourable Member can find out the details by referring to Volume I of the Council of State Debates for that year. I have only read out the extract of the ruling.

THE HONOURABLE MR. HOSSAIN IMAM : May I submit that the ruling was given in a case which was not similar to the present one?

THE HONOURABLE MR. SHAVAX A. LAL : It was based on principles.

THE HONOURABLE MR. HOSSAIN IMAM : There is no rule ; it is only practice.

THE HONOURABLE MR. SHAVAX A. LAL : It was the ruling of the Chair.

THE HONOURABLE MR. HOSSAIN IMAM : It is not based on a rule. The rule permits a Motion for Circulation when a Bill has not been circulated. If a Bill has been circulated in the Lower House, then we cannot again ask for circulation in this House. There cannot be two Circulation Motions. The case here is that there has been no circulation in the other Chamber. Therefore, a Circulation Motion in this House is in order according to the rules.

THE HONOURABLE MR. SHAVAX A. LAL : Precedents are as binding as rules.

THE HONOURABLE THE CHAIRMAN : As regards the objection taken by the Honourable Mr. Lal, I think I must allow it, for the simple reason that there are so many precedents in which such a ruling has been given, not only by our present President, but also by his predecessors ; and in view of the practice followed in this Honourable House, I do not think that I can go against the convention which has been observed here. I therefore disallow the Motion.

THE HONOURABLE SIR RAMUNNI MENON (Nominated Non-official) : Sir, this is one of those rare occasions—as far as my memory goes, this is the first occasion during the last ten years—when we have a matter of first-rate educational importance brought before us for our consideration. I am sure that this Council, which includes among its members persons who have taken very great interest in education, will give a very full and thorough consideration to all the main aspects of this important measure. Speaking for myself, I confess that my knowledge of who is who and what is what in the Delhi University is extremely meagre. But there are main aspects and general issues, connected with this Bill which can be profitably discussed without a knowledge of local details. My long connection with

my own University in Madras, which I must mention physically ceased a good long while ago, and the deep attraction which university matters have always had for me prompt and encourage me to say a few words on certain salient features of this Bill. And here I should like to strike a personal note. While the remarks which I shall offer may seem highly critical—and some of them may be really critical—they will be offered not in any destructive spirit but with the sole purpose of helping the cause of educational advancement in this country which we have all at heart.

Sir, we are told that the immediate occasion for this Bill is the need for making provision for carrying out the scheme of reconstruction of the Delhi University, a scheme prepared by its present able Vice-Chancellor and approved by the Government of India. I must express my special appreciation of the speech of the Honourable Member in charge because, for the first time, as far as my recollection goes, it gave a clear indication of the scope and purpose of the scheme of expansion. I am particularly glad to note this because from the speeches made in the other place by Government spokesmen one could not have gathered the general outline or the component proposals of this large scheme of expansion. I shall come to this point presently.

An adequate and up to date University for Delhi is not only highly desirable but absolutely necessary and any scheme for bringing such a University into fruition will receive the cordial support of all people. Here I must express my admiration for, and appreciation of, the successful efforts which the Honourable the Educational Commissioner, whom we are all glad to see here today, has made in extracting the necessary funds in these hard times from the tight-fisted Government of India. I wish him continued success in that line in which he seems to be a great specialist. I wish he would screw out as much money as possible from the Government in furtherance of the scheme.

And now I must come to a very important point, at any rate a point which strikes me as very important. I have no vivid recollection of the scheme for the reconstruction of the Delhi University. I remember having read a few years ago, a memorandum on the scheme prepared by the present Vice-Chancellor, but my memory has become rather hazy; and that is why I was particularly pleased to hear the remarks which fell from the Honourable Member in charge, because those remarks go to strengthen the recollection that I have of the scope and purpose of the scheme. As far as I know, the scheme is a very ambitious one. It aims not only at providing an adequate University for Delhi but at creating an All-India institution of first-rate importance, out-moding and out-shining all the Provincial Universities that exist today. The scheme contemplates not only the institution of a central place where Arts and Sciences are studied, but the incorporation in due course of technical and professional institutions of the highest grade. I hope I have not in any way exaggerated the scope of the scheme or travestied its purpose. If my estimation is correct, it raises a very important point. At a time when there are vast areas of ignorance, illiteracy and superstition, stretching across the educational landscape of this country, which it should be our immediate object to reclaim and bring under the educational plough, to me it seems that the expenditure of the taxpayer's money on an ambitious scheme of this kind is absolutely unjustifiable—

THE HONOURABLE SIR JOGENDRA SINGH : You mean on higher education ?

THE HONOURABLE SIR RAMUNNI MENON : No, Sir. On having a University of the magnitude which you apparently, as far as I remember, contemplate under the scheme. I am out and out for having a University imparting higher education for Delhi. But that is entirely a different matter.

THE HONOURABLE SIR JOGENDRA SINGH : Your point is that the taxpayer's money should not be spent on a single institution ?

THE HONOURABLE SIR RAMUNNI MENON : I shall explain. We want a University, just like any other Provincial University, serving the needs of Delhi. But to have an All-India University of the magnitude and character and for the pose that you contemplate, is an entirely different matter.

Now, Sir, if the intention of the Government is to implement a scheme of such magnitude, I suggest that it is only fair that the scheme should be circulated to the

[Sir Ramunni Menon.]

Provincial Governments and the Provincial Universities of this country for an expression of their opinion. The days of the white elephant are gone and I trust that the Government of India will not allow its sense of imperial grandeur to eclipse its sense of proportion. I hope that the Government of India will think ten times, nay, a hundred times, before making grants out of the taxpayer's money for the rearing and maintenance of a white elephant in the Imperial capital, though it may be dressed in academic robes of the greatest distinction.

Coming to the Bill itself, it is obvious that the central feature of this Bill is the provision of a three-years' degree course. This is a matter which, I think I am right in saying, has already received the general approval of educationists in this country. In any case, educationally it is a perfectly sound proposition and its practicability in any particular area will entirely depend upon the facilities available in that area. I am glad to find that in Delhi, mainly through the efforts of our Educational Commissioner, the University and the educational authorities have been able to secure the necessary funds and to reorganise their system of school education which will have to be made to fit into the new scheme of university education. In such circumstances, or wherever a university can start with a clean slate, I think the scheme of a three-years course is well worthy of trial. I hope they will proceed with the scheme in Delhi and I wish the scheme and the University all success. One of the practical consequences of introducing a new scheme in a University which is only one out of many in its country is the difficulty of providing facilities for migrating students. I am aware that this aspect has been thoroughly discussed in another place, and I particularly appreciate the friendly and conciliatory tone of the remarks which fell from the Honourable the Educational Adviser. A friendly and conciliatory mode of approach to the other universities is far more likely to secure the desired object than threats of retaliation which seem to have been referred to in the other place.

Now, I come to some of the other main features of the Bill, and first the appointment of the Vice-Chancellor about which criticisms were made in the other place. The practice in regard to this appointment differs in different universities and I think the statement which I saw the other day—it was made by somebody, I forget now by whom—that about eight universities in India have paid Vice-Chancellors is correct. I think in a new university or a university which is going to embark upon a very complicated scheme of reorganisation it is absolutely necessary to have a whole-time salaried Vice-Chancellor, and the more so in a teaching University which the Delhi University is going to be. I do not think, therefore, that there will be any serious difference of opinion on this question. The only point that might arise, that has in fact arisen, is about the mode of selection of the Vice-Chancellor. The procedure differs in different universities. In Madras the Vice-Chancellor is practically elected by the Senate which corresponds to the Court here. There is no intermediary between the Senate and the Chancellor. The Chancellor appoints one out of three nominated, that is to say, elected, by the Senate. The Chancellor invariably appoints the first and the system has worked very well in Madras. But I can well imagine that that is a procedure which will not be perfectly suited to other universities where the academic atmosphere may be different. Apparently the Court here is not a supreme governing body. It seems to share the function of government with the Executive Council. In any case at present the power of making a recommendation for the Vice-Chancellor's post rests with the Executive Council and I think the amending Bill has made a provision which entails the least departure from the existing arrangement and as such I think it should be accepted. The alternative to my mind is not to leave the power of recommendation to the Executive Council but to leave it to the Court. That evidently is impossible here. Therefore I think the proposal contained in the amending Bill is satisfactory.

Now I should like to say a word about the Executive Council, which we call the Syndicate in Madras. I am not at all suggesting that either in composition or in legislation the same model should be followed by all the universities in India. I recognise that academic atmosphere is as liable to change as the physical atmosphere in this country, and conditions are obviously different in different universities. Therefore I am not an advocate of absolute uniformity of legislation or practice



in universities. Looking at the composition of the Executive Council, the first thing that strikes me is its unwieldiness. It is far too big—at least so it appears to me—for a small University like Delhi. In Madras where we had about 40 colleges covering a huge territory we have a Syndicate of 19 and we had that same Syndicate when we had more than 60 colleges at one time. And for a small area like Delhi with, I believe, seven colleges, a Syndicate of 26 looks unnecessarily large. How it came to be 26 I do not know. But it is always the case—once you start a thing there is no going back on it in the way of reducing its numbers. You can only add to the numbers and that is precisely what is taking place now. I believe you had a Syndicate of 24 which you have now increased by adding two more. Anyhow it appears to me that it is far too unwieldy.

There is another matter which will be of some interest to members here. I see that the Executive Council has been increased for providing a seat for the professorial staff. It is interesting to note that in the Madras University Act there is a provision that no whole-time professor or teacher of the University shall be a member of the Syndicate. You may say that it is not a teaching University. It is, as a matter of fact, to a certain extent a teaching University. I will give you another instance. There is a teaching University which I know, but which I shall not specify, where provision similar to what you propose exists; not only can professors be elected but actually the Deans are ex-officio members as they are here. That University's experience to my knowledge has not been very happy. There is no reflection at all on the professorial staff of the University in this observation. The functions of the Executive Council and the professors are entirely distinct and different. All professors and in fact all chief teachers of the University should be on the Academic Council. The chief elements in the teaching staff should also be on the Court, that is the supreme governing body. Their inclusion on the Executive Council is a matter on which there will be difference of opinion. I am only referring to the position in Madras so that you may have some knowledge of what obtains elsewhere.

Some comment has been made in the other House about the nomination of members of the Syndicate. I do not think at this stage of progress in this country any useful purpose will be served by propounding theoretical views. Nomination, election—these are subjects on which much has been said; but I am firmly convinced that, in various spheres of activity in this country the system of nomination provides a satisfactory channel for redressing grievances, for securing representation of people which would otherwise have never been secured, and for various other salutary purposes. I therefore consider, whatever politicians may say about nomination, that the method is sound and ought to be retained.

I come now to another important aspect. This is also a matter which has already received consideration in the other House. The affiliation and disaffiliation of colleges, or as you call it here, the recognition and withdrawal of recognition of colleges, are very important matters in a university. They may be matters of life and death to a college. I am not very much concerned over the provision for recognition, I am rather concerned about the provision for withdrawal of recognition which is contained in your amended Statutes. Cursorily, looking through these Statutes of the Delhi University I was struck by the remarkable facial resemblance between the Delhi Statutes and those of the Madras University; so much so that I rather suspected a Madras parentage for the Delhi Statutes. I do not know whether my suspicion is well founded or not. But the resemblance in the Statutes regarding disaffiliation is so close that one is tempted to consider the result of the change which is now embodied in the amendment. In Madras if a college has to be disaffiliated, you make an enquiry. You give notice to the college. You get its report. You place all these papers before the Academic Council and with the recommendation of the Academic Council you place the whole thing before the Court and the Court decides, that is the Senate. Now that, I consider, is a very fair proceeding. It safeguards all legitimate interests of the Syndicate, the University. At the same time it prevents any liability to bias or prejudice on the part of the Syndicate in regard to the college and at the same time it inspires public confidence not only among the people generally but among those specially interested in education. Now the ostensible reason for changing the Statute here is that as the Statute now stands the Court has to pass a special Statute.

(Sir Ramunni Menon.)

either granting recognition or withdrawing recognition. I beg to suggest that the existing Statute could be amended suitably by making certain verbal changes and at the same time the procedure described in the Statute could be retained. There would then be a certain safeguard for the college. I do not know whether any case has arisen in this University about the withdrawal of recognition.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern: Non-Mahammadan): What change would you recommend in the Statute?

THE HONOURABLE SIR RAMUNNI MENON: Nothing at the moment, but the Court can change the Statute. I would retain the power to the Court of making a recommendation on the papers submitted. Let the Syndicate be in possession of all the facts, including the recommendation of the Court and then come to its decision. Then there may be an appeal to the Chancellor. I am afraid I cannot answer in any detail such a specific question as has been put to me.

I think I have covered much of the ground, practically the whole of it, which I wanted to cover in regard to the Executive Council. Now I come to another aspect which to my mind is a very important aspect, namely, the need to secure proper academic conditions for the success of the reorganisation scheme. I think everybody will admit that however adequate and efficient your machinery may be, it cannot work satisfactorily without the full and hearty goodwill and co-operation of all the people interested and concerned. Without the active support of the educational authorities, the teachers, the students and all members of the University bodies and the public generally, the Delhi University experiment is not likely to succeed.

Now what have you done to secure such co-operation? I think the Muslim community—a very important community in Delhi—has made its position perfectly clear in the other place and I expect it will be made equally clear in this Council. A community, or it may be an important section of a community—whenever such bodies put forward their grievances, it is a fashion to say that it is all communalism; we won't look at it. Now I do not know what communalism means in the discussions that are taking place in this country, but I hope that if any future lexicographers are collecting material, which I am sure the various disputants in this country are providing for giving a proper definition of "communalism" in a post-war edition of the Oxford dictionary, I am sure we shall all be surprised to find, if we live to that day, that the word "communalism" as interpreted by an impartial observer will not convey that sinister implication which we all very pleasantly attach to it. (*Hear, hear.*)

Now, a general remark which one often hears is that in education we cannot have any communalism. Well, I confess that what I am going to say will shock my educational colleagues, and will be a greater shock to my Hindu colleagues; nevertheless I will say it.

THE HONOURABLE MR. P. N. SAPRU: Nothing that you say shocks them!

THE HONOURABLE SIR RAMUNNI MENON: How does this plea that we cannot have communalism in education fit in with the actual facts?

12 NOON. Am I exaggerating when I say that if you want the quintessence of communalism you cannot find better examples than the Benares and the Aligarh Universities in this country? Take Madras. There, there is a Government order, known as the Communal G. O., which prescribes a certain rotational arrangement for recruiting to the public services. That G. O. applies to all the Government educational institutions quite as much as it does to other departments. We have temples of learning in Madras, some of the finest temples, and there this system prevails. Take the Madras University Act. Under that the Chancellor nominates 30 persons, out of whom 20 are specially nominated to secure the adequate representation of minorities. Now, if this is not communalism, I do not know what is communalism. And I am glad to note that after all their protestations the Government have made a similar provision in the present Bill. As far as I remember, 14 out of 24 will be nominated to secure communal representation.

AN HONOURABLE MEMBER: Fifteen.

THE HONOURABLE SIR RAMUNNI MENON: Well, if you can put up with these facts, why keep up the pretence that we cannot have communalism in education? We have communalism. It is there already. Whether you admit it or

not, it is there. My whole point is this. Times have changed very much in this country. Unless you reconcile the ideals and aspirations of all the communities—minorities, majorities, sections of communities, and so on—you can never secure the conditions for a satisfactory settlement of the question. I am stressing this point particularly with reference to the Delhi University. I do hope that the Government will review the whole situation before long and take whatever action they can—through persuasion, administratively, and, if necessary, by further amending Bills—to redress the grievances, which, as far as I can gather from the speeches made in the other place, are substantial, of the various communities in Delhi.

On the other hand, I do hope that the Muslim community, which has put up such a bold fight, will accept the Act as it now stands and will give its wholehearted support and co-operation in furtherance of the scheme. I believe the present Vice-Chancellor is a very great asset to the Delhi University, and it will be a very great pity if he is not allowed to develop the scheme that he has so much at heart to the fullest extent before he gives up his job.

Sir, I have spoken at some length on certain points, but I would like to say, before I sit down, that while I have expressed my disagreement with certain views of the Government, I shall not be prepared to support at this stage any amendment which will either delay the Bill or throw it out, because if an amendment is carried here, it will mean either killing the Bill or keeping it in suspended animation till the next session. I shall not be a party to that.

With these few observations, which, I again assure the House, have all been made with the best intention, I give my general support to the Bill.

\*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. Chairman, the Bill before the House may not be of very great importance to the Government, and may not be a matter of very great interest to my Hindu friends ; but unfortunately—(Interruption) I am saying that it may not be of very great importance to the Hindu community—but to us, because of the fact that the Government have given this University a colour of being the model university, the central university, the type of university for all others to copy, it is a Bill of fundamental importance to the future education of the Mussalmans in India. Had it been a subject of interest to Delhi alone, I do not think we would have taken so much of the time of the House and made so many objections to its provisions.

Sir, the ex-Vice-Chancellor of the Madras University has spoken before me. His knowledge of university administration is unique. I come, after him, with total ignorance of the subject and, therefore, I hope that the House will show me the indulgence of hearing a novice on the subject.

The first point which strikes me in considering this Bill is that the Government of India is moving in a backward direction. We were supposed to be living in a more democratic age in 1943 than we were in 1922. But in 1922 the original Delhi University Bill was referred to a Joint Select Committee of the two Houses. As a reward of the constant support, the unreasoned support, which this House has always given to the Government, this present Bill was not referred to a Joint Select Committee. This is the reward of constant support. A further measure of the disregard of this House is that we are asked to consider a Bill of such great importance when the Assembly has concluded its session, with the result that the Government of India is forced to refuse every amendment, however reasonable it might be, because otherwise the Bill may not become an Act owing to the fact that the Assembly is not in session. This is a reprehensible practice of the Government, that important measures like this should come to this House at a time when it is impossible for the Government to accept amendments. It reduces the discussion in this House to a farce, to an unreality. We are here doing theatrical things. There is no sense in anything that we are doing. We are faced with an *impasse*. Why do this ? Is this the reward for the constant support which this House has given ?

Sir, this Bill tries to over-ride the considered and well-documented recommendations of the Sadler Commission Report. The Sadler Commission's Report was the

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the last word which the Government of India had on the subject of university education prepared in the manner and methods which are prevailing in democratic countries. But the Government of India may pose as a democratic body. It may even say in so many words that it follows democratic principles. But its actions remain autocratic and, if I may be excused for saying so, senseless—marrying in haste and repenting at leisure. Even yesterday we had a discussion on this subject of hasty legislation of the Government of India in a very important and impartial place, the Federal Court of India. This matter was discussed in connection with the Ordinances and it was pointed out that whereas Acts of the Legislature are the results of deliberation and mature thinking, the Ordinances and Acts of the Governor General are anything but that. Here we have a peculiar example of the same kind of hurried action. I do not know—perhaps the Honourable the Member for Education, Health and Lands might be able to enlighten us if the Official Secrets Act permit him to do so—what is the Government of India? The Government of India, Sir, is a very elastic term. It may be said to be the decision of the Governor-General with the concurrence of the majority of his Executive Councillors. But any and every decision, coming down to a decision of an Assistant working in the office, can be said to be the decision of the Government of India. It depends on the Rules of Business what kind of action is referred to as the decision of the Government of India. This decision of the Government of India to bring forward a Bill of this nature was conceived not now, but long ago. I have chapter and verse for it. From the statement made by the Honourable Mr. Tyson in the other House, we know that the matter was first considered when Mr. N. R. Sarkar was the Member in charge of Education, Health and Lands. There was some sort of conference then. We all know that our present Member for Education, Health and Lands took charge about a year ago. We may therefore very safely conclude that this idea has been before the Government for now more than a year. As a matter of fact, those of us who take any interest in this matter know that the present Vice-Chancellor, the ex-Chief Justice of India, had been very persistently trying to bring forward a three-years' degree course in the University for the last two or three years. This is not a thing which has cropped up all at once by some bright boy of the Government of India. May we ask why, if this question had been so long under consideration, it should have come before the Legislature as late as the 31st of March of this year, and then too in such an immature condition that many of the things which require consideration and consultation are still in the air? Take, for instance, Sir, the question of migration of students from and to the Delhi University. The Honourable Mr. Sargent, speaking on this subject in the other House, was still hopeful that universities may accept it, but he had no acceptance from any other university to place before us. He did not say that he had been in communication and secured acceptance from this University or that. I ask, Sir, what is the hurry for doing this? If you could wait for two years, why could you not wait for a few months more? Even now, Sir, I doubt if the syllabus and full courses of study for the Higher Secondary Examination Board are ready. Probably, the Board of Higher Secondary Education is a creation of the Government of India and not any statutory body. The Government of India can very easily impose a body by their rules and regulations making powers. But it will have to be accepted by all the universities in India, as equivalent to the first year of the university education. What steps have the Government taken to secure the future of the students who pass out after getting the school leaving certificate or whatever it might be called?

The position is that Government, in their usually muddling methods, have an idea of getting this Bill through, without considering the merits and demerits of the measure, with their swell head and full of prestige which does not allow them to consider the thing. I will just give one instance. The Statutes of the University can be made by the University itself. What was the need of bringing all these Statutes before the Legislature? If you had confidence in the Court and the Executive Council, the proper method for you was to get all the Statutes amended through the University itself. But perhaps you did not feel secure. You had no confidence in the Court and therefore you have given forceful feeding through a stomach pump, that is, the Central Legislature. Where there is concurrent

jurisdiction and you have a body of experts to deal with the subject, I personally think, Sir, that it would have been much wiser to get your Statutes revised and amended by the University rather than bring them forward before the Legislature. You have, Sir, in any way queered the pitch by bringing the Statutes. You have lengthened your Bill to great dimensions and it is these Statutes which have really compelled us to bring forward all these amendments, and we are accused of adopting dilatory tactics. Some blind and biased people have been maligning the Muslim League for having taken up this attitude of putting obstructions even in matters academic. But who is responsible for it? It is the Government itself which brought forward all these Statutes. It is not a fact that these Statutes are new ones. Up to No. 17 they were incorporated in the original Act and the rest of the Statutes right up to No. 34 were framed by the University on different dates. I therefore suggest that the primary responsibility for prolonging the session unduly is on the shoulders of the Government itself; because it felt unable to get through these Statutes amended from the University it brought forward these things to over-ride the University authority. I have very great support for this idea of mine. Although we have received a very short note on the opinion of the University, we find that the Court as well as the Executive Council had great differences with the methods which you have adopted. I will instance one point on which the ex-Vice-Chancellor of the Madras University spoke before me, the question of recognition. This is the opinion of the Executive Council :—

"They agree that section 28 (g) refers to the conditions or the general principle governing the recognition of colleges and the withdrawal of such recognition, and not to the executive action or recognition and the withdrawal of recognition. The Statutes should provide the general principles, but the executive action of recognition or the withdrawal of recognition must be by the Executive Council in accordance with the Statutes. They feel, however, that an important executive action like this must be by a substantial majority of the Executive Council; a majority of not less than two-thirds of the members present should, in their opinion, be required. They suggest, therefore, the following :—

'The Executive Council shall have power, by a resolution passed by a majority of not less than two-thirds of the members present, to recognise a college or to withdraw such recognition in accordance with the Statutes and the Ordinances'."

This is the opinion, the expert opinion, of the body to whom you are going to give this right. They refused to take it on the terms on which you presented it and when an amendment on these lines was moved in the Legislative Assembly, Government brushed it aside, and on this subject there was unanimity between Hindus and Muslims. Almost all the elected members were in favour of this amendment. Yet this Car of Juggernaut which is immovable by any pressure or force remained adamant and could not accept it, even though that is the expert opinion, legislative opinion and the opinion of the country. Prestige stands in the way of accepting anything which has been decided in its wisdom by the executive authority. Even the Sadler Commission had not recommended that this power should rest in the Executive Council and passed by a bare majority. In most of the universities, Sir, this power is exercised by the Court and I should like also to read the opinion of the Court of the University. I have read the opinion of the Executive Council and Academic Council first. This is what the Court say :—

"The recognition of colleges and the withdrawal of such recognition.—The Court desire to express their views on this point as follows :—

The Court are of the opinion that in view of the fact that the power to recognise colleges is vested in the Executive Council in only two Indian universities (Madras and Nagpur) :—

In two out of 16 universities this power is enjoyed by the Executive Council, in all the rest, viz., 14, it is in the hands of the Court.

"and none other, and that even in these Universities the Court is the supreme governing body of the University, competent to revise the actions of the Executive and Academic Councils, the recognition of colleges should be in accordance with Statutes to be made in pursuance of the provisions of section 29 of the Delhi University Act.

The Court are of the opinion that, inasmuch as in no University in India has the power to withdraw recognition from a college vested in the Executive Council :—

In no university recognition is subject to the Executive Council. But in the matter of withdrawal you are making an innovation, a complete break with the practice of Indian universities. On whose advice? On what basis, on what ground? You explain nothing. And when we ask that the Bill should be circulated, we are charged

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with adopting delaying tactics, that we want to delay the passing of this beneficial measure. This is the opinion of the Court :—

“The Court are of the opinion that inasmuch as in no University in India has the power to withdraw recognition from a college vested in the Executive Council, the withdrawal of recognition from a college should, as at present prescribed, be effected by amending a statute in accordance with section 29 of the Delhi University Act. The Court are accordingly of the opinion that the insertion of the proposed clause in section 22 of the said Act be not made”.

This is the opinion of the Delhi University, the University which is mainly concerned with it and yet the Government is unashamed, unrepentant and unwilling to accept either the convention which used to be of great value to the Government of India or even the advice of the experts which also is now disregarded because it is now 21 years old—the Sadler Commission is now 21 years old, therefore it is not worth looking at. I ask, Sir, if the Government has any pretence to being a responsible Government, if not responsive, that it should justify its action. On what grounds have you done this. I can discern one thing, that the Government of India want that it should be like Hitler with immense powers to do and undo what it likes and with the Court it could not take this liberty. The Court was not so subservient as they hoped to find the Executive Council. Sir, I did not intend to bring in an academic matter, but I am forced to do so now. The Executive Council of yours is so full of educationists and professors that you feel more secure because of the fact that you are going to pay for their salary. You wish to take away the liberty of the Delhi University by means of these devious methods which you adopt, that powers must rest in a body which is more likely to be subservient to the Government of India than in a body consisting of people who are more independent. And all this thing is done under the guise of a three-years course? What excuse is there for this? If the Delhi University did require an overhauling, I for one would be a supporter of the Government that there should be an overhauling of the University Statutes. But there should be no hole and corner method. You should come out openly. You should place the whole matter before the Indian public and let them state what is the opinion of India on the subject. Why this excuse of a three-year course for bringing forward all these measures? The three-year course is only a convenient peg to hang the Bill on. They thought that by bringing forward this excuse for urgent action they could get anything pass muster because of the fact that the Indian Legislature will not examine the measure as thoroughly as it has done. They were banking, Sir, on the supposition that this Bill will not come through as a non-controversial measure with a very laudable object and therefore it will be subjected to any minute and microscopical examination as has been done in the other House.

I stated, Sir, that I will only cite an example of the methods adopted by the Government of disregarding the public opinion. There are any number of subjects which I shall deal with more thoroughly when I am moving my amendments. There is another instance, which is very important, and which I should like to bring out here in the general consideration. I refer, Sir, to clause (3) of Statute 34—Management of Colleges. This is what the Court have said about it :—

“The Court are of the opinion that inasmuch as Ordinances are made by the Executive Council it would be inappropriate to prescribe, by Ordinances, rules relating to the constitution and powers of the Governing Body of a College and the appointment, powers and duties of the Chairman and other officers of the Governing Body, as the same, it is understood, have been already settled in agreement with the Government of India”.

Now, here is a protest by your own expert body, a body which will have to carry on your University and yet you disregard its opinion. You have no excuse to bring forward why you are making this change—merely the sweet will of the Government of India; the unknown quantity!

Sir, I should now like to refer to things more intimately concerned with our own Party, I mean the Muslim grievances, the reasons why we have opposed this.

Sir, the Sadler Commission was formed to examine not only the Calcutta University—although it was called the Calcutta University Commission—but it went into the whole university educational system of India and it came to

conclusions with regard to the matters concerning the academic as well as communal aspects. In Chapter XLIX on page 215 they refer to the fact that—

“We have sought to safeguard the Muslim position all along the line. In the constitution which we have proposed for the reorganised University of Calcutta we have provided for the inclusion in the Court of representatives of registered Muslim graduates”.

Mind you, they wanted a separate electorate, whereas we were content with asking only a joint electorate (*Hear, hear*), and they also said—

“... the Chancellor should have power to nominate a certain number of members for a period of five years of whom ‘some might be’ representatives of particular communities not adequately represented”.

We, Sir, preferred to have organisations which were not Muslim but were predominantly Muslim, like Jamia Millia, the Anjuman Taraqqi-e-Urdu, and other organisations of this nature. We were not enamoured of the nominated elements because they are sometimes, I suppose some of them are, ill-advised or misinformed and they think that it is their duty to take the Government whip.

“In designing the Executive Council of the reorganised Calcutta University we have provided that out of 17 members three at least must always be Mussalmans”.

This was the recommendation of the Sadler Commission :—

“While our proposed Academic Council is to include four representatives with educational experience, two at least of whom should be teachers, to be appointed by the Chancellor after report from the Muslim Advisory Board”.

Now in every aspect of the university system in that temple of learning where Harijans like Mussalmans are not allowed to enter, the Sadler Commission recommended and not only recommended it but in Dacca University it was given effect to too, and not only that, when the original Bill for the Delhi University Act was placed before the House it had a provision which I should like to read before the House. This is from the Report of the Sub-Committee, Sir, on clause 2 of the Statutes :—

“We have eliminated from this clause the proviso to sub-clause (6) which was designed to secure a certain percentage of Muhammadan members on the Court. We desire it to be clearly understood that our motive is prompted purely by a disinclination to recognise communal distinctions of this nature in statutory provisions. We have no doubt that the Chancellor will consider any deficiency in the representation of any particular community at the time of making his nominations, and will rectify any inequality in so far as he is able. We earnestly hope that Muhammadans will fully participate in the benefits of this University, and that their interest will be represented upon its Bodies”.

Now, this was the hope expressed by the Joint Select Committee of the two Houses in 1922 but none but a blind Government, Sir, could have examined the situation for 21 years, which have elapsed since this Bill became an Act. Has this hope been fulfilled or has it been negated? If these 21 years have proved amply, sufficiently and emphatically that Mussalmans have been shabbily treated or, as was stated in the other House by a Government member, Sir, that the condition of the Mussalmans is deplorable. Anyone with a grain of sense would have thought twice before going on in the way in which they were going on in spite of failure. If a thing is a failure, a wise man changes his course and takes another line of action. This provision was embodied in Statute 2 of the original Bill which was introduced in 1922. That provision ran :—

“the number of persons to be appointed by the Chancellor.....shall be 15 :

Provided that if the number of Muhammadans elected under sub-clauses (2), (3) and (4) is less than one-third of the total number of members elected under those sub-clauses, not less than eight members of the members nominated by the Chancellor shall be Muhammadans”.

This was the provision in the original Bill as drafted by the Government, uninfluenced by the Muslim League, 21 years ago, and it was eliminated, not because it was bad, but because of two facts. Unfortunately in the Select Committee two of the members were absent, and the Select Committee was left with only Sir Muhammad Shafi, the Education Member, and one other Muslim member, out of twelve; there was, only Maulvi Abdul Kasem as the solitary Muslim representative on the Joint Select Committee.

If you examine the constitution of the Court, the Executive Council and the Academic Council, which were formed by means of a notification of the Governor General in Council and not by ordinary elections, you will find that Muslims were very adequately represented in the original authorities of the University. I should remind the House of the fact as given—I will not read out all the details—in the Delhi University Calendar. Muslims had a very good representation in the bodies as they were originally framed. I shall refer to it when we are discussing this matter on amendments.

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As was pointed out by the Honourable Sir Ramunni Menon, the Government have in effect accepted communal representation in the Court, but have refused it where it could have been of greater value to the Mussalmans—I mean in the Executive Council and the Academic Council. The reasons for this differentiation between the three component bodies of a body corporate may not appear quite clearly to us who are uninitiated in the mysteries of the Government's wisdom.

I should like to remind the House of what is the present condition of the Mussalmans in the various universities of India. It will be an eye-opener. There are 18 universities in India. Two of these have been excluded from the survey. The first is the Muslim University, Aligarh, which is a Muslim institution and has Muslim teachers. The second is the Osmania University, Hyderabad. These two are excluded. As regards the remaining 16 universities, a glance at the figures given under the various universities will show that the following six universities do not employ any Muslim teacher in any subject whatever: Andhra University; Annamalai University; Benares University; Mysore University; Nagpur University and Travancore University.

AN HONOURABLE MEMBER: Is there any statutory bar?

THE HONOURABLE MR. HOSSAIN IMAM: There is no statutory bar, but this has happened because there is no representation. The whole trouble arises from the fact of non-representation. We have been asking for more and more Indianisation ever since we have had greater political power in the Legislatures. As long as political power was refused to Indians, we had no Indians in the Civil Service: it was the preserve of the Britishers. Representation can only come with control. This is such an elementary fact that I hope my Honourable friend will not contest it. We used to get in the old days a statutory civilian: as a matter of concession one or two Indians used to be given posts in the I.C.S. But simultaneously with the gaining of political power we have been able to force Government to eliminate the efficiency bar and to admit Indians to the highest posts under the Crown. And I hope the success of Indianisation has been such that no one will have the courage to say that admission of any community leads to inefficiency. It has not done so far, and I hope it will never do in future. It is only a thin excuse put forward by those who are in power in order to safeguard—as has been said—vested interests—in order to cover their disinclination to divest anything which stands in the way of justice being done to the have-nots. Now that we have got power, at least a semblance of power, we know how hollow and pointless was the excuse put forward in the former days—the excuse of the efficiency of Britishers and the inefficiency of Indians.

Similarly, the excuse that the interests of education will suffer if communalism is brought in is a myth. It is only a garb to hide the sinister nature of the intention of having a monopolistic hold on the University positions on the part of those who have now those positions.

I was saying that the six universities out of the 16 do not employ Muslim teachers in any subject. The following 12 universities out of 16 do not employ a single Muslim teacher of any status—professor, reader, lecturer, or even demonstrator—in any Science subject. Knowing the great importance in the present day world of science, knowing that it is almost the first step to industrialisation, to every kind of forward movement of a people, it is regrettable that in 12 out of 16 universities there should be no Muslim. These Universities are Agra, Allahabad (my Honourable friend's University), Andhra, Annamalai, Benares, Bombay, Delhi itself, Madras, Mysore, Nagpur, Punjab and Travancore. The five Universities which I mentioned originally and seven more, which include even such an enlightened University like Allahabad. It has no Muslim teacher of any status, from the professor down to demonstrator, in Science subjects. I am quoting these figures from a Government publication—

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): Is the Honourable Member aware that in the Allahabad University there are Muslim Arts teachers? If he recognises that, I should like to ask him whether the University has deliberately excluded Muslims from getting posts on the Science side.

THE HONOURABLE MR. HOSSAIN IMAM: I am not imputing any motives or stating the reasons. I am only quoting a recital of facts. These are the facts.



DELHI UNIVERSITY (AMENDMENT) BILL.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** I wish the Honourable Member could be a member of a Selection Committee of the Allahabad University. He will know the facts for himself.

**THE HONOURABLE MR. HOSSAIN IMAM :** These figures are taken from the Handbook of Indian Universities published in 1942 by the Inter-University Board of India.

**THE HONOURABLE SIR JOGENDRA SINGH :** Will the Honourable Member give figures for the Punjab ?

**THE HONOURABLE MR. HOSSAIN IMAM :** The Punjab University has got no Science teacher at all.

**THE HONOURABLE SIR JOGENDRA SINGH :** I mean for the whole University—what is the proportion of teachers.

**THE HONOURABLE MR. HOSSAIN IMAM :** Four universities out of 16 employ some Muslim teachers in Science subjects, 12 universities have none and in the case of the four universities I shall place the figures before the House to show how great is the exclusion of Muslims.

**THE HONOURABLE MR. P. N. SAPRU :** My Honourable friend has never served on any University Selection Committee as I have.

**THE HONOURABLE MR. HOSSAIN IMAM :** In Calcutta there are two out of 120—a province where the Muslim population is 56 per cent. has got a representation of less than 1½ per cent. This is a rare thing. In Lucknow there are—

**THE HONOURABLE THE CHAIRMAN :** I do not want to interrupt the Honourable Member, but is it his suggestion that there are qualified persons who have not been taken in ?

**THE HONOURABLE MR. HOSSAIN IMAM :** I challenge the Government with full authority that for any professional post, I can give them half a dozen people every time. But there is no yard stick by which you can measure the qualifications of a man.

**THE HONOURABLE MR. P. N. SAPRU :** Dr. Krishnan was a Professor of Physics in Allahabad. Can you give men like him ? You do not know what you are talking about.

**THE HONOURABLE MR. HOSSAIN IMAM :** Leave alone professors. What about demonstrators ?

**THE HONOURABLE SIR RAMUNNI MENON :** Is it worth while discussing all this ?

**THE HONOURABLE MR. HOSSAIN IMAM :** In Calcutta, out of 120 teachers, there are only two. I am stating the facts as they stand. I am making no excuse. I do not blame anybody. But I say the facts are there which establish my case that I want special protection.

**THE HONOURABLE SIR JOGENDRA SINGH :** About the Punjab I may inform the Honourable Member that if he were to take the Medical College, the MacLagan Engineering College, the Government College, and the Islamia College, I think the number of professors on these is much greater than what my Honourable friend imagines. I can name the men whom I myself have appointed in these Colleges—

**THE HONOURABLE MR. HOSSAIN IMAM :** There are none in the Allahabad University.

**THE HONOURABLE SIR JOGENDRA SINGH :** At least there are two friends of mine who are Muslims, Dr. Syed and one other. So I think either these figures are out of date or they are not quite correct.

**THE HONOURABLE MR. HOSSAIN IMAM :** The Honourable Member for Education, Health and Lands probably did not hear me properly. I was referring to Science subjects.

**THE HONOURABLE SIR JOGENDRA SINGH :** Even with regard to Science subjects, for instance, in the MacLagan Engineering College, Professor Muzaffar is in charge of Science.

**THE HONOURABLE MR. HOSSAIN IMAM :** Is it a University College ?

**THE HONOURABLE SIR JOGENDRA SINGH :** It is affiliated to the University.

**THE HONOURABLE MR. HOSSAIN IMAM :** The responsibility is Government's, because I am giving the figures from a book published by the Inter-University Board of India. If Government accuse me of giving wrong information, then the blame is theirs, not mine.

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I was dealing with the number of Muslim teachers in Science subjects in the various Universities. Lucknow has got two out of 40, Patna has got 2 out of 31, and Dacca, the only place where there is some sort of communal safeguard, has got four out of 43 which gives a representation of 10 per cent., a percentage which is three times that of any other university in India. In Calcutta both the teachers are of lower grade, in Dacca both the teachers are of the lowest grade, in Lucknow, one teacher is a lent I.E.S. officer and the other is a reader, and in Patna both the teachers are I.E.S. officers. It is worth noting that in the 16 Indian universities there should be only three professors, all I.E.S. officers, 1 reader and 6 teachers of the lowest grade. Thus, Sir, out of a total which is more than nearly 300 of university teachers employed in Science subjects, we have the magnificent share of 10. Is this a position which Government think reflects in any way to their credit? Even the two Muslim Universities are turning out more than 10 people in the highest degree in Science subjects every year and yet they cannot find employment even in the lowest grade. The few there are are because of their being employed in the Indian Educational Service.

I should like to give some more figures, because, when I referred to Allahabad, there were some adverse comments from my Honourable friends. Let me give you the details of the Allahabad University. It is a unitary University, with no Muslim officer and no Muslim teacher in any Science subject. Not a single Muslim professor, reader or lecturer in any of the science departments of physics, chemistry, zoology, botany and mathematics. In physics there are 11, in chemistry 11, in zoology 7, in botany 6, and in mathematics 7. Out of this total of 42, there is not a single Muslim teacher in the whole University in Science subjects.

THE HONOURABLE MR. P. N. SAPRU : How many applied and what were their qualifications?

THE HONOURABLE MR. HOSSAIN IMAM : I refer particularly to this University because my Honourable friends coming from Allahabad have objected with persistence to my remarks. In the Bombay University, Sir, which is a teaching and affiliating University, no Muslim officer except one Dean in Arts; no Muslim teacher in University departments of Chemical Technology employing 21 teachers there are 50 affiliated colleges and only two of them (a) Ismail College, a Muslim endowed College and (b) the Government Law College, have Muslim principals. There is no Muslim Science teacher.

THE HONOURABLE THE CHAIRMAN : How long will the Honourable Member take?

THE HONOURABLE MR. HOSSAIN IMAM : I will take half an hour more, Sir.

THE HONOURABLE THE CHAIRMAN : Today being Friday, I will adjourn the House now.

The Council then adjourned for Lunch till Three of the Clock.

The Council re-assembled after Lunch at Three of the Clock, the Honourable the Chairman (The Honourable Sir David Devadoss) in the Chair.

THE HONOURABLE MR. HOSSAIN IMAM : Mr. Chairman, when the House rose I was referring to the Bombay University and the meagre representation of the Muslims in that University. I should like to place before the House the figures for the Calcutta University where we have two Muslims out of 120. In Physics there is not a single Muslim out of 15. In Applied Chemistry, not one out of 13; in Mathematics not one out of 12; in Applied Mathematics *nil* out of 13; in Botany *nil* out of 10; in Zoology *nil* out of 8; in Geology *nil* out of 6; in Physics none in 10; in Bio-Chemistry, there is only one Hindu; in Chemistry there is one Muslim lecturer and in Applied Physics there is one Muslim out of 11. I could have recited the figures of other Universities; but I will content myself with referring to only one or two Universities. I have got the list for other universities. There is no Muslim officer in Patna and only 1 Muslim out of 6; there is no Muslim University professor or reader. Muslim professors in the Science College in Patna are as follows: Physics *nil* out of 11; Applied Chemistry *nil* out of one; Mathematics *nil* out of 6; Mathematics, Physics *nil* out of one. We have got only two men out of 12 in Chemistry. There are two Muslim teachers out of 31 and these are both Indian Educational Service men. They are inherited by the University from the Government of India and no credit goes to the University authorities for having appointed Muslims.

Sir, I do not wish to take up the time of the House in reciting the whole tale of neglect of Muslims which is evident from the facts and figures. I regard it as a duty of the Government and the University to provide even those who have nothing with something. Government can find lakhs and lakhs of rupees to spend on higher education, on building sites, on hostel accommodation. But can it not find a few thousands of rupees for special scholarship to Muslim boys so that they may learn science subjects? I ask my friends whether it is not proper for them to take care that Muslims also come up to the standard to which they have attained. If there are two horses in a team, would it help one horse if he has to drag the whole burden alone and the other is left out? I do not wish at this juncture to throw blame on what has happened in the past. I wish merely to draw the attention of the House and of the country to the deplorable condition in which we are and ask the Government as well as my sister community to help me out of it, to do something which will equalise our position, which will make Muslims also take their part, equal part, their due part, in the education of the country. And in this connection I greatly regret the refusal of the Government of India to accept the amendment for a Muslim Advisory Council which was proposed. It is a fact that not only the Dacca University has got a Council of that nature, but my friend Mr. Sapru pointed out to me that even Allahabad has got an Advisory Council of that nature. May I ask what is the special reason for refusing it in Delhi? If Allahabad can have it, why should you refuse it when we want it? As regards Allahabad, also, I would draw the attention of the authorities that a Committee to be useful must be of such eminence and of such persons who would take up the work with which they are entrusted. It is not only the fault of the University that Muslims are so badly off in Science departments; I regard it as the fault of the Advisory Body too for having neglected its work. If the Committee were wide awake and if elections and nominations took place not because a person happened to be *persona grata* with the nominating or electing authority but because of real suitability, capacity to work, we would not be in this position. It is a discredit to the Court as well if the Committee does not properly function. I for one do not believe in weeping over spilt milk. What has happened has happened. Let the past bury its dead. But what are you going to do for the future? Do you hold out any hope for us or are you going to write on the portals of the Government of India: "Enter all those who have abandoned hopes". I tell the Government that it owes a duty to the country and not to itself alone. If it cannot do it now, there is nothing to prevent it from bringing an amending Bill next session or next year. Can I ever hope that even this Government, which we have always characterised as wooden, will become once a pliable thing? It may be steel, but mild steel can be moved without breaking. I do hope that the Government of India will consider this debate fully and that the grievances which we have made out will be removed in the near future. I would also like to point out the fact which is of great importance that there are a number of scholarships and prizes in the University endowed by private persons not only on communal basis but on cast basis. I do not in any way object to it, but I do wish the Government of India also to copy it at least in its communal aspect. It should give some scholarship especially to Muhammadan students for Science subjects to make a leeway which on all showing exists at the moment in the Science department. I know of cases in which Government—at least in my own Province of Bihar—have given a scholarship to a backward class young man and sent him to England. Things like that do happen in the provinces. Cannot the Government of India do something of that nature too? But it is easy for the Government of India to spend lakhs on its pet schemes, but difficult to spend even a few thousands on beneficial schemes which we may demand. It is regrettable that the Government of India took up an attitude which was neither helpful nor calculated to redound to its own credit. It was childish, petulant, and if the Honourable Member will excuse my using the word, verging on foolishness, for if a thing can be accepted, as I have pointed out, about the Muslim Advisory body in other Universities why should you refuse it here? What are the special circumstances here that it must be refused?

Sir, when I come back to my amendments I shall be mostly dealing with the communal aspect of the question; so I will not dilate longer on this. I wish to endorse the remarks of Sir Ramunni Menon that in their desire to have grandeur they should not create a white elephant here. Oxford and Cambridge cannot be had

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in Delhi by any amount of money that you may spend. Delhi has got no special attraction. If special attraction there is it is in Bonares, it is in Aligarh. Any amount of money which you spend on higher education will be much more usefully spent if it is contributed to these two institutions than it can be in Delhi.

Then, Sir, the Honourable Member for Education, Health and Lands referred to the slow movement of the universities and in his very graphic manner he coupled it with saying that when this is joined with the vested interests it becomes almost immovable. I am paraphrasing, I am not using his exact words. I feel, Sir, that this is the best argument in support of what we have been doing. It is not that we have no trust in the University when we ask for safeguards and provisions. It is because we believe in what the Honourable Member has just now stated. We are convinced of the slow movement of the universities and therefore we want that some push should be given to it and that can only be had if we have some statutory provision in the Bill for our community's rights.

Then, Sir, there is the other remark of the Honourable Member for Education, Health and Lands which is even more telling. He stated :—

“ We know that it is on sound education that destiny of every nation chiefly depends ”.

How true are your words and how little the action of your Department to support this dictum. What have you done to safeguard the destiny of the Muslim nation ? Have not 21 years convinced you that your line of action is a failure ? When will you learn ? In the end, Sir, I should like to conclude with an Urdu couplet :—

“ Yeh kahan ki dosti hai keh bane hain dost naseh ;

Koi charasaz hota koi ghangosar hota ”.

It is not friendship to give only sound advice : you should do something to help your friend and it is the help which you render which really measures the sincerity of your friendship.

Sir, I oppose this Motion.

THE HONOURABLE MR. P. N. SAPRU : Mr. Chairman, whatever the criticisms that I may have to offer against this Bill may be—and I shall have to offer a few criticisms in regard to this Bill, some of them of a friendly nature, some of them of a critical nature—there is one complaint that I do not propose to make against the Government. I do not intend to take the line that the Bill is untimely and that it could well have waited until either the food situation had improved or the war was over and had been won. It is a legitimate complaint against the present Government that while it moves with marvellous, with remarkable, rapidity where what it considers to be a question of law and order is involved, it is slow to act where questions affecting the educational or social well-being of the people are concerned. There is a school of thought which would postpone a consideration of these vital problems of education, health, the economical and the social well-being of the people until the war is over. These are questions which condition the progress of a people towards a free and independent existence, and we may be certain, Sir, that the very gentlemen who suggest that these questions should be postponed, for the time being at any rate, will argue after the war is over that these questions need not be taken up immediately, for they are representatives of certain obscurantist, vested, interests and they do not want progress. Their main interest is the preservation of the present social order, with its many injustices and many inequalities, and they dislike experimenting with new ideas. I hold definitely, therefore, Sir, the view that the question of educational reconstruction—and I think one of the questions involved, as I shall show, in this Bill is the question of educational reconstruction should not be indefinitely delayed, that we should, even where we cannot execute our plans, think them out now so that we may be ready to put them into execution when peace once again is established in the world.

Indeed, Sir, I think it was our very able Educational Commissioner or Adviser who said somewhere that the very purposes for which the war is being fought require that there should be planning in education now so that conditions for a free and healthy existence for all races and peoples may be established in the post-war period. I am not exactly quoting his words but I think he said something to this effect in a speech which he delivered in Srinagar.

Sir, holding these views it is inevitable that I should view with sympathy and effort, howsoever modest, to advance the educational interests of any province and particularly that of a province and city like that of Delhi which has been the home of many civilisations and many cultures and which as the Metropolis of India, as the capital of India, should have a university worthy of its ancient past and capable of meeting its requirements in the greater future that awaits this country and this city.

Sir, I must not be understood to say that I approve of the procedure that the Government of India has adopted in regard to the Bill now before the House. I wish—and I think I am making this criticism in a friendly spirit—I wish that the procedure that they have adopted had been somewhat different. I find that the Bill is essentially the outcome of a memorandum which was written by the eminent Vice-Chancellor who has rendered very distinguished services not only to the administration of justice in this country but to the educational world also—I mean Sir Maurice Gwyer. This memorandum was written in August, 1939. Now Sir, between 1939 and 1943 the Government of India had four clear years not only to consult the Court and the Council of the Delhi University, but other universities and educational experts. I cannot understand—I shall be glad if I am corrected—I cannot understand why the Central Advisory Board of Education, the Inter-University Board and the various universities were not consulted by Government. This is not merely a local Bill, as will be evident from the memorandum of Sir Maurice Gwyer, to whose devotion to the University I should like to pay my humble tribute. I am reading from page 41 of the memorandum :—

“ I submit that expenditure incurred in developing the University on a wise and far-sighted plan will repay itself many times over. But I do not think that it is worth doing unless the position of the University as a real all-India University, and as the main cultural link between India and the outside world is recognized ”.

I emphasise the words “ as the main cultural link between India and the outside world ”.

“ The University of Delhi, if it is to fill the part which I cast for it, must, as I have insisted in what I have written above, be distinguished by quality and the highest standards ”.

Therefore, what was contemplated by Sir Maurice Gwyer was that this should be an all-India centre of culture and learning, and that it should form the main link between India and the outside world. Well, a suggestion of that character was a very important one, because the interests of provincial universities with long traditions—I mean comparatively long in this country—old Universities like Calcutta, Allahabad, Madras, Lahore—were affected, and I should have thought that before bringing in an amending statute Government would fortify itself by opinions gathered from these Universities and other persons qualified to speak on educational matters.

Sir, the Bill before us has some good features, and it has many bad features. The Bill appears to be the work primarily of the Department of Education, and the legitimate grievance that the people have is that in the formative stages of these proposals public opinion was not consulted, through, shall I say, a properly constituted committee representative of the main elements in India's educational and public life and representative also of the main elements in this House. The Bill was introduced in the Assembly, I think, on the 31st March, by the Secretary in the Department of Education, Health and Lands, Mr. Tyson, and he said that it was an emergency measure—we are now used to the word “ emergency ”; we do not know what the emergency is—the only judge of the emergency can, under the law, be the Governor General—that it was an emergency measure which we must put through, because they had already taken action by reorganising higher secondary education and had introduced honours class courses. If you examine the Bill, it is not such a simple affair, because you do not deal with only honours classes; you have reconstructed the Executive Council; you have reconstructed the Academic Council; you have changed the method of appointment of the Vice-Chancellor. You have, further, dealt with the question of colleges, their recognition, and the withdrawal of recognition from them. It is a complicated measure, and the complaint that I make is that a Bill of this nature should not have been introduced in that—I won't say sly fashion—in that unfortunate manner. Fortunately, however, the Bill was referred to a select Committee. I have read the Report of that Committee. I am afraid that I am not enthusiastic about the Report of the Select Committee. (*Interruption.*) I will not say that—I shall be reflecting on some of

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the members of the House if I say that. There was one educationist on the Committee, Dr. Bannerjee. But I do not agree with him in regard to one or two matters. And it was rather unfortunate that a prejudice against this Bill was created from the very start. If a different procedure had been adopted, I venture to think that many of the criticisms that have been made would have been made in a different spirit, and they would have been better informed than they have been in the other House.

Sir, the objects of the Bill are stated to be provision for the introduction of a three-years' degree course, permissive provision for the appointment of a whole-time Vice-Chancellor, and alteration in the procedure whereby a college may be recognised by or disaffiliated from the University. But a perusal of the Bill will show that the changes effected go further; they change the character and constitution of the University. What we have to see, apart from any question of general principle, is whether the tendency in the Bill is to over-officialise university administration, to hamper its academic freedom, to make it, shall I say, into a department of state. I shall have something to say on these important questions, but before I do so, perhaps you will allow me to indicate my own point of view in regard to what a university should aim at. May I first refer to my province, the United Provinces. Fortunately, in our province, we have been used to a different type of university now, but we in this country have been used to the idea of a university being a sort of examining board. Generally what happens is that in a province of about 40 million people there are colleges in about 12 or 15 places. These colleges are governed by their own governing bodies. The University exercises a sort of supervision over them. It sends out inspectors to see whether efficiency is maintained in those colleges. It holds an examination at the end of every second year and then some students pass and others fail, and the University thinks that it has done its work. That is the examining type of university which held the field until the Sadler Commission's Report. That is not, speaking frankly, my conception of a university. I was revising only yesterday my reading of Lord Haldane's *Universities and National Life*, and I should like to quote one or two passages from that eminent lawyer, educationist and statesman. In his address on "The Dedicated Life" this is how he defines the function of education :—

"It is the function of education in the highest sense to teach him that there are latent in him possibilities beyond what he has dreamed of, and to develop in him capacities of which, without contact with the highest learning, he had never become aware. And so the university becomes, at its best, the place where the higher ends of life are made possible of attainment, where the finite and the infinite are found to come together. The wider our outlook, the more we have assimilated the spirit of the teachers of other nations and other ages than our own, the more will the possibilities of action open to us, and the more real may become the choice of that high aim of man, the dedicated life. We learn so to avoid the unconscious devotion of our energies to that for which we are not fit, and the peril of falling unconsciously into insincerity and unreality of purpose. We learn so to choose the work that is most congenial to us, because we find in it what makes us most keenly conscious that we are bringing into actual existence the best that lies latent in us".

Therefore, Sir, the fundamental aim of a university should be to supply the community with leaders who will lead men in thought and action. This was the ideal of the ancient Hindus. They thought that the highest learning was that of the 'self'. They looked upon *avidya* as the main obstacle to the realisation of self. I think, Sir, that the Islamic ideal is not very different. But in order that a university might perform this function properly, adequately and in the right manner, it is essential that it should have academic freedom. Here again, Sir, I should like to quote from Lord Haldane. This is what he says about academic freedom. It is in the light of this test which Lord Haldane has laid down that I shall examine the constitution of this University and the purpose of that examination will be to show that it is not likely to lead to that academic freedom which is essential for the performance of the University's highest functions.

"The university", he says, "is a place of research where the new and necessary knowledge is to be developed. It is a place of training, where the exponents of that knowledge—the men who are to seek authority based on it—are to be nurtured and receive their spiritual baptism. Such a university cannot be dependent in its spirit. It cannot live and thrive under the domination either of the Government or the Church. Freedom and development are the breath of its nostrils, and it can recognise no authority except that which rests on the right of the Truth

to command obedience. Religion, art, science—these are, for the body of teachers of the true university type, but special and therefore restricted avenues towards that Truth—many-sided as it is, and never standing still. It was Lessing who declared that were God to offer him the Truth in one hand and the Search for Truth in the other, he would choose the Search. He meant that, just as the Truth never stands still, but is in its nature a process of evolution, so the mind of the seeker after it can never stand still. Only in the process of daily conquering them anew do we, in this region also, gain life and freedom. And it is in the devotion to this search after the Most High—a search which may assume an infinity of varied forms—that the dedicated life consists; the life dedicated to the noblest of quests, and not to be judged by apparent failure to reach some fixed and rigid goal, but rather by the quality of its striving”.

The test, therefore, that I propose to apply is whether the constitution which has been proposed in the amended Bill before us will give the University the academic freedom essential for search after truth which, as Lord Haldane says, is greater than truth itself. I must confess, Sir, that I am not satisfied with the constitution which has been provided for it, for it is far too official for us. But I shall discuss this question of the constitution a little later.

First, Sir, let me say that I am in agreement with the principle of a three-years' degree course and the complete separation of higher secondary education from university education. It will be remembered that the Sadler Commission recommended that intermediate education should be separated from university education. I shall quote the authority of the Sadler Commission for it. On page 26 of Vol. IV, Part II, they say :—

“An improvement in higher secondary education seems to us to be needed and to provide the key to the solution of this part of the problem of educational reform. We recommend, because it is one of the necessary conditions of the right delimitation between school and university work, that admission to the courses provided by the university in preparation for a degree should in future take place at the level of what is now called the intermediate examination. The present matriculation should cease to entitle a student to enter upon a university course. It comes at a stage in his education when it is premature to guarantee his fitness for that grade of work which alone it is appropriate for the university to require”.

Now, the Sadler Commission reported in 1919 and in our province this reform which the Sadler Commission recommended has been effected. Allahabad started with a teaching as also an affiliating University. It is now a completely teaching University. In Lucknow they have nothing to do with intermediate classes. Intermediate education is in the hands of an Intermediate Board of Education and there is a clear distinction between intermediate education which is really part of school education and university education.

Sir, may I just give my experience of how this experiment has worked in our province? I say experience, because I have had some experience of post-graduate teaching and I come into contact with a large number of young men practically every year. If you remember the conditions under which we have to work, I think the experiment has been a success. The Government has been niggardly for one reason or other in giving grants to secondary schools. Secondly, the efficiency of education depends on the teacher and the teacher is not well paid. Managing committees and governing bodies of institutions often harass him. We have been rather inclined not to exact a sufficiently high standard from our intermediate colleges. There is a tendency to recognise an institution because somebody who has built up that institution has got friends in the Intermediate Board. And private charity has not been forthcoming to the extent that it should have. If you remember these conditions, then I do not think that you can say that intermediate education in our province has failed. I do not think that the man who comes to the first year of the B.A. is less equipped than the intermediate-passed student of the Allahabad University used to be in old days. In fact I think the standard of general knowledge among students has gone up. We have been experimenting with the new system for the last 21 years. We started in 1921 or 1922. Therefore we have had a fairly wide experience of the effects of this separation of university from higher secondary education. The University too has benefited, because teaching is in the hands of the University—it is a unitary University. All the teachers are controlled by the University, appointed by the University and the university has tried to develop the tutorial system. I do not think that the tutorial system has been the success that I should have liked it to be. My Honourable friend Mr. Sargent knows that the tutorial system means an adequate staff and limited numbers. If you have got to deal with three thousand students you must have a staff adequate

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to deal with these three thousand people. Many of our public men—if I may say so without impertinence—some High Court Judges, who can be said to be educated only by courtesy—they are very good lawyers in their own way but they are not men of culture—often say in University bodies, “Why do you want a Reader of Statistics? In my day we had in the Canning College a Principal called Mr. Perrie, a very able man, who used to teach us history, economics, philosophy and English literature. I am a product of that system. Do you think I am a bad product? I have risen to the highest position open to any Indian in the land”. You get that type of criticism because people of this type do not know what the real function of a university is. They do not know the frontiers of knowledge. They do not know the extent to which knowledge in its various branches has become specialised. And you get Government secretaries and officers also saying, “These teachers are good enough for these young men. We need not think of Oxford and Cambridge and London. It is the kind of education that these fellows might well receive”. Therefore, if you have regard to the difficulties under which we work, then I say that the experiment of intermediate education in our province has not failed. What the Bill proposes to do is to take away—I have only my province in mind—take away one year from the intermediate, tag it on to the high school and tag the other year on to the University and provide a three-year course for the B.A. in the University and provide a higher type of matriculation after the secondary stage is over. From the educational point of view there is everything to be said for the reconstruction of education on these lines. You make a clear distinction between two definite grades of education, the higher secondary education and the university education. You improve the quality of secondary education. You make it possible for the university to perform its real function of imparting not school but college instruction. I think with good teachers, adequate funds and a desire to improve things it should be possible for a student to do what he does in 12 years now in 11 years. I think the standard of the matriculation or the preparatory examination can be brought to the level of the intermediate. Perhaps it will take a little time. But given funds, given the will and given the determination, you can teach a young boy in 11 years what you teach him in 12 years. Therefore, ultimately the success of the scheme which the Honourable the Education Member and the Educational Adviser to the Government of India have in view will depend upon the quality of teachers that you employ. Apart from the salary that you give him, give him a decent place in society, recognise that he is a socially useful unit and make him feel that his status and his position are not to be measured in terms of pounds, shillings and pence. Then you will get a real start so far as higher secondary education is concerned. Therefore, apart from all other considerations—I will have to come to them a little later—I would say, Sir, that this division of education will give us a better type of matriculate who will have a self-sufficient education. He need not go to a university if he does not want to but he must have some vocational institutions provided for him. He must go out as an educated English boy goes out—I won't say from a Public School—I am not enamoured of the Public School: I am a working-class man and I would not have in the world of tomorrow any Public School—as any man who has received a good education in an English school goes out after his matriculation, and he will be able to benefit by the education that he receives in the university also.

Now I will tell you, Sir, the flaw that I find with university education. Our trouble is that we cannot maintain a high standard because two years is too short a period for the B.A. The first year is spent in the boy's acquiring the university atmosphere. He is new to the methods of teaching of the university. He has hardly any acquaintances. Those of us who have been to Oxford or Cambridge know that a great part of the education that we get in Oxford and Cambridge is by contact with each other. Well, probably in the first year the boy is a little shy: he does not meet people, he does not come into contact with his teachers; so the first year makes no impression upon him. In the second year he is busy with the thought that he must pass his examination and therefore he gets no time to widen his horizon, to read books that he would like to read, to enlarge his knowledge and just about the time when he is likely to benefit most from the university education



he disappears from the university, because most of our boys, or a great many of them, do not proceed to the M.A. Those who proceed to the M.A., of course, get the benefits of an honours course but most of our boys do not proceed to the M.A. Some of them go to the LL.B. but LL.B. teaching is of a very mechanical character. I have known, Sir, some High Court Judges in the Faculties of Law say, "What is the use of teaching Roman Law; what is the use of teaching International Law; what is the use of teaching Jurisprudence? Those are subjects which we do not need in ordinary practice". Well the difficulty is that they do not know the cultural value of these subjects. They have never had that scientific background of legal knowledge which widens a man's horizon. I cannot conceive of a legal course without Roman Law, without International Law, without Jurisprudence.

Well, Sir, I think that this three-year course is a good thing and we should support it but there is another difficulty. We have tried the honours course in our University: we have the pass degree; we have the honours degree. The Allahabad University boys or students can take the pass degree in two years. They need three-years for the honours degree. Now, there is, therefore, a competition between the pass course and the honours course. The advantage in taking an honours degree is that you get your M.A. one year after your honours B.A. The pass man has to spend two years: the honours man has to spend one year for his M.A. or M.Sc. But the pass man has a disadvantage. We have the examinations of the Public Service Commissions and the Public Service Commissions say that the minimum qualification that they need for entrance into the Provincial Executive Service or even the Indian Civil Service is a B.A. degree. Now, if I am a capable, clever young man I would take my B.A. degree in two years: I won't bother about the honours course. I shall sit for the Indian Civil Service Examination in the third year. I shall try my luck if I think I shall be able to get into the Indian Civil Service or the Audit Service or the Indian Police Service and therefore the honours course suffers. Well, I think you have in Scotland this distinction: for the honours course I think you need in a Scottish University four years: for the pass course in a Scottish University you need three years but in all British universities the minimum course as far as I know for a degree examination, both for the pass and the honours, is three years. The system of a uniform three-year course will, I think, make it easier for us to establish the honours course. I do not want the pass man to disappear. I think it would be a wrong policy for us to do away with the pass man. There are some students who just want to have some experience of university life, who want to read a number of subjects and who want to spend three good years at the university. Well, there should be a pass course for them but it should be possible for us if we have a three-year course to organise honours courses, and, so far as honours courses are concerned, I should say that these should be different from the pass courses. The conception of an honours course also needs revision. I would like here to quote from the Sadler Commission's Report, Vol. IV, Part II, page 261:—

"The distinction between the honours and the pass course should not be that the honours course is necessarily narrower in length than the pass course—it may even be wider, nor should the distinction consist merely in the demand from the honours student of a greater volume of work, though of course the able student will always read more than the average student. It should reside in two things: first, that the subjects of the honours school are more closely articulated in view of a clearly defined purpose or interest; and, second (and much more important), that the mode of treatment is different, the student being expected to show more independence of mind, to do more of his work on his own account, and to need guidance rather than mere instruction".

Now, Sir, the real difficulty is that there is no attempt in our teaching to develop originality. I remember my days at Oxford and I remember the time when I used to go to my Law Professor, who was a very learned man and he used to boast that he had never been to a Law Court—he never actually practised in any Court—and he was certain that he would be floored by any junior if he went and argued a case. But he was a man of amazing learning. He knew Roman Law and other

4 P.M. subjects extremely well. He would give us an essay. I would write that essay, and I would perhaps be very dogmatic, and I would make a very clear and definite assertion; and he would very humbly, in a spirit of real humility, say: "Oh, but perhaps there is another point of view also; you have not read such and such a book. Have you thought of it in that light?" That does not

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happen here. What happens here is this. We get mechanical instruction. You get a big class. Your lecturer goes there and delivers his lecture. Mechanically the students take down notes. Then there are people who can oblige them by writing notes which can be had in the market. The student does not get the training which one gets by continuous written work. In British universities, in Oxford and Cambridge at all events, as we know, the tutor is the real man who guides the students. It is he who suggests what essays to write, and how to write them, and what books to read for those essays; and by the time you have finished three years you have, in your essays, covered probably the whole of your course. You have attended university lectures and so on, but it is these essays which give you a mastery of your subject. That is how teaching is done, and we shall not be able to develop all this until the Government and public realise that for teaching universities adequate grants, adequate funds and adequate staffs are necessary.

Sir, I should like also in this connection to make some observations on the medium of instruction. I am a very strong advocate of Indian languages as the media of instruction. I think much of the inefficiency of Indian education is due to the fact that the Indian student has to work through the medium of a foreign tongue. I am not raising any controversy as regards Urdu or Hindi. As a matter of fact, I should like to see every Muslim learn the Devanagari script, and I should like to see every Hindu learn the Arabic script. And I should like to have a simplification of language. I do not think that a good prose style necessarily means a highly Sanskritized style similarly; I do not think that a good prose style necessarily means a highly Arabicized or Persianized style. If we do not bother about the description or name of the language, I think it is possible for this country to evolve, by simplifying the language, in Northern India at all events, a real, good prose style such as has been developed by the English people in the course of centuries.

I say, Sir, that I am a great believer in the medium of instruction being an Indian language, because I know that the present system crushes individual thinking. A boy pays more attention to form than to matter. He is not encouraged to observe things. I can speak for some time in this House, but if you ask me to describe a flower, or if you ask me to describe the dress of a lady, in English, I do not think I shall be able to do it, even though I have spent all my life doing more work in the English language. Therefore, it is my view that we must set before us a definite goal. We must say that within twenty years, or within ten years, or within fifteen years, we shall have, in all the stages of education, Indian languages as the media of instruction. If we set about that task in a serious manner, we should be able to accomplish that task. There is no difficulty. I do not know Urdu very well. I know Hindi, however, and I read a number of Hindi magazines, Hindi papers, and Hindi books. And I am amazed at the manner in which complicated thoughts in them are expressed by people who cannot express themselves in English. If you were to meet some of these writers, you would probably put them down as uneducated because a great many of them cannot express themselves in English fluently. But they are far more thoughtful, they have far more knowledge of psychology, of human nature, of philosophy and, if you like of the modern world, than many people who have received an English education, who prefer to speak in the English tongue, or who prefer to write for English newspapers. Therefore, I think that no reform will fundamentally succeed unless there is a change in the medium of instruction.

One question that arises in connection with this reorganisation of education in the Delhi Province is the migration of students. I read the speech of the Honourable Mr. Sargent in the other place on this question. I think he explained the position rather lucidly on this matter. This question of migration of students should not present an insuperable difficulty. So far as the matriculates of universities other than Delhi are concerned, there is no difficulty. They can be admitted into the preparatory or the higher secondary examination class. So far as the intermediates of other universities are concerned, they should be admitted, until the other universities have come into line with Delhi, into the second year of the University. So far as the first-year B.As. of Delhi are concerned, there can be a

reciprocal arrangement with other universities for admitting them into the second-year B.A. class. But I think these questions can be discussed in the Inter-University Board. Indeed, I think they should have been discussed in that Board before the Bill was actually brought; that is one of the criticisms that I have to make against the procedure which has been adopted. The Delhi University can also hold tests. If a boy who has spent the first year in the University wants to go to another university, the Delhi University ought to hold a sort of test for him, and if he satisfies that test, that test can be recognised by other universities as equivalent to the intermediate examination. There is, however, the question of Medical, Technological and Engineering Colleges. Some of these institutions, I believe, hold their own tests for admission. Others require that the minimum standard a student must possess for admission is the intermediate. I should like this matter to be taken up with these institutions. In any case it should be possible for the Delhi University to institute a sort of examination at the end of the first year B. A. which would be recognised as satisfying the requirements of these Medical, Engineering and Technological institutions. I do not think, Sir, that this question of migration of students presents insuperable difficulties.

A point that I would like to urge here in connection with courses of study—for it is very difficult for one's voice to reach the Delhi University in any other way—is that there should be a more intelligent grouping of subjects than is the case in many universities at the present moment. I find that there is nothing like the *Literae humaniores* in Oxford in India. We do not read Latin and Greek but we read Sanskrit and we read Arabic and a boy who takes up Sanskrit and Arabic should be required not only to know Sanskrit and Arabic, but he should also be required to know something of Ancient Philosophy, Ancient History and the culture of other peoples also. I am not in favour of a too highly specialised course. The Indian student lacks in general knowledge and therefore in evolving our courses we should take this fact into consideration. I should, for example, like to have something in the Delhi University like Modern Greats at Oxford. I should like a student to be able to take economics, politics and philosophy, so that one of these subjects may be the principal subject and the other two subjects subsidiary subjects.

A virtue I find in the scheme placed before us is that we get rid of too many examinations. At present a boy has to pass the matriculation, then the intermediate, then the B. A., then the previous M.A., and then finally the M.A. There are far too many examinations. Talking of examinations, Sir, I know that in Oxford—I am not quite sure of Cambridge—we have the Classical Moderations and we have got other Moderations also. A boy, if he has got to study for three years, might become very lazy. It might be useful to institute at the end of the first year something like the system that they favour at Oxford of Moderations.

I think, Sir, I shall have to speak for a very long time. I am afraid I have taken a good deal of time. But I cannot possibly finish what I have to say in less than an hour.

**THE HONOURABLE THE CHAIRMAN:** The Honourable Member can go on but I should like to close at 5 P.M.

**THE HONOURABLE MR. P. N. SAPRU:** I come now to the question of the type of University visualized by the Act. It has been said the university envisaged is that of the federal type. I am not an expert in this question of classification of universities. But in my Political Science I have read that a distribution of powers is of the very essence of Federation. Some writers of eminence have doubted whether the Canadian constitution can be called a Federation at all in the real sense of the term. Some of them say it is a *quasi*-Federation. It may be that the University which has been evolved for Delhi is of the *quasi*-federal type and not of the real federal type. I think I am right in saying that Durham is a good example of a federal type of University. It has got autonomous colleges with very little control of the University over those colleges. Here, if you examine the relationship of the college to the University, you find that that relationship between the University and the college is one of subordination in all respects of the College to the University. The University dominates the life of the college, not the college the life of the University. Contrast the structure of the Delhi University with that of Oxford and Cambridge. Oxford and Cambridge are represented to be federal Universities where there is co-operative teaching. But we know as a matter of fact that in Oxford and

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Cambridge, colleges dominate the University. Colleges came first. The University is controlled by the colleges which have ancient foundations. The University no doubt has a distinct entity of its own but the colleges are highly and richly endowed and therefore they have the purse within their own control and therefore it is possible for them to pull their weight in the University. As a matter of fact, most of the instruction is done by University teachers who are also college teachers or who are college fellows. What do we find here? We find that the Executive Council of the University which will consist mainly of college teachers will have very great power over the colleges. Frankly I may say that I have no tenderness for these individual colleges. I would have followed the Allahabad model. It is possible in this country either to work successfully the unitary type of university or the affiliating and examining type of university. I think the federal type of university, which is the product of historical circumstances in England which do not exist in India, is not possible here. Either this co-operative teaching will become a farce or the University will develop into a unitary university one of these days. I do not visualise any life for these colleges and I shall not be, speaking for myself, sorry if these colleges disappear as places of instructions. I should like them to remain as residential halls which may give supplementary instruction of a tutorial character. I know the difficulty here at Delhi. You have got five colleges and you wanted to respect their rights. But we were faced with a similar problem in Allahabad when we established a unitary University. We had at least three well established colleges there namely the Muir Central College, the Ewing Christian College and the Kayasth Patasala College. All these colleges were fighting for the retention of their individuality. My Honourable friend Pandit Kunzru was a member of the Committee which reorganised the Allahabad University and we said, "We will do away with the individuality of these colleges. These colleges will be allowed to exist as residential places which may impart supplementary tutorial instruction. We will recognise teachers of some of these colleges as our teachers. We will appoint them in a part-time capacity. But the real teaching, even the tutorial and seminar teaching, shall mostly be imparted in the University". If you have two governing bodies, if you have got the governing body of a college and if you have the Executive Council of the University and you have got teachers who look to the University for protection because the University is the body which is trying to improve their conditions of life, and service and so on, if you have these two bodies, then a conflict is bound to arise between the college authorities on the one side and the University authorities on the other side. I myself am in favour of going the whole hog, of attacking these vested interests and establishing a unitary university. But I can very well understand the apprehension of these colleges that their autonomy may be lost, that they may become merged in the University one day or the other. Government has put the federal type as a compromise. I wish they had not compromised but if they think they must then fairness requires that more adequate protection should be provided for colleges. It is from that point of view that I am sorry that Government did not accept the suggestion of the Executive Council of the University that it is only by a resolution passed by a majority of not less than two-thirds of the members present that a college may be recognised or disaffiliated. It is after all a very important question for a college. You have given to these colleges an assurance that you do not want to touch their individuality, they will retain their individuality, but they cannot be certain under the constitution as it stands that they will be able to do so. There may be intrigues in the Executive Council. Some colleges may like to see a rival college disaffiliated and through manoeuvring by a narrow majority a college may find itself disaffiliated from the University. This safeguard was an essential safeguard. If you wanted—I do not want it, I am for a unitary university—if you wanted a federal type of university, this was a salutary safeguard. In Political Science we know that a Federation is a rigid constitution. In a Federation, there is always rigidity so far as the method whereby the constitution can be changed is concerned. All that this safeguard would have meant was that your constitution would have become more rigid in regard to the recognition or withdrawal of recognition of colleges than it is at present and I regret the attitude which Government adopted in the other place towards this question. Under the Act of 1904 the affiliating university used to recognise colleges

as a whole. It was only concerned with the question whether a college as a whole was efficient or was not efficient. It did not use to go into the merits of each individual teacher of the college and I think I am right in saying that it had no voice in selecting teachers. Now, under the Act as it stands individual teachers of colleges will have to be recognised or appointed for purposes of co-operative teaching as university teachers. You could say under the Act of 1904 whether a college is good or a college is bad. But here you go further and you go into the merits of the individual teacher employed by the college and you take upon yourself the responsibility of saying whether a particular teacher is suitable or not. Now this will throw an immense financial burden on the colleges. Some of these colleges are run by Trusts or Societies. If you interfere with the college administration to this extent that you say that you will have a definite voice in the appointment of the college teacher, that you will recognise or refuse to recognise individual teachers, then there may be friction between the University and the managing body, with the result that the colleges will have to submit to University dictation as the University can disaffiliate them. Sir, the point is that where there is a competition between the stronger and the weaker—and we have seen it in the political field—the weaker goes to the wall, and here the colleges will go to the wall in the competition between the University and the colleges. Therefore, I think it would have been better to be more courageous and say that you want the unitary type and you should have done away with the colleges altogether. Since you have not taken that line, then give the colleges ample safeguards and protection.

Then, Sir, I notice that it is proposed to have a class of university professors and readers. I am not opposed to the proposal. But I want to point out certain difficulties. Now, Sir, there will be the college professors and college teachers and there will be the university professors and university teachers and the tendency for these university professors will be to regard themselves as superior. They will, in fact be superior because I am sure they will be men of greater eminence than the college teachers. Even if they do not look upon themselves as superior others will look upon them as superior. We had this experiment in the old Allahabad University of university professors and college professors. We had at one time in our University Mr. H. S. Jevons and Professor Rushbrook Williams and I used to be a student of Professor Jevons and I know the jealousy which used to mark the relations of my college professor with Professor Jevons. My college professor was always telling me something different from what Professor Jevons used to say, I am stating the absolute fact, he was always running down Professor Jevons. Of course, Professor Jevons was a very much abler person. I was no fool and I knew that he knew far more than this man who had got into the Indian Educational Service somehow or the other, I do not know how, and therefore students always used to be comparing notes. They used to say, "We will go to Jevons' class, he is superb, or he knows ever so much more". I think this used to be the case with history students also.

Well, you do not get that sort of thing in a unitary university. You have got a university professor. You have got a university professor—all of them are university teachers or readers, lecturers or professors. A teacher becomes a professor generally after having served as lecturer or reader or after having attained distinction in the world of knowledge and other teachers are definitely subordinate to him. You do not get that sort of feeling of rivalry as there is no dispute about his position. Here not only have you created a class of university professors—I do not say that you ought not to have created a class of university professors, I am only pointing out the possibilities of friction—not only have you created here a class of university professors but you have given them in the Executive Council special representation, separate representation, communal representation—if you would like that word—because the five professors will form a constituency to elect two of them.

**THE HONOURABLE SIR JOGENDRA SINGH :** One, I think.

**THE HONOURABLE MR. P. N. SAPRU :** I beg your pardon, one of their own men to the University.

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Well, Sir, the views to which Sir Ramunni Menon gives expression to on educational questions are entitled to respect and I listened to him very carefully when he was telling us all about the Madras University. Sir Ramunni Menon's view seemed to be that professors should not have any representation in the Executive Council.

THE HONOURABLE SIR RAMUNNI MENON: I would like to make a slight correction. I believe I said "university professors"; they are quite distinct from college professors. I hope I made that point clear. If not, I am now making it clear.

THE HONOURABLE MR. P. N. SAPRU: I do not exactly take that view. I go to a certain extent with Sir Ramunni Menon but I cannot go the whole way with him. I think, Sir, that educational administration is different from ordinary administration. I mean the University Executive Council has not got to administer affairs as the Collector of a district has got to administer affairs. Often it is very difficult to differentiate between what is academic and what is not academic. I will give an instance. The question comes before the Executive Council—I have been a member of the University Executive Council for a number of years in Allahabad and in Benares—the question comes before the Executive Council that should there be a readership or lectureship in English created? Well, people not connected with the teaching are apt to go merely by the time table. They say, "Here are teachers who have been teaching only 20 hours a week, if you increase the teaching by four periods you would not need another man". But then there is the head of the department. There is the Dean or there is the professor who comes and tells us, "No, this cannot be done because I want a man who knows old English. My department is a fairly good department. I cannot without a loss of efficiency add to the periods of teaching fixed for individual teachers. It has got talent but we have not got in our department a man who knows anything about Chaucer or Chaucer's period and we want to get a specialist for that purpose and then you get a different approach to the problem and the position you in the Executive Council take is different to what you would have taken if that man had not been there to help you with his expert knowledge. Therefore, I am not opposed to the representation of professors in the Executive Council but I am opposed to what a distinguished educationist in the other House called the "pocket borough." I should reserve a seat for the professor, that is, to say one professor to be elected by an Academic Council. I should have the whole body of academic men decide who the fittest candidate among these professors is and if he goes with the goodwill of the whole body of academic men he will certainly carry greater weight in the counsels of the Executive Council than he will carry now when he will only represent five men.

I will come now, Sir, to some other vital issues. It has been claimed that this Bill represents a great triumph against communalism, that the Government has not yielded to communal clamour and that communal representation has been given the go-by in the sacred temple of learning. Well, Sir, that statement needs a little examination. I think there were ways in which, without further officialising the University—and I venture to say that the Delhi University will be a highly officialised university—I do not say that that was the intention of the Honourable Mr. Sargent, but that is how things have happened, and the Delhi University will be I fear the most officialised university in India—there were ways, I was saying, in which, without officialising the University, the object of a fair representation of the different cultures that we have in this country could be achieved. I may frankly say that I am no believer in communalism or communal electorates for universities. But if I am an idealist, I am also somewhat of a realist; and I find that there is a genuine apprehension that all the cultures may not get an adequate opportunity of expressing themselves through nomination. You have relied upon the power of nomination of the Chancellor to secure representation for those communities and cultures. I find, for example, that the number of seats available for nomination by the Chancellor has been increased from 15 to 25. Of these 25, not less than 18 shall be representatives of minority interests. Have we fought, have we fought successfully, communal representation? Can we with truth say that nominated

representatives will be better than elected representatives in a mixed constituency of registered graduates? I think the alternative of reserving a fixed number of seats in the graduates' constituency for the minority communities should have been explored. I regret to say that advantage has been taken of the communal cry to further officialise the Delhi University.

I have no liking for the system of nomination. After all, if we must have communalists, let us have at least independent communalists, men who will vote independently for the promotion of their communal interests. I do not believe in having men who will be communalists and who will be also subservient to authority. What you have done, therefore, is that you have provided the Delhi University with a constitution which will make it subservient to authority; and, therefore, this subservience to authority is likely to hamper its academic freedom. Therefore, Sir, I do not congratulate my Honourable friend the Education Member on having resisted communalism. I think he has yielded to communalism. If he did not want communalism, then the right thing for him to do was to say: "I drop the Bill; I shall have nothing to do with the Bill; I will not agree to any further nomination". I think, Sir, that by agreeing to vesting nomination in the Chancellor, who is not merely the Chancellor of the University but also a political personage, with political views and affiliations of his own, he has done no service whatever to the cause of university education.

Let me institute a comparison between the Delhi University Act provisions relating to the constitution of the Court and the corresponding Allahabad University Act provisions. I will, by a comparison of the constitution of these two Courts, show that the Delhi University Court is far more officialised than the Allahabad University Court. I have not been able to get the Calendars of the other universities, otherwise I would have shown that the Delhi University Court is probably the most officialised Court that you have in India. And for all this you are taking credit for having resisted communalism. You have not resisted communalism. The Government of India yielded to communalism when it said in the political field: "You cannot have a constitution until all the parties agree". Let the Honourable Sir Jogendra Singh get that declaration of His Majesty's Government, or of the Head of the Government in this country—who is, fortunately for us, leaving the shores of India shortly—let him get a reversal of that declaration and then claim for himself that he has resisted communalism. Communalism has been yielded to in the worst form imaginable. Let me take the constitution of the Court. According to section 18 of the main Act, you will have the Chancellor. I may say, in regard to the question of the Chancellor, that it is my view that, following the precedent of British universities, we should have an elected Chancellor. I know that Government gives a grant to the universities, and therefore should have a say in their affairs. For that purpose I would have a Visitor, just as you have a Visitor in regard to Benares and Aligarh, and I would vest him with many of the powers of the Chancellor. The advantage in having an elected Chancellor is that you will be able to associate a public man of distinction with the University. I think this is a matter which requires reconsideration. Now, the Chancellor will never attend, except perhaps, to deliver a Convocation address. Then, there is the Pro-Chancellor. I suppose the Pro-Chancellor is the Education Member—I think a very good choice, if he were not the Education Member! Then the Vice-Chancellor: I will have to comment at length upon the method of election of the Vice-Chancellor. Then the Rector. I do not know what the function of the Rector is under the Bill. As far as I have been able to understand the Bill, the Rector can be delegated certain powers by the Vice-Chancellor. He is to act for the Vice-Chancellor, if the latter so desires, in regard to such powers as may be delegated to him. The Honourable Sir John Sargent knows—I mean Mr. Sargent; I am always addressing him as Sir John in anticipation of the honour to come in the New Year Honours List—in Scottish universities, as far as I know, the Rector's main function is to deliver a sort of Convocation address and he is elected by the students of the University. The Rector, the Treasurer, the Registrar—in the Allahabad University, the Registrar is not a Member of the Court—the Principals—they will be semi-official—the Professors and Readers of the University and such other *ex-officio* members as may be prescribed by the Statutes will all be members of the

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Court. In addition to these men in Class I, the Court will have the following members :—

- “(i) the Chief Commissioner of Delhi ;
- (ii) the Director General, Indian Medical Service ;
- (iii) the Educational Adviser to the Government of India ;”

I am glad that he is there ; the fact that he is an official is of no interest whatever.

- “(iv) the Director of Public Instruction in the Punjab ;”

I do not understand why the Director of Public Instruction in the Punjab is there. Delhi is not a part of the Punjab. If the Director of Public Instruction in the Punjab is to be a member, then I think that the Director of Public Instruction in the United Provinces should also be a member of the Court. Actually Delhi is nearer the United Provinces than the Punjab. It used to form part of the Punjab at onetime but formerly it used to form part of the United Provinces.

- “(v) the Superintendent of Education, Delhi and Ajmer-Merwara ;
- (vi) the Chairman of the Punjab Chamber of Commerce ;
- (vii) the Chairman of the Muslim Chamber of Commerce, Delhi ;
- (viii) the Chairman of the Delhi Municipality ;
- (ix) the Chairman of the Delhi District Board ;
- (x) the Senior Officer serving in the Public Works Department under the Chief Commissioner of Delhi ;
- (xi) the Senior Medical Officer, Delhi ;
- (xii) the Sadars of the Majlis-e-Awakaf constituted under Act XIII of 1943 ;”

This is communal representation. If it is not communal representation I do not know what it is.

- “(xiii) the Wardens.

(2) The number of graduates to be elected as members of the Court by the registered graduates from among their own body shall be twenty-five.

(3) The number of teachers to be elected as members of the Court by the teachers other than professors and readers shall be ten.”

I suppose this provision is intended to provide representation to lecturers and so on.

“(4) The number of persons to be elected as members of the Court by associations or other bodies approved in this behalf by the Chancellor shall not exceed twelve.”

I do not understand this provision about the approval of the Chancellor. Why could it not be the approval of the Legislature ?

“(5) The number of persons to be elected by the elected Members of the Council of State and the Legislative Assembly from among their own numbers shall be four and eight, respectively ;”

This is a concession.

“(6) The number of persons to be appointed by the Chancellor under clause (xv) of sub-section (1) of section 18 shall be twenty-five, of whom not less than eighteen shall be appointed to secure the representation of minorities not otherwise in his opinion adequately represented”.

I need not read the other provisions. You will find that whereas the number of nominated members contemplated in the original Bill was 15, it is now 25. The number from registered graduates continues to be 25. Besides, you have added a certain number of officials under these heads. You have increased the number of men to be nominated by the Governor General. Therefore, I am right in saying that the Court has been further officialised in the process of discussions in the other place.

If you contrast this with the constitution of the Court in the Allahabad University, you will find that in Allahabad we have a lesser official element. We have got the Chancellor, the Vice-Chancellor, the Ministers (of course the Ministers are not officials), the Chief Justice of the High Court at Allahabad, the Lord Bishop of Lucknow (a very useful member), Members of the Executive Council and of the Academic Council and other *ex-officio* members. Then we have got life members. Then we have got graduates of the University elected by the registered graduates from among their own body. They are 30 in number. Then there are persons nominated by Associations or individuals making to the University donations or annual contributions of an amount to be prescribed by the Statutes to or for the purposes of the University. Now, Sir, if we could have a clause like that, and if the Mussalmans would take advantage of a clause like that by contributing generously to the Delhi University, many of their so-called communal difficulties would be solved. They could get a number of seats under this head. Further, in Allahabad we have persons



nominated by other non-academic bodies prescribed in this behalf by the Statute and some persons elected by the non-official members of the Legislative Assembly of the Governor of the United Provinces and so on. I will not tire the House by reading the entire constitution of the Court. But if the Honourable Member will look at the constitution of the Court of the Allahabad University and compare it with that of the Delhi University, he will find that the constitution of the Court of the Delhi University is much more illiberal than that of the Allahabad University.

THE HONOURABLE THE CHAIRMAN : How long will the Honourable Member take ?

THE HONOURABLE MR. P. N. SAPRU : I may take about 45 minutes more, Sir. I am very sorry. I had intended to compress what I intended to say, but am afraid, it may exceed 45 minutes.

HONOURABLE MEMBERS : " Adjourn, adjourn ".

THE HONOURABLE THE CHAIRMAN : If you could finish in 10 or 15 minutes more, I could allow you to go on.

THE HONOURABLE MR. P. N. SAPRU : I cannot guarantee that I shall be able to finish in 15 minutes.

THE HONOURABLE SIR JOGENDRA SINGH : If the Honourable Member could finish in 20 minutes, we could go on.

THE HONOURABLE THE CHAIRMAN : If he will only condense what he wants to say, he can finish.

THE HONOURABLE MR. P. N. SAPRU : I may be able to finish in half an hour, Sir. I will try to finish as early as possible.

THE HONOURABLE THE CHAIRMAN : What is the sense of the House ?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Better to adjourn till to-morrow, Sir.

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House) : We can meet to-morrow, Sir.

The Council then adjourned till Eleven of the Clock on Saturday, the 28th August, 1943.