

Tuesday, 31st August, 1943

# COUNCIL OF STATE DEBATES

(OFFICIAL REPORT)

VOLUME II, 1943

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

## FOURTEENTH SESSION

OF THE

## FOURTH COUNCIL OF STATE, 1943



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI  
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI  
1944

## CONTENTS

PAGE(S)-		PAGE(S)
<b>Monday, 2nd August, 1943—</b>		
Address by His Excellency the Viceroy to the Members of the Central Legislature . . . . .	1—11	
Members Sworn . . . . .	13	
Questions and Answers . . . . .	13—29	
Statements, etc., laid on the table	29—34	
Message from His Excellency the Governor General . . . . .	34	
Committee on Petitions . . . . .	35	
Governor General's Assent to Bills	35	
Bills passed by the Legislative Assembly laid on the table	35	
Congratulations to recipients of Honours . . . . .	35—40	
Death of Rao Bahadur K. Govindachari and Mr. B. G. Holdsworth	41	
<b>Tuesday, 3rd August, 1943—</b>		
Member Sworn . . . . .	43	
Questions and Answers . . . . .	43—52	
Indian Succession (Amendment) Bill—Introduced . . . . .	52—53	
Resolution <i>re</i> Pay and status of Indian commissioned officers serving abroad—Negatived . . . . .	53—65	
Resolution <i>re</i> Reconstitution of the Hindu Law Committee—Moved . . . . .	65—66	
<b>Wednesday, 4th August, 1943—</b>		
Questions and Answers . . . . .	67—78	
Information promised in reply to questions laid on the table . . . . .	78	
Bill passed by the Legislative Assembly laid on the table . . . . .	78	
otion <i>re</i> pegging legislation in South Africa . . . . .	78—101	
<b>Thursday, 5th August, 1943—</b>		
Questions and Answers . . . . .	103—108	
Resolution <i>re</i> Reconstitution of the Hindu Law Committee—Adopted . . . . .	108—123	
Standing Committee on Emigration . . . . .	123	
Resolution <i>re</i> Appointment of an Agent to the Government of India in British Guiana and Trinidad—Adopted . . . . .	124—134	
<b>Friday, 6th August, 1943—</b>		
Questions and Answers . . . . .	135—138	
Statements, etc., laid on the table . . . . .	138	
Standing Committee on Emigration . . . . .	138	
Indian Boilers (Amendment) Bill—Considered and passed . . . . .	138	
Mines Maternity Benefit (Amendment) Bill—Considered and passed . . . . .	138—139	
Motor Vehicles (Drivers) Amendment Bill—Considered and passed . . . . .	139	
Agricultural Produce (Grading and Marking) Amendment Bill—Considered and passed . . . . .	139	
Indian Army and Indian Air Force (Amendment) Bill—Considered and passed . . . . .	139—143	
Resolution <i>re</i> Meat requirements of Government—withdrawn . . . . .	143—155	
<b>Saturday, 7th August, 1943—</b>		
Motion <i>re</i> War situation (secret session) . . . . .	157	
<b>Sunday, 10th August, 1943—</b>		
Questions and Answers . . . . .	159—167	
Reciprocity (Amendment) Bill—Considered and passed . . . . .	167—177	
<b>Thursday, 12th August, 1943—</b>		
Member Sworn . . . . .	179	
Questions and Answers . . . . .	179—185	
Telegram from Viscount Wavell thanking the Members of the Council of State for their congratulations . . . . .	185	
Motion <i>re</i> Food situation— <i>To be con'd.</i> . . . . .	185—220	
<b>Friday, 13th August, 1943—</b>		
Motion <i>re</i> Food situation— <i>cont'd.</i> . . . . .	221—242	
Statement of Business . . . . .	242	
<b>Saturday, 14th August, 1943—</b>		
Bill passed by the Legislative Assembly laid on the table . . . . .	243	
Statement of Business . . . . .	243	
Notice of Motion for Adjournment <i>re</i> Export of rice from Calcutta to South Africa . . . . .	243—244	
<b>Friday, 20th August, 1943—</b>		
Question and Answer . . . . .	245	
Short Notice Question and Answer . . . . .	245—246	
Information promised in reply to questions laid on the table . . . . .	246	
War Injuries (Compensation Insurance) Bill—Considered and passed . . . . .	247—249	
Statement of Business . . . . .	249	
<b>Wednesday, 25th August, 1943—</b>		
Member Sworn . . . . .	251	
Bill passed by the Legislative Assembly laid on the table . . . . .	251	
Delhi University (Amendment) Bill— <i>To be con'd.</i> . . . . .	251	
<b>Friday, 27th August, 1943—</b>		
Member Sworn . . . . .	253	
Death of the Honourable Sirdar Nihal Singh . . . . .	253	
Notice of Motion for Adjournment <i>re</i> Gold sales . . . . .	253—254	
Delhi University (Amendment) Bill—Motion to consider— <i>To be con'd.</i> . . . . .	254—283	
<b>Saturday, 28th August, 1943—</b>		
Members Sworn . . . . .	285	
Short Notice Question and Answer . . . . .	285	
Delhi University (Amendment) Bill—Motion to consider, adopted— <i>To be con'd.</i> . . . . .	285—313	
<b>Monday, 30th August, 1943—</b>		
Questions and Answers . . . . .	315—317	
Delhi University (Amendment) Bill—Consideration of Clauses— <i>To be con'd.</i> . . . . .	318—362	
<b>Tuesday, 31st August, 1943—</b>		
Member Sworn . . . . .	363	
Questions and Answers . . . . .	363—364	
Notice of Motion for Adjournment <i>re</i> Prevention of the publication of Dr. Shyama Prasad Mukherjee's statement on the food situation in Bengal . . . . .	364—365	
Delhi University (Amendment) Bill—Consideration of Clauses— <i>concd.</i> —Motion to pass—Adopted . . . . .	365—399	
Motion for Adjournment <i>re</i> Prevention of the publication of Dr. Shyama Prasad Mukherjee's statement on the food situation in Bengal . . . . .	399—414	

# COUNCIL OF STATE

Tuesday, 31st 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.

## MEMBER SWORN :

The Honourable Sardar Bahadur Sobha Singh, O.B.E. (Nominated Non-official).

## QUESTIONS AND ANSWERS.

### OPERATION OF AIR SERVICES AFTER THE WAR.

151. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Will Government state whether it will be their policy to secure a proper share in the international air services, particularly air services from India to the neighbouring countries, for the nationals of the country after the war ?

THE HONOURABLE SIR MAHOMED USMAN : The policy of Government is to ensure that operators of Indian aircraft shall enjoy equal terms with others in the operation of air services outside India.

### OPERATION OF AIR SERVICES AFTER THE WAR.

152. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : (a) Will Government state whether they have demanded and obtained reciprocal concessions from other countries in return for the right given to their nationals to operate air services across India ? If so, will they state what reciprocal concessions they have obtained and to whom the right to operate air services across India has been conceded ?

(b) Will Government state whether in conceding the right to non-Indian companies to fly across India, it is contemplated to make a condition that such companies cannot carry traffic from one place to another in India, but can only carry such traffic as is booked by them from outside India ?

(c) Is it a fact that the Government of India stated in reply to a communication received from the Federation of Indian Chambers of Commerce and Industry that " they have also maintained the right of India to participate on the basis of a financial contribution in the operation of any air services designed to deal with Indian traffic " ? If so, will they state what they exactly mean by the words " operation of any air services designed to deal with Indian traffic " ? Do Government contemplate that non-Indians should operate air services carrying traffic from one place to another in India ? What is the basis on which the financial contribution referred to above will be fixed and what will be the principles underlying it ? Is this basis of a financial contribution only to be taken into consideration in regard to the participation of India in the Empire and International air services or also to be applied to the internal services ? What are the rights which will be secured in return for such a contribution ?

THE HONOURABLE SIR MAHOMED USMAN : (a) The answer to the first part of the question is in the affirmative. The reciprocal right obtained was for the operation of an air service across the territory of the other State by an Indian company either in association with other British air services or independently. The right to operate air services across India has been given to companies nominated by His Majesty's Government in the United Kingdom and by the Governments of Holland, France, China and Germany (the latter has lapsed now).

(b) It is the general policy of Government in granting permission for the operation by a non-Indian company of an air service across India to withhold permission to take up in India traffic destined for another place in India.

(c) The reply to the first part of the question is in the affirmative.

With regard to the second part, the statement quoted was made in reply to a question regarding international and particularly British Commonwealth air services.

With regard to the third part, the Honourable Member is referred to my reply to part (b) of his question.

With regard to the remaining parts of the question, I would invite the attention of the Honourable Member to—

- (a) the proceedings of the Standing Finance Committee of the 13th September, 1933,
- (b) the statements made by Government in the debate on a Demand for Supplementary Grant in the Legislative Assembly on the 20th September, 1933, and
- (c) the proceedings of the Standing Finance Committee of the 27th February, 1937.

As regards internal air services in India, it is the general policy of the Government of India that subject to the provisions of Part V, Chapter III of the Government of India Act, 1935, the operation of such services should be by Indian companies.

#### SUPPLY DEPARTMENT.

153. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: (a) Will Government state whether it is a fact that in the Supply Department, particularly in the Clothing Directorate, Europeans and Anglo-Indians have been re-employed after they had attained the age of 60, while Indians including those pensioners who were re-employed for the duration of the war have been informed that their services will be terminated after they have attained the age of 60? If so, what is the reason for this discrimination between Europeans and Anglo-Indians and Indians? Will Government state the names, ranks, qualifications and duties of the persons re-employed after they were 60 years old and those whose services were or are to be terminated owing to their attaining that age?

(b) Is it a fact that Indians were fit for duty and doing good work and the authority immediately concerned was in favour of their retention?

(c) Is it a fact that there have been a number of frauds on the production side of the Clothing Directorate? If so, who were the persons working in that section?

#### SUPPLY DEPARTMENT.

154. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Is it a fact that in the Supply Department a number of posts of Assistant Director (Accounts) were advertised in the Press in February, 1943, and that applications were invited for them? If so, how many applications were received for them, how many candidates were interviewed by the Selection Committee and how many were selected and appointed? If none was appointed what was the reason for it?

#### SUPPLY DEPARTMENT.

155. THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: (a) Will Government state how many candidates have been selected by the various Selection Committees in the Supply Department since June, 1942? How many of them have not been appointed so far?

(b) Have any rejected candidates been appointed in preference to those selected by the Selection Committees? If so, why?

THE HONOURABLE MR. E. CONRAN-SMITH: With your permission, Sir, I will reply together to questions 153, 154 and 155 which are all the concern of the Supply Department.

The information asked for by the Honourable Member is being collected and will be laid on the table of the House in due course.

#### NOTICE OF MOTION FOR ADJOURNMENT.

THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss): Honourable Members, I have received from the Honourable Mr. Kunzru a notice of a Motion for Adjournment of the House to discuss a matter of urgent public importance, namely:—

“I beg to give notice that I shall move that the House do adjourn to discuss a matter of urgent public importance, namely, the prevention by the Government of India of the publication of Dr. Shyama Prasad Mukherjee's statement regarding the food situation in some districts of Bengal.”

I think this is a matter of urgent public importance and if the Government have no objection it may be discussed. What has the Government to say ?

THE HONOURABLE MR. E. CONRAN-SMITH (Home Secretary): Sir, a summary of the statement in question was published on August the 25th and there have been several meetings of this House since that date. The Government find difficulty, therefore, Sir, in seeing how the matter can be so urgent now as to justify an adjournment of the House. On the other hand, Government have no wish to give the impression that they desire to evade or burke the issue involved. They do not propose, therefore, to raise an objection to the Motion.

THE HONOURABLE THE CHAIRMAN: Seeing that the Government have no objection to the discussion of this Motion, I direct that adjournment to consider a matter of urgent public importance may be taken up at 4 P.M. this afternoon.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): With regard to what has fallen from the Home Secretary I should like to say that this information came recently into my possession and that the matter is a very recent one.

THE HONOURABLE THE CHAIRMAN: We need not go further into this matter now.

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

THE HONOURABLE SIR MAHOMED USMAN (Leader of the House): Sir, as some of the Honourable Members intend leaving Delhi this evening I hope the legislative business of the House will be finished before 4 P.M.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern: Non-Muhammadan): We cannot say—

THE HONOURABLE SIR MAHOMED USMAN: Is there any chance of our finishing it by lunch or even a little after lunch ?

THE HONOURABLE MR. P. N. SAPRU: We may have to go on till 4 or 4-30 and then there will be the Third Reading.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern: Non-Muhammadan): I take it that this means that we shall have to finish the discussion on the Bill before the Adjournment Motion is taken up at 4 P.M.

THE HONOURABLE THE CHAIRMAN (The Honourable Sir David Devadoss): Would the Second and Third Readings completely finish before 4 P.M. ? I understand there is anxiety to close the proceedings today.

THE HONOURABLE MR. P. N. SAPRU: There is anxiety on our part also to close the proceedings today.

THE HONOURABLE THE CHAIRMAN: Then we shall see how we get along. We shall take up the amendments now. Amendment No. 41.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Muhammadan Sir, I rise to move :—

“ That in clause 16 of the Bill, in clause (1) of Statute 5 in the proposed Schedule—

(i) to sub-clause (ii) the following words be added, namely :—

‘ including the Principal of Jamia Millia, Okhla, Delhi ’; and

(ii) after sub-clause (iv) the following be inserted, and the subsequent sub-clause be re-numbered accordingly, namely :—

‘ (v) the Secretary, All-India Anjuman-i-Taraqqi-e-Urdu, Delhi ’.”

Sir, this is a very simple amendment. We wish to bring in two very capable persons in the Academic Council of the Delhi University. Therefore I move this amendment.

THE HONOURABLE MR. J. D. TYSON (Education, Health and Lands Secretary): Sir, this seeks, as my Honourable friend said, to add two persons *ex-officio* to the Academic Council. What I said yesterday on the general point covers this amendment also. There is the further difficulty that I do not think we can really add to the *ex-officio* members of the Academic Council of the University the principal of a college which is not affiliated to the University. I do not know how we can have among the principals of the colleges of the University a principal of a college which is not a college of the University. I am afraid I must oppose the amendment.

THE HONOURABLE MR. HOSSAIN IMAM: Would the Honourable Member be prepared to recommend the inclusion in the University of a college which imparts education in the local language ?

THE HONOURABLE MR. J. D. TYSON : I am afraid I do not quite follow.

THE HONOURABLE MR. HOSSAIN IMAM : The difficulty is that the Jamia-Millia imparts education up to the highest degree in the language of the country, and therefore it cannot technically become a member of the University. Otherwise I think there might be a possibility of making them join, if the Government is prepared to make this concession.

THE HONOURABLE MR. J. D. TYSON : I am not unsympathetic to the idea, but I think that is essentially a matter for the University—I mean the matter of the medium of instruction.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Sir, this principle has not been accepted in the case of any other university. The institutions under a university are not the only institutions in a province. There may be some excellent institutions in a province which are outside the control or jurisdiction of the provincial university. These institutions cannot, because of their excellence, ask for representation on the academic council of the university which is meant to provide representation for the teachers of the university.

Question put and amendment negatived.

THE HONOURABLE MR. P. N. SAPRU : Sir, in view of your ruling that negative amendments cannot be moved, I take it that my amendment No. 42 is out of order, and I will move my amendment No. 43.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : But, Sir, in the Statutes, you did allow the omission of certain items. You certainly allowed an amendment to delete certain items from the Statutes. For instance, my Honourable friend Mr. Kalikar proposed the deletion of an item relating to the constitution of the Court, and that was allowed. My Honourable friend Mr. Sapru does not propose, in his amendment No. 42, to omit a complete Statute, but only a certain item in it. So far as I know, no objection has been taken to such a procedure.

THE HONOURABLE THE CHAIRMAN : I will allow that amendment to be moved, because it refers only to a small portion of the Statute.

THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official) : There is no objection to the admission of the amendment, because the Motion before the House is that clause 16 do stand part of the Bill, and the amendment is not a negative of that Motion.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Besides, amendment No. 43 would become meaningless unless amendment No. 42 was allowed to be moved.

THE HONOURABLE THE CHAIRMAN : I allow amendment No. 42 to be moved.

THE HONOURABLE MR. P. N. SAPRU : Sir, I move :—

“ That in clause 16 of the Bill, sub-clause (v) of clause (1) of Statute 5 in the proposed Schedule be omitted ”.

Sir, sub-clause (v) reads :—

“ Persons, if any, not exceeding three in number and not being teachers, appointed by the Chancellor on account of their possessing expert knowledge in such subjects of study as may be selected by the *ex-officio* members of the Academic Council ”.

I want to move this Motion because, as my next amendment will show, I want six persons to be selected by the Court instead of by the Chancellor, and I further want that three of them should be men connected with Islamic culture and the remaining three should be men connected with Hindu learning and culture. I may point out that in some other universities the non-teachers who go to the Academic Council are elected by the Court. For example, in the University of Allahabad, there are five representatives of the Court on the Academic Council ; all of them are elected by the Court, and they must be non-teachers. There is no nominated element at all on the Academic Council. There is no necessity for a nominated element on that body. The Academic Council is not concerned with administrative questions ; it is concerned with academic questions. The non-teaching element should be represented by elected representatives on the Court. In order that both Islamic culture and Hindu culture might have proper representation, I have provided that three of the persons elected should be experts in Islamic culture and civilisation and three of the other persons should be experts in Hindu culture and civilisation. I have nothing further to say on this amendment.

**THE HONOURABLE MR. JOHN SARGENT (Nominated Official) :** Sir, I think this is really a harmless and in some ways a rather useful Statute. It is an old Statute ; it appeared in the Schedule to the original Act, and it appears, as you will see, in the Lucknow and Dacca University Acts, on which the original Delhi Statutes were framed. It is perhaps a little invidious that I should defend this particular section, as I myself happen to be one of the nominees under this particular clause. But I would point out that it is useful in enabling the Chancellor to supplement the membership of the Academic Council in accordance perhaps with new developments that may take place in regard to a teaching university. For instance, my colleague the Director General of the Indian Medical Service is one of the nominees under this clause, and I imagine his views will be of the greatest use to the University when as they will very shortly be, they will be considering the institution of a medical faculty. Otherwise, apart from this, unless the Court happened to select a doctor, we should have had no expert advice in connection with this new development. I think that for the purpose of providing expert advice in connection with subjects not already provided in the University and therefore not represented on the Academic Council this is a useful provision. I am afraid we cannot accept this amendment.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Sir, I should like to ask how Government justify the omission of representatives of Hindu learning and culture. It is clear, Sir, that this City is an important one from the point of view both of Hindus and Mussalmans. It is necessary, therefore, that in any University that is established here, representatives of both Hindu and Muslim learning and culture should find a place. I do not object to the inclusion of representatives of Muslim learning and culture but I object to the exclusion of similar Hindu representatives. After all, in ancient Hindu times, Delhi occupied a very important place. It was one of the most glorious cities of the Hindus. Here, several Hindu empires rose and fell. It has been known in Indian history as the city of the Empire of the Pandavas and Kurus. What justification then can there be for the exclusion of representatives of Hindu culture and learning from the Delhi University ? I think that something more than what the Honourable Mr. Sargent has said is needed to justify their exclusion. I hope that Government will yet reconsider their position. If they do not want to reduce the number of Muslim representatives, that number may be maintained. But an equal number of representatives of Hindu learning and culture should be included in the Academic Council. I realise that the Academic Council will become a very large body, but the Academic Council is not in any University a small body and the inclusion of five more people will not make it unwieldy. My Honourable friend Mr. Sapru pointed out that the Allahabad University Act allows the Court to elect five representatives to the Academic Council. Here only two persons are to be elected by the Court. I think, therefore, that our request for the inclusion of representatives of Hindu learning and culture perfectly legitimate and that the Government cannot justifiably oppose it.

**THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I had no wish to intervene in the debate on this amendment, but I have to do so for certain reasons. I am first of all grateful to find that both the Honourable Dr. Kunzru and the Honourable Mr. Sapru have conceded equality of interests to the Muslim and Hindu nations. I welcome this change in the mentality of my Honourable friends. Secondly, Sir, I should like to point out that the fact that Hindu representatives of learning and culture were not included in the Academic Council separately is due to the fact that out of some 33 members of the Academic Council, there are only four Muslims and two other non-Hindus—Christians, i.e. 29 are Hindus.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** The question is whether there are representatives of Hindu learning and culture or not.

**THE HONOURABLE MR. HOSSAIN IMAM :** We have got a Mahamahopadhyaya also other very learned gentlemen. Sanskrit scholars are in abundance on this Academic Council. I do not think there has been any intention to deprive my friends of their legitimate place. One cannot shut one's eyes to the present condition. The sister nation is more than adequately represented and therefore it was felt that only those who are less represented should be provided for. Here, Sir, I should like to draw the attention of both the Honourable Members to the fact that when my amendment No. 41 was opposed, it was stated that it is not usual to have teachers of other places than the affiliated colleges on the Academic Council.

[Mr. Hossain Imam.]

But here we have got the power of the Vice-Chancellor to nominate people both under section 5 and under section 6 in which non-teachers of the University will be taken and are being taken for a long time. Therefore, I hope that although the Government were unable to accept my amendment, they will keep in view *the desirability of including the two gentlemen whom I named in my amendment No. 41 in the list of people to be provided by the Chancellor either under section 5 or under section 6.*

THE HONOURABLE MR. J. D. TYSON : Sir, I should like to make it clear that my Honourable friend the Educational Adviser was devoting his remarks to what we understood was the Motion before the House, namely, that amendment No. 42 be adopted. I apprehend that amendment No. 43, with due respect, has not been put to the House—

THE HONOURABLE MR. P. N. SAPRU : With your permission, Sir, I move both 42 and 43.

THE HONOURABLE THE CHAIRMAN : I did not call upon you to move No. 43. Do you want to have No. 43 also taken up ?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : It has been discussed. Both No. 42 and No. 43 have been discussed together.

THE HONOURABLE THE CHAIRMAN : Very well, let No. 43 also be discussed.

THE HONOURABLE MR. J. D. TYSON : My Honourable friend Dr. Kunzru has also referred to No. 45. I do not know whether we are discussing that as well.

THE HONOURABLE MR. P. N. SAPRU : I have not discussed No. 45 yet.

THE HONOURABLE MR. J. D. TYSON : If I may supplement what has fallen from my Honourable friend the Educational Adviser, I would say with respect to No. 43 that this was an addition in another place. It was originally put up in a form that we could not accept but it was subsequently altered so as not to bear a communal form or to exclude the possibility of other people than Mussalmans coming in, and we accepted it there on that basis. We accepted it because we are informed and we thought, looking at the membership, that it was a fact that those interested in Islamic culture were not very well represented in the Academic Council as it then stood. But we were not setting out to enrich the Academic Council from every point of view. That was not our purpose. We had the minorities in view, one minority in particular in this instance. We wished to see the culture which it represented having a bigger voice in the Academic Council and so we accepted the amendment which is not communally phrased. It was, as a matter of fact, represented to us—and I think it is right to say—that Hindu culture is fully represented already in the Academic Council. There is, for example, Mahamahopadhyaya Pandit Lakshmi Dhar. He is, I understand, a Shastri and a Sanskrit authority. I do not myself have any objection to the principle underlying amendment No. 43, but it is certainly open to the University to make a change in the Academic Council on the lines of amendment No. 43. But, Sir, we do not wish to go back on the amendment that we accepted in another place and I would ask that these two amendments, Nos. 42 and 43, be not pressed. We will pass on, if so desired, the relevant passage from the debate in this Honourable House to the University and let them consider it.

Questions put and amendments Nos. 42 and 43 were negatived.  
(Amendment No. 44 was not moved.)

THE HONOURABLE THE CHAIRMAN : Amendment No. 45.

THE HONOURABLE MR. P. N. SAPRU : Sir, I move :—

“ That in clause 16 of the Bill, in sub-clause (vii) of clause (1) of Statute 5 in the proposed Schedule—

- (i) For the word ‘ two ’ the word ‘ five ’ be substituted ; and
- (ii) After the word ‘ Court ’ the word ‘ at least two of whom shall be persons not engaged in teaching ’ be inserted ”.

Sir, my main reason for moving this amendment is that the representation of the Court on the Academic Council appears to be very small. A body of about 150 persons or so will have only two representatives on the Academic Council. There should be greater association of the Court with the Academic Council. In the Court there are certain to be some men of academic distinction who can be of utility to the Academic Council. The Honourable Mr. Tyson in answering the position that

I had taken up in a previous amendment said that Hindu culture was already represented on the Academic Council. It may be that an overwhelming majority of the members of the Academic Council are Hindus, but a Hindu teacher of mathematics is not a representative of Hindu culture. A Hindu teacher of physics or a Hindu teacher of botany or zoology is not a representative of Hindu culture and civilisation. What I had in mind in moving the previous amendment was that oriental studies should be properly represented in the Academic Council. If the number is increased from two to five it may become possible for this object of mine to be materialised. The Court may well say that we must have representatives of oriental learning not engaged in teaching on the Academic Council. It may become possible for experts in Indian languages like Hindi and Urdu also to be represented on the Academic Council. It will provide the Academic Council with an opportunity of having the expert knowledge which is available in the Court serving on the Academic Council.

With these words, Sir, I move.

**THE HONOURABLE MR. JOHN SARGENT:** Sir, it was not hitherto thought necessary to provide separate representation for the Court on the Academic Council, because a large number of the members of the Academic Council are also members of the Court and I think their experience will reasonably cover all existing subjects of learning. In the other place the view was expressed that the Court might usefully have some representation on the Academic Council possibly to represent non-teaching views in that Council, though of course the Council is primarily the teaching body of the University. Accordingly we accepted an amendment which introduced these two members on the Court. At the same time it was not certainly pressed there that there was any necessity for the representation to be large and in view of the fact that the Academic Council is a large body the addition was limited to two members. I do not say that five would render the body unwieldy but I think there are already something like 27 or 28 members on both bodies. I think the number two is quite sufficient to represent interests which are non-academic in their character. I do not think this amendment is necessary and I cannot accept it.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN:** Amendment No. 46.

**THE HONOURABLE MR. HOSSAIN IMAM:** Mr. Chairman, I move:—

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

‘ At least half of whom shall be Muslims ’ ”.

Sir, this particular clause refers to the provision in the Bill that “ the Academic Council as constituted under sub-clause (1) shall co-opt as members, teachers of the University not exceeding one-tenth of its numbers as so constituted ”. I particularly bring in the representation of Muslims to draw attention to the paucity of recognised teachers in the University. Among the teachers of the University the number is very unsatisfactory. There are seven appointed readers out of which none is a Muslim. The recognised teachers number 19 out of whom there are only four Muslims. There are three lecturers out of whom one is a Muslim, so that we have got only five in a total number of 24. This shows how small is our representation. The Academic Council is responsible for the forming of the Faculties and in the Faculties also our representation is very small. Even in Arts our representation is four out of 25. I am talking of Delhi University. In the Faculty of Science there is not much difference—three out of 24. In the Faculty of Law—and my Honourable friend will bear me out that there is no dearth of Muslims—there are two out of 14. In the Committee of Courses and Studies in the Faculty of Arts, there is no Muslim in seven Committees of Courses, English, Mathematics, Philosophy, Sanskrit and Hindi, Commerce and Geography, Punjabi and Bengali. We have representation only in Arabic, Persian and Urdu, six out of seven. We have just a small representation of two out of five in History and one out of six in Economics. All these things show how little consideration the Academic Council has given to Muslim questions. It will be a surprising thing for any one not connected with the Delhi University to learn that whereas a province with such a predominant Hindu population as Bihar, where there are 88 or 89 per cent. Hindus and 11 or 12 per cent. Muslims has got M.A. in Urdu and Honours in Urdu, this University, under the aegis of the Government of India and in the centre the cradle of Urdu—far as I can

[Mr. Hossain Imam.]

make out from the Calendar of 1939—up till that time had neither M.A. in Urdu nor Honours in Urdu and for that matter neither in Hindi.' This University is proposed to be a pattern and a model for all neglects the language of the country so much and yet gets all the help and funds from the Government. All these things happen, Sir, because of the meagre representation of Muslims in the Academic Council. Co-option is one last method by which we can get in people. They will elect a man of eminence and learning. Therefore, there is no harm in making provision that half of these should be reserved for Muslims. Therefore, I move this amendment.

**THE HONOURABLE MR. J. D. TYSON :** Sir, I am a little surprised that this should be pressed so hard in this Honourable House in view of the fact that we had already in another place accepted an amendment adding five persons capable of advising the Academic Council on subjects connected with Islamic learning and culture: so that as there are already five persons—according to my reckoning there are already six Muslims out of 45 but if my Honourable friend says five I do not dispute the figure—

**THE HONOURABLE MR. HOSSAIN IMAM :** I was speaking from an old Calendar.

**THE HONOURABLE MR. J. D. TYSON :** Well, I do not dispute my Honourable friend's figure but we have doubled it at one sweep for that is the effect of sub-clause (vi) which was adopted in another place and which still stands. Apart from that, Sir, the present amendment, I am afraid, is one of those which, as I have already said in general, I would be unable to accept, and I must oppose it.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 47.

**THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I rise to move :—

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

This, Sir, is an amendment in the powers of the Academic Council. I had on a previous occasion also moved an amendment asking for inclusion of Muslims among the examiners. It was, Sir, amendment No. 39 when we are discussing the powers of the Executive Council. Here, Sir, we are discussing the powers of the Academic Council. I have brought in this amendment simply to keep the consistency. The reasons have already been advanced and I do not like to repeat them.

**THE HONOURABLE MR. JOHN SARGENT :** I am afraid I must oppose this. I referred to the same proposition late last evening and while I say that we are sympathetic that Muslims should have their fair share of examiners, I am satisfied that if you admit such a proposal particularly in the matter of examinations it might give rise to misconceptions which would be undoubtedly not in the interest of the University.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 48.

**THE HONOURABLE MR. HOSSAIN IMAM ;** Sir, I rise to move :—

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

My complaint, Sir, is that at the moment we have got very meagre representation in the Library Committee of the University. This has been brought about, Sir, by two things acting in consonance. One was the meagre representation of the Muslims in the authorities of the University and, secondly, I will admit, Sir, that we also did not make any howl against this disregard of our interests. The Committee consists, Sir, of 15 members out of whom there is a solitary Muslim. I think we will have to admit that there is something rotten in the University constitution which allows such things to happen, for in a Committee so inoffensive as the Library Committee out of 15 members there is only one Muslim. Well, all this thing, Sir, is due to the fact that Muslims were not in the habit of agitating. I take the blame on my own shoulders that we never enquired into these things, although we came here and stayed for long stretches of time in Delhi and as a representative of the people I regard it as my duty to see that the Government institutions or institutions prospering under the aegis of the Government of India our share and representation is

adequately had. I, therefore, Sir, move this amendment with the hope that the Government will do something in the matter.

**THE HONOURABLE MR. J. D. TYSON :** Sir, I am afraid I must oppose the amendment. It is quite true that the members of the Library Committee seem at the moment to include only one Muslim, apparently there is only one Muslim amongst the heads of departments who are the members of the Library Committee and if that is so, Sir, I do not know how practical effect could be given to the proposed amendment. Honourable Members who have the Calendar before them will see that there is a chairman, who is the honorary librarian, the head of the Department of English, and then the membership is apparently confined to heads of departments 12 in number and two persons elected by the Academic Council. I would mention, Sir, that the office of the Librarian itself was held for 14 years by three successive gentlemen who were Muslims. From 1923 to 1937 the Librarian was a Muslim. Three successive Muslim gentlemen held it. Sir, as I see it there are practical difficulties in giving effect to the amendment which also comes, I am afraid, within the mischief of the general principle that I am trying to adhere to in this Bill, and I must oppose the amendment.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 49.

**THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I rise to move :—

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

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

Sir, this refers to the provision for the inspection of Colleges and Halls in respect of the instruction and discipline therein, and to submission of reports thereon to the Executive Council. The reason why this amendment is moved, Sir, is not to have any sort of special pleading or to put a blind eye on inefficiency, but only to guard that efficiency will not be made a garb of harming the Muslim interests. What we provide is that it would create greater satisfaction if we had a provision that people sympathetic to the college should inspect it and try to remedy the defects. After all the defect in a college does not end then and there. It affects the results of the examination and no college can remain inefficient and at the same time have good university results. The desire of all educational institutions is to have better and better results in the examinations. Therefore, Sir, it is not quite proper for the Government to be apprehensive that if this amendment is carried the colleges will deteriorate because it is not only in the Government's interests, it is in the interests of the college itself, of the boys and of the management committee to have the college inspections and management properly improved. Therefore, Sir, I commend this amendment for acceptance.

**THE HONOURABLE MR. JOHN SARGENT :** Sir, apart from the general considerations which my Honourable friend Mr. Tyson has urged, I think there are particular reasons why this amendment is not desirable. In the first place, whatever and however good the intentions may be, it seems to me that if there was a special inspection committee for a Muslim college, we should have to have a special inspection committee for a Christian college, and we should also have to have a special inspection committee for a Hindu college, and so on. As I said, however well-intentioned those committees might be, such an inspection can only in the end, I think, lead to a competition in generosity.

There is also another reason. If the inspection is to have any particular value, I think it is quite certain that the same body ought to inspect all the colleges ; otherwise it would not be possible to have any standard of comparison :

If it will in any way relieve the apprehensions of the Mover of this amendment, I might mention that it is the practice in the University, I believe, which goes back some time, to have a representative body for this inspection. The last body on which I served consisted of Hindu and Muslim gentlemen, and it has been usual to invite the occupier of my own post to be a member of this committee. I know this has been the practice of the University ; and if so, I think it is a fair one.

**THE HONOURABLE MR. HOSSAIN IMAM :** If that is the practice, I will not press the amendment.

The amendment was, by leave of the Council, withdrawn.

THE HONOURABLE THE CHAIRMAN : Amendment No. 50.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

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

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

This refers to the Faculties. Sub-clause (ii) refers to “ such teachers of subjects assigned to the Faculty as may be appointed to the Faculty by the Academic Council ”. I have therefore restricted my demand to one-third in the hope that Muslims will be adequately represented. Now there is to be reorganisation of the University, and new and better staff has to be recruited, because some of the present staff will have to be seconded to the higher schools : at least I hope that they will do something of that kind ; otherwise school teaching will not be up to the mark. I therefore move this amendment proposing that provision should be made that Muslims should be adequately represented. I use the word “ one-third ”. But if Government is prepared to accept “ adequate ”, I will amend my amendment accordingly and make it acceptable to Government.

THE HONOURABLE THE CHAIRMAN : You cannot amend it at this stage.

THE HONOURABLE MR. HOSSAIN IMAM : I know that, Sir.

THE HONOURABLE MR. JOHN SARGENT : Again I am sorry to be intransigent in these matters, Sir, but apart from the general objection which has been urged there is a particular difficulty in regard to these questions of Faculties—the difficulty which has already been referred to—and that is the practical difficulty of the present shortage of Muslim teachers competent and qualified in the University to operate on these bodies. If, as we hope, the number of qualified teachers belonging to the Muslim and other communities in all Faculties and all departments of the University increases, then I am sure they will receive adequate representation, and it is my earnest intention that they should. But at the moment I am afraid a recommendation in terms of this amendment would just be inoperative.

Question put and amendment negatived.

THE HONOURABLE THE CHAIRMAN : Amendment No. 51.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

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

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

This does not refer to any particular branch of teachers who have any important bearing on these subjects, and therefore the choice is wider and will not be restricted to the special committees.

THE HONOURABLE MR. JOHN SARGENT : My objection to this particular amendment is the same which I voiced to the last one.

Question put and amendment negatived.

THE HONOURABLE THE CHAIRMAN : Amendment No. 52.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

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

Sub-clause (iv) refers to “ such other persons as may be appointed to the Faculty by the Academic Council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty ”. That, Sir, offers a very wide choice, and the dearth of University teachers does not stand in the way of Government accepting this amendment.

THE HONOURABLE MR. JOHN SARGENT : I still think, Sir, that members of the Faculty must be connected with the University, otherwise it would be very awkward, and it would be very difficult for the Faculty to carry on its functions. I must therefore oppose the amendment.

Question put and amendment negatived.

THE HONOURABLE THE CHAIRMAN : Amendment No. 53.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

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

‘ At least one-third of whose members shall be Muslims ’.”

This refers to the powers of the Faculties to constitute Committees of Courses and Studies. It has already been pointed out that this Committee of Courses and Studies is a department in which we find that the meagre representation of Muslims has cost us dear. I therefore hope that my amendment will commend itself to the Government. The Committee is of such great importance that the whole educational system depends really on the work of this body, and to have no representation in such an important body is very troublesome for us, with the result that many of our boys are forced to go away from Delhi to other universities.

**THE HONOURABLE MR. JOHN SARGENT :** Sir, I am afraid here again the same difficulty arises. The members of this Committee of Courses and Studies must be members of the Faculties and belong to the University, and until we are fortunate enough to obtain sufficient quantities of Muslim teachers to make such a recommendation as this practicable, it would be simply inoperative and make the appointment of the Committee of Courses impossible.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 54.

**THE HONOURABLE MR. HOSSAIN IMAM :** Sir, after Statute 8, we come to Statute 13. In between, I have left out the Board of Co-ordination, the Dean, the Warden, and the attachment to colleges and Halls. In all these places I have been modest enough not to demand a share. I hope my modesty will not stand in the way of Government—

**THE HONOURABLE THE CHAIRMAN :** The Honourable Member had better confine himself to his amendment.

**THE HONOURABLE MR. HOSSAIN IMAM :** I refer to this non-communal amendment of mine. I oppose Statute 13. Statute 13 refers to withdrawal of degrees and diplomas :—

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

I admit that adequate safeguards have been provided, but I cannot understand how an eventuality of this nature will crop up, that a man will incur such displeasure of the University authorities as to be liable to have the whole white elephant—as Sir Ramunni Menon says—moving against him, and to have the whole executive, with a two-thirds majority, pass a decree against him for withdrawal of his degree. In this connection, I will invite the attention of the Educational Adviser to the Government of India to a fact which occurred in my province. For reasons into which I will not go, the Vice-Chancellor refused to sign the diploma of a student. I am not discussing the merits of the case ; I am stating the mere fact that the Vice-Chancellor refused to sign the diploma, and the man has not got his diploma. Is there any provision in this University by which the Vice-Chancellor can do the same thing, namely, refuse to sign a diploma, or is he bound by any Statute or Ordinance or

Regulation to sign a diploma when it is awarded as the result of an examination ? I do not wish in any way to question the action of the Vice-Chancellor of my own University who is a great personal friend of mine, and I am not making this statement as a reflection on the case. I bring it forward just as an instance to find out if students are protected in the Delhi University. I oppose Statute No. 13.

**THE HONOURABLE MR. P. N. SAPRU :** Sir, I am sorry that I am unable to agree with my friend the Honourable Mr. Hossain Imam. A University degree carries with it certain moral obligations. A University man is supposed to carry with him in the world outside the characteristics of a good man. If he is guilty of any offence involving moral turpitude—I am not thinking of political offences, but if he is guilty of any offence involving moral turpitude—or if he has done anything in life which is disgraceful or morally reprehensible, then he has lowered the status and dignity of the University and the Court should have the power of withdrawing the degree that it conferred upon him. The Honourable Mr. Hossain Imam knows that when a Convocation is held, the last words that the Chancellor addresses for the recipient of a degree are : “ And you shall be worthy of the same ”. The degree is given on that condition and therefore the Court must have the power of withdrawing that

[Mr. P. N. Saprū.]

degree if the man has misbehaved. In the Allahabad University we had a case of a Provincial Service officer, a man from the Central Provinces, who was convicted of bribery and I think embezzlement of Government funds. The Court was moved to withdraw his degree and it did actually withdraw the degree and I supported the withdrawal. We have provided ample safeguards here. It is not the Executive Council or the Chancellor or the Vice-Chancellor who will have the power of withdrawing degrees. It is the University Court which will have the power of withdrawing the degree and that too if it can secure a two-thirds majority. I am strongly for the retention of this clause.

**THE HONOURABLE MR. J. D. TYSON :** Sir, my task has been lightened by the intervention of my Honourable friend Mr. Saprū. We feel that there must be a provision of this kind in the Statutes—

**THE HONOURABLE MR. HOSSAIN IMAM :** Has any University ever used this power ?

**THE HONOURABLE MR. J. D. TYSON :** I was coming to that, Sir. We feel that there must be a provision of this kind, for ultimate use, in the Statutes. I believe it is quite common in the Statutes of Indian universities. We recognise that it is somewhat drastic to take away, for something done after a person has perhaps severed his active connection with the University, a degree won by meritorious work at the University. But, Sir, I entirely agree, if I may say so, with what the last speaker said that the graduate of any university owes it to his *alma mater* to lead a proper life and bring credit to the University and that if he does some really disgraceful thing which brings opprobrium on himself and on his university, the university is entitled to take his degree away from him. I want in this connection to cite one or two analogies which go, in my opinion, much further than this. It is within the knowledge of every one in this Honourable House that barristers who are guilty of disgraceful professional conduct are disbarred: that is worse, because it takes away their means of livelihood.

**THE HONOURABLE THE CHAIRMAN :** The Inns of Court may score out their names.

**THE HONOURABLE MR. P. N. SAPRŪ :** The Advocates can be debarred by the High Court.

**THE HONOURABLE MR. J. D. TYSON :** There are also doctors who are deprived of their recognition by the Medical Council and they are no longer able lawfully to practise. I do not know, Sir, whether this power has really been used, but I am glad that my Honourable friend asked me that question. This was one of the original powers. It is in the first Statutes of the University and we have never heard of a case in which it has been misused or abused. I would only like to quote one other analogy. It is only an analogy. It is not unheard of that officers and soldiers who have won decorations in the field for gallantry, even including the Victoria Cross, if they are guilty afterwards of very disgraceful conduct, have taken away from them the decoration which was bestowed for gallantry in the field. It is taken away for disgraceful conduct in after life. I think, Sir, we must keep in a Statute which the has allowed to remain for 20 years and regarding which we have no suggestion that it University has been abused.

Question put and amendment negatived.

(Amendment No. 55 was not moved.)

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 56.

\***THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY :** Sir, I beg to move :—

“ That in clause 16 of the Bill, to Statute 15 in the proposed Schedule, the words ‘ and all graduates of three years standing or upwards of any other university in India incorporated by any law for the time being in force who reside or carry on business in the Province of Delhi ’ be added at the end.”

Sir, this provision appeared in sub-clause (a) of original Statute No. 15, although its operation was only for a temporary period. People have to come to Delhi from

other provinces to earn their living and they have to send their children to the University of Delhi. I therefore submit that the clause as it stood in the original Statute should be retained and people from all provinces who come here and who are graduates of other universities should be allowed to have their names registered in the Register of Graduates of the Delhi University.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : Sir, this amendment shows that my Honourable friend Mr. Kumarsankar Ray Chaudhury has not fully borne in mind the considerations on which representation is allowed to graduates on the Court of a University. The principle followed is that the old *alumni* of a university should be associated with it and should therefore have some say in its administration. On this principle it is desirable, indeed necessary that the graduates of a university should be provided with some means of giving expression to their opinions in a responsible and formal manner on the various bodies of the university. It has, however, to be borne in mind when a new university is started that some years will have to elapse before it can have a sufficient number of graduates. It is consequently allowed during the first few years of its existence to register graduates belonging to other universities but on whom formally a degree of the new university had been conferred. Take, for instance, the Lucknow University. When it was constituted it was allowed in view of the consideration that I have just referred to confer *ad eundem* degrees on graduates of certain universities living within its jurisdiction. But the Lucknow University I do not think is any longer in a position to do that. The Delhi University when established was in the same position as the Lucknow University at the time of its establishment. Consequently it was provided that graduates of other universities should be able to get themselves registered in the registered graduates' constituency, during a period of five years, the Delhi University conferring *ad eundem* degrees on them to enable them to register themselves as graduates of the University. The Delhi University was given this power for five years. That period having elapsed and the University having been in existence for 20 years it is not necessary that that provision should be retained and in my opinion it is quite proper that advantage should be taken of the amendment of the Delhi University Act to drop that provision.

It is said, however, that the position of Delhi is a special one. People belonging to all parts of India reside here. But this instead of being an argument in favour of the proposition that has been put forward tells heavily against it. If there is a large number of graduates belonging to other universities here, then it is obvious that if these graduates care to get themselves registered they will swamp the graduates of the Delhi University. My Honourable friend Mr. Kumarsankar Ray Chaudhury says that they must reside in Delhi. I thought his whole case was that a large number of graduates who had not graduated from the Delhi University resided in Delhi and that in consideration of the fact that Delhi was an Imperial city, these graduates should be allowed to enrol themselves in the graduates' constituency. If this is so, as my Honourable friend admits, my argument stands. If there is a large number of graduates of other universities here, it is quite possible that if they get themselves enrolled their number may be much greater than the number of registered graduates of the Delhi University or very nearly equal to it. I do not think that in principle an amendment should be accepted of which this will be the effect. The constituency to which my Honourable friend referred is the constituency of the graduates of the Delhi University. As a matter of grace graduates of other universities may temporarily be allowed to vote in that constituency if the University confers *ad eundem* degrees on them. But to erect this into a principle and say that as there is a large body of graduates belonging to other universities residing in Delhi the principle which we are discussing should be made permanent would be I think contrary to the view that has been taken and rightly taken in the case of other universities. I quite realise that it is rather hard on the graduates of other universities who are interested in the affairs of this University that they should have no means of placing their views before it. But this is not peculiar to graduates of other universities living in Delhi. The graduates of universities other than the Allahabad University who are living in Allahabad are in the same position. Calcutta is a much bigger city than Delhi. Does the Calcutta University in spite of the fact that it has got a large number of graduates of its own allow graduates not possessing its own degrees to

[Pandit Hirday Nath Kunzru.]

register themselves to an unlimited extent in the graduates' constituency? Take again Bombay. Bombay too is a cosmopolitan city. But the Bombay University does not because of that now permit graduates of other universities to become voters in the registered graduates' constituency. I think, Sir, that in view of what I have said it is clear that the amendment moved by my Honourable friend Mr. Kumarsankar Ray Chaudhury is contrary to the principle underlying the formation of a registered graduates' constituency in a university and should not therefore be accepted.

**THE HONOURABLE MR. HOSSAIN IMAM :** I rise to support the amendment moved by my Honourable friend Mr. Kumarsankar Ray Chaudhury. Delhi has two or three things peculiar to itself which are not shared by other universities. In the first place many of the universities are examining bodies. Therefore the question of similarity does not arise.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Take the Lucknow, Allahabad and Dacca Universities.

**THE HONOURABLE MR. HOSSAIN IMAM :** These are the three somewhat comparable universities. But I feel that no university has such a small number of graduates coming out every year as the Delhi University has. Dacca has a far larger proportion. The peculiar thing about Delhi is that it is an Imperial city.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** If my Honourable friend does not mind my interrupting him, may I point out to him that the number of graduates registered in the registered graduates' constituency of the Allahabad University is not at present much larger than the number of graduates enrolled in the graduates' constituency in the Delhi University.

**THE HONOURABLE MR. HOSSAIN IMAM :** I am sorry to hear this. I had thought that Allahabad took greater interest in its University matters. It is sad to learn that all that glitters is not gold, that in spite of the fact that Allahabad had such an old University and is such a big city its number of graduates is so small. It shows a deplorable lack of interest in university matters and proves that university matters can become the privilege and prerogative of only a few interested people. Therefore, Sir, the example which has been set by Allahabad is not one which can very readily be acceptable. I for one, Sir,—in view of the fact that the Government is spending so much money on Delhi University—feel that the amendment of my Honourable friend Mr. Kumarsankar Ray Chaudhury is one which should receive sympathetic consideration from the Government. If it cannot be accepted as a permanent measure at least for a few years this power should have remained. I mean the Statute of the Delhi University which fixed a period of five years from 1922 should have laid down five years from this Act. That might have made, Sir, the position a little better. I am anxious to get as many educated people interested in the University as I can because I believe in democracy and widening the franchise and not in making it a pocket borough.

**THE HONOURABLE MR. J. D. TYSON :** Sir, if my sympathies had not been already engaged in favour of the view which he has enunciated I should have been won over to oppose this amendment by the weighty arguments so forcibly adduced by my Honourable friend Pandit Kunzru. Sir, I think that a provision of this kind is probably necessary as a transitory provision, to provide a new university with a body of registered graduates; but I confess I regard it as valuable from that point of view only, and I think that there is everything to be said for allowing the University after the transitory period has been passed to build up its own corpus of registered graduates who have been brought up in its own traditions. At all events, Sir, I do not wish to prolong the debate on this debatable amendment for I feel it would be quite wrong in a matter of this kind for the Legislature to force this amendment upon the University. It is primarily a matter for the University itself to decide.

Sir, I oppose the amendment.

**THE HONOURABLE THE CHAIRMAN :** Amendment moved :—

“That in clause 16 of the Bill, the Statute 15 in the proposed Schedule, the words ‘and all graduates of three years standing or upwards of any other university in India incorporated by any law for the time being in force who reside or carry on business in the Province of Delhi’ be added at the end”.

Question put : the Council divided :

AYES—3.

Hossain Imam, Hon. Mr. Padshah Sahib Bahadur, Hon. Saiyed Mohamed.

Ray Chaudhury, Hon. Mr. Kumarsankar.

NOES—21.

Bozman, Hon. Mr. G. S.  
Charanjit Singh, Hon. Raja.  
Conran-Smith, Hon. Mr. E.  
Ghosal, Hon. Sir Josna.  
Hydari, Hon. Mr. M. S. A.  
Jogendra Singh, Hon. Sir.  
Jones, Hon. Mr. C. E.  
Khurshid Ali Khan, Hon. Nawabzada.  
Kunzru, Hon. Pandit Hirday Nath.  
Lal, Hon. Mr. Shavax A.  
Mahomed Usman, Hon. Sir.

Menon, Hon. Sir Ramunni.  
Mitra, Hon. Mr. D. N.  
Mukherjee, Hon. Sir Satya Charan.  
Pillai, Hon. Mr. N. R.  
Ray, Hon. Mr. S. N.  
Roy, Hon. Sir Satyendra Nath.  
Sapru, Hon. Mr. P. N.  
Sargent, Hon. Mr. John.  
Sobha Singh, Hon. Sardar Bahadur.  
Tyson, Hon. Mr. J. D.

The motion was negatived.

THE HONOURABLE THE CHAIRMAN : Amendment No. 57.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

“ That in clause 16 of the Bill, in item (i) of Statute 16 in the proposed Schedule, after the word ‘ Proctors ’ the words ‘ at least one of whom shall be a Muslim ’ be inserted . ”

Sir, I do not think at this late stage it would be proper for me to make a long speech. This is self-evident truth.

THE HONOURABLE MR. J. D. TYSON : Sir, hitherto there has been one Proctor in the University to assist the Vice-Chancellor in the maintenance of discipline. In the Bill which is before this Honourable House, we have raised the number to two, but I should like to say that the practice in the past has been that the colleges in turn have been invited to nominate the Proctor. It does so happen that the Anglo-Arabic College, through which alone perhaps we might expect to get a Muslim Proctor, has not so far availed itself of the invitation. I think that is perhaps due in part to the fact that at the time when its turn came the principalship of the college was vacant, and, by a convention which strikes me as somewhat curious, the practice in the past has been for a college to nominate its principal as the Proctor. I hope that when they fill the post of principal of that college permanently, they will have the invitation extended to them again and that they will accept it. The fact that there are going to be two Proctors should not in any way interfere with having them from the different colleges in rotation. I think, therefore, that apart from its being against the line that I have had to take right through, it is unnecessary on the merits to adopt this amendment. I oppose it.

Question put and amendment negatived.

THE HONOURABLE THE CHAIRMAN : Amendment No. 58.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

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

‘ 17. (a) There shall be a Muslim Advisory Board consisting of seven members to advise the University on matters affecting the interests of Muslim education.

(b) The seven members of the Board shall be elected by the Muslim members of the Court and they shall hold office for three years. The Board shall elect its own Chairman.

(c) The Board shall have right to address any authority or any officer of the University on matters affecting the educational interests of Muslims ’ . ”

Sir, this harmless amendment, in which no power was proposed to be taken away from any authority of the University and no power was proposed to be given to this nominally grand body, was rejected by the Government of India—I do not know for what reasons. The fact that it is a part of the Dacca University Act, should have

[Mr. Hossain Imam.]

beer sufficient for this Government, which believes in precedents and which has a special reverence for its past actions. Even that fact failed to induce them to accept this body. Further, I was told by my Honourable friend Mr. Sapru that in the Allahabad University too there is a Muslim Advisory Board. (*Interruption.*) You referred to it in your speech. We do not give it any power either to interfere with the Executive Council or in any other way to influence the Academic Council because it has no executive power to do anything for my benefit. The only power which was proposed to be given to it was to address the University. What is the sense in Government preventing the University even hearing what that body has to say? Are they going to close down all newspapers, and are they going to prevent all public speeches? What do they propose to do? What special mischief could this body have done? In all fairness, knowing that the condition of the University is not good as far as Muslim representation is concerned, knowing that Muslims have many grievances about the University, the least possible concession which the Government could have made was to have accepted this amendment.

I cannot understand the attitude of Government, which can over-ride University opinion on the most important questions but which in such small matters cannot do anything without consulting the University. There must be some special reason for rejecting this amendment. I am anxious to find out from the Honourable Member what that special reason is, because he has accepted, as he himself has stated, many of the amendments of a *quasi*-communal nature, whereas this particular amendment was almost of a non-communal nature. What I have proposed is an advisory body of Muslims. I have no objection to a corresponding Hindu body. There may be one for Christians also. This body possesses no power, as I said. It has simply the right of writing letters to the University authorities—a right which every individual citizen of Delhi has also got. The only fact which made us suggest this body was that the opinion of such a body would carry some weight with the University, and it was expected that an opinion coming from a representative body like this would be sometimes heeded by the University. Is the Government so much afraid that the small minority of Muslims in the Court would all at once become so powerful that the whole majority which consists of the sister nation would be wiped out, and that the opinion of the minority would have a sway over the affairs of the University and would queer the pitch of university education? What is the idea of rejecting this amendment? Is it petulance which led them to take up this attitude? Or is it prestige which has stood in the way of Government? I am waiting to hear what falls from the Honourable the Educational Adviser or the Education Secretary as to the special circumstances under which it was rejected, and I will modify my opinion if I am satisfied. But as far as I am able to understand from the discussion in the other House, no valid reason has been advanced by the Government for refusing this amendment. Therefore, I commend it to the acceptance of the House.

THE HONOURABLE MR. JOHN SARGENT : Sir, I hope my Honourable friend will not suspect me of lack of respect for precedents if I try to deal with this amendment strictly on its merits. He proposes to set up an advisory body—presumably, from the method of its selection, consisting of Muslim members—to advise the University in regard to matters affecting the interests of Muslim education. My Honourable friend has admitted that the setting up of such a body would probably mean the setting up of other bodies to advise the University on aspects concerning other particular interests.

Now, Sir, Muslim education, I imagine, will probably cover two main features. One is the subjects of special interest to the Muslim community, and, secondly, the interests of Muslim students and teachers. With regard to the first, I think we have already provided a much more effective way for the Muslim community to make their wishes known in regard to those subjects of learning to which their community attaches particular importance, by adding no less than five members to the body of the University which actually deals with these matters. Surely that is a much more effective method of voicing their views than to have an advisory committee which, while it may address all officers and committees of the university, is not necessarily

assured of a sympathetic hearing if it does so. What we have provided seems to me to be a more direct and more effective method.

With regard to the question of dealing with matters affecting the welfare of Muslim teachers and students, I would remind this House that there is a Muslim college in the University and that its principal, who is presumably directly interested in all matters of that kind, is *ex-officio* a member of all the committees of the University, and that even if the other Muslim members of those committees are not fully *au fait* with matters affecting the welfare of students and teachers, we may reasonably expect that the principal of the Muslim college will be so.

Therefore, again, with regard to what I would call the other aspect of Muslim education a direct voice has already been provided in the councils of the University. Reference has been made to the Muslim Advisory Board which exists in connection with the Allahabad University. But I venture to think that the circumstances there are a little different. The University is a unitary university. It does not contain, as far as I remember, a specific Muslim college, although there may be a Muslim hostel. But in any case that is not a guarantee of an *ex-officio* seat on the main executive body of the University. Therefore, Allahabad does not possess the means of making the wishes of the Muslim community in respect of either of the subjects of instruction or of the welfare of their teachers and students known to the executive of the University. Therefore, in my opinion there is a much stronger case for the setting up of an Advisory Board to look after the interests not otherwise represented in the Allahabad University than there is in the case of the Delhi University where provision is made in both respects. For this reason, I regret that we cannot accept this amendment.

Question put and amendment negatived.

(Amendment No. 59 was not moved.)

THE HONOURABLE THE CHAIRMAN : Amendment No. 60.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

“ That in clause 16 of the Bill, to clause (2) of Statute 17 in the proposed Schedule the following Proviso be added :—

‘ Provided that at least two members of the Committee of Selection shall be Muslims.’ ”

Sir, this refers to Statute 17 which has laid down the constitution of the Committee of Selection. The first three persons are common to all. Nos. 4 and 5 are changeable in different appointments. I have asked that there should be two members of this Committee out of six. It is only one-third representation that we want, and one-third can never be more than two-thirds. The two-thirds will always have the overriding power—much too effective not merely to silence but also to swamp the one-third. I think it will not hamper the Government if they accept this amendment. As I want to finish this Bill, I am making very short speeches.

Sir, I move.

THE HONOURABLE MR. J. D. TYSON : Sir, apart from the general difficulty about accepting an amendment worded in this way, I am afraid it would not be practicable to apply it to a Committee of Selection formed in the way provided in the Bill. There are really three possible committees of selection. There is the committee when a professor has to be appointed or recognised ; the committee when a reader has to be appointed or recognised ; and the committee when a teacher other than a professor or reader has to be appointed or recognised. To all those three kinds of committees certain persons are common. The Vice-Chancellor—I cannot guarantee that he will be a Muslim ; the Educational Adviser—the same applies to him.

THE HONOURABLE MR. HOSSAIN IMAM : It could be guaranteed that he will never be a Mussalman.

THE HONOURABLE MR. J. D. TYSON : I would not wish to guarantee that. Then there is the person elected by the Academic Council. It will be in their hands and I am not sure whether he will be a Mussalman or not. I leave for the moment the person nominated by the Chancellor. Then there is the expert to be chosen by

[Mr. J. D. Tyson.]

the Executive Council and I cannot say to what community he may belong. He will be chosen as an expert in his subject. Then there is the Dean of the Faculty or the Head of the Department concerned. Now, Sir, it is quite clear that we cannot effectively lay down that any one of those five must be a Mussalman. The remaining one is the person nominated by the Chancellor. That provision is there for a variety of purposes. The idea was that he should see what the Committee looked like after the Executive Council and Academic Council had made their nominations and then the Chancellor would fill up the gap. But I could not guarantee even there that the Chancellor would fill up the gap on a communal basis, for the Chancellor might want to fill up the gap on the basis of trying to find some particular kind of expert in which he thought the Committee was lacking for the particular purpose for which it was being assembled. I would draw the attention of the House to the fact that we have in another place accepted an amendment which will have the effect so far as recognition of teachers goes, of adding this body as an Adviser the Principal of the College concerned, and therefore, to that extent, we have ensured that where recognition of a teacher who is associated with the Anglo-Arabic College is under consideration, the Principal of the College will be present as an Adviser. I think it is quite clear from what I have said that with a personnel such as has been, after very careful consideration and with a great degree of assent from the University, fixed for these committees of appointment and recognition, we could not possibly or to any useful purpose accept the present amendment which seeks to provide that two members of the Committee shall be Mussalmans.

Sir, I oppose the amendment.

Question put and amendment negatived.

THE HONOURABLE THE CHAIRMAN: Amendment No. 61.

\*THE HONOURABLE MR. HOSSAIN IMAM: Sir, I move:—

"That in clause 16 of the Bill, in clause (3) of Statute 18 in the proposed Schedule all the words beginning with the words 'a person in the service of' and ending with the words 'in the service of the College' be omitted".

Sir, clause (3) of Statute 18 runs as follows:—

"The period of recognition of a teacher of the University as Professor, Reader or Lecturer shall be determined by the Ordinances made in that behalf. A person in the service of a college recognised as a teacher of the University otherwise than as a Professor, Reader or Lecturer shall continue to be recognised so long as he is in the service of the college".

Sir, I want to delete the latter portion of this sub-clause because it seems to me somewhat redundant. When he is once recognised, he remains a recognised teacher of the University. You have already provided for it. What is the idea of saying that he shall be recognised only until he is in the service of the college? If he is, say, in the Anglo-Arabic College and goes to the Hindu College, why should his recognition be taken away from him? That is the implication of this amendment as far as I can understand. I should like the Honourable Member to explain the position.

THE HONOURABLE MR. JOHN SARGENT: Sir, I will do my best to make the position clear. A similar explanation was asked for in another place and I did give the explanation and my powers of exposition were apparently clear enough to satisfy the Mover of that amendment and to make him withdraw it. This refers in the first place to a person other than a professor, reader or lecturer. Honourable Members may not perhaps quite rightly understand the position because they are not familiar with the University. There are two other categories of University teachers. They are the assistant lecturers and demonstrators. But really the important point of this clause is that it provides a safeguard both to colleges and to their teachers. We have laid it down in the revised conditions of grant, in order to ensure that college teachers in future will be of a standard eligible for recognition as teachers of the University—a matter in which the colleges have hitherto had reasonable ground for complaint—that a college teacher must be recognised as a teacher of the University. That, of course, is a great safeguard for the colleges and for their teachers. Hitherto it was the practice of the Universities to grant

\* Not corrected by the Honourable Member.

recognition as a teacher of the University for comparatively limited periods. We felt, therefore, that it would be very unfair for a teacher of a college, knowing that he is recognised for the purpose of the grant, and that the grant depends upon his continued recognition as a teacher of the University, that the University recognition might be withdrawn and then the college might turn round and say, "We are very sorry to part with you but our teachers must be recognised teachers and your recognition has been withdrawn; therefore, you are not eligible for grant and we cannot continue to employ you". Therefore as a safeguard for the college teachers we have put it down here that having once been recognised as teachers of the University their recognition shall continue so long as they remain in the service of the college. The next clause, which I must not speak to here—it is subject to further amendment—provides for a safeguard to the University to enable them in their turn to get rid of a recognised teacher if he proves to be unsatisfactory. The two really stand together and I think it is a desirable safeguard in the interests of the teachers of the colleges. I am afraid, therefore, we cannot accept the amendment.

\*THE HONOURABLE MR. HOSSAIN IMAM : I do not press this amendment. The amendment was, by leave of the Council, withdrawn.

THE HONOURABLE THE CHAIRMAN : Amendment No. 62.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move:—

"That in clause 16 of the Bill, clause (4) of Statute 18 in the proposed Schedule be omitted".

This refers to the following provisions:—

"The Executive Council may, on a reference from the Vice-Chancellor, withdraw recognition from a teacher: Provided that the teacher or the College concerned may, within a period of thirty days from the date of the order of withdrawal, appeal against the order to the Chancellor whose decision shall be final".

I expect some explanation here. The Honourable the Educational Adviser has some cogent reasons. I should like to have elucidation first. Then I shall press or withdraw the amendment.

THE HONOURABLE MR. JOHN SARGENT : Sir, the last clause we discussed was to guarantee a reasonable security to teachers of the colleges recognised as teachers of the University. At the same time we realised that cases might occur where a college teacher having been recognised as a teacher of the University may prove inefficient or otherwise unsuited to occupy that position. You must therefore provide some machinery for getting rid of such a teacher and this clause provides it. I think it also provides an adequate safeguard in the sense that a teacher of a college may appeal to the Chancellor against any decision of the Executive Council on the recommendation of the Vice-Chancellor. It is quite clear that there must be some provision somewhere where a teacher becomes obviously inefficient to withdraw his recognition as a teacher of the University. These two things are complementary; one is a safeguard to the teacher and the other is a safeguard to the University.

THE HONOURABLE MR. HOSSAIN IMAM : May I ask, Sir, is it possible for the Government to provide somewhere, in the Ordinances or Regulations, that this power will not be used until a recommendation is made either by the Academic Council or the college concerned.

THE HONOURABLE THE CHAIRMAN : That does not arise out of this.

THE HONOURABLE MR. HOSSAIN IMAM : I am asking whether they can use their influence to see that the position of the teacher is safeguarded. It should not be the position that if a teacher has displeased somebody on the Executive Council that drastic action is taken against the teacher. This should be done on the recommendation of the Academic Council and I should have asked that the Statute should be changed. The Executive Council is more or less an executive body, not an academic body.

THE HONOURABLE MR. P. N. SAPRU : While sympathising with the point of view of the Honourable Mr. Sargent that there should be some machinery whereby it may be possible for a college or the University to get rid of an inefficient teacher, I think the safeguards provided are not sufficient. On a reference from the Vice-Chancellor, the Executive Council and not even an absolute or two-third majority

[Mr. P. N. Sapro.]

of it can withdraw recognition from a teacher. There is no consultation with the Academic Council provided in this case. Therefore, I do not think that the safeguards provided are adequate or sufficient. I must say, however, that I am not opposed to the principle of the withdrawal of recognition from a teacher when he proves to be inefficient. One of the things that we should secure is the continuous efficiency of our teachers. After they get into the University the tendency of teachers is just to do their day's work and to forget all about research. They do not often endeavour to improve their knowledge continuously. From this point of view the principle of this amendment is sound, but it should have been coupled with further safeguards than it has been. I support the amendment.

**THE HONOURABLE MR. J. D. TYSON:** The amendment before us does not purport to associate the Academic Council with the Executive Council in carrying out what I think is agreed to be a necessary function. The amendment before us is that the whole clause (4) should be omitted. The practice, I am assured, is that the Executive Council consults the Academic Council. The Executive Council is the appointing body and the recognising body and it should of course therefore take away recognition. We cannot on the amendment before us do anything other than delete this clause from the Bill, which I should be most reluctant to do. I consider this is a necessary function. But we are perfectly prepared to suggest to the University that they should give statutory recognition to what is I understand the existing practice by inserting some such words as "The Executive Council may in consultation with the Academic Council on a reference from the Vice-Chancellor withdraw recognition."

**THE HONOURABLE MR. HOSSAIN IMAM:** I may mention that in the Bill before us no power has been given to the Executive Council to withdraw recognition. It can recognise but there is no power in the Executive Council to refuse or withdraw recognition.

**THE HONOURABLE MR. J. D. TYSON:** I think where the power is given to accord recognition it is understood that there is the power to withdraw recognition also.

\***THE HONOURABLE MR. HOSSAIN IMAM:** Are converses always true?

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN:** Amendment No. 63.

**THE HONOURABLE MR. HOSSAIN IMAM:** Sir, I move:—

"That in clause 16 of the Bill, clause (2) of Statute 19 in the proposed Schedule be omitted".

The portion that I want omitted says:—

"Nothing in this Statute shall be deemed to restrict any powers conferred on the Executive Council to withdraw recognition from any College in accordance with these Statutes".

If the converse was true, what was the reason for providing for it here? If they have the power to recognise then why specifically provide for withdrawal of recognition, as you have just now said in reference to my previous amendment. This is unnecessary. The recognised colleges, or constituent colleges as they are known in other universities, should have some security of tenure. They should not be always subjected to this threat of withdrawal of recognition, especially as withdrawal has been made so easy by providing only for a bare majority. There is no reference to the Court necessary. All these things stand in the way of giving support to this provision.

**THE HONOURABLE MR. J. D. TYSON:** It is possible that this sub-clause (2) is not strictly necessary but we were advised that it would be an act of wisdom and caution to have it in the Statute. The Statute, you see at the

1 P.M.  
top, says that the following colleges be recognised as colleges of the University. Hitherto removal of recognition from colleges would have had to be done through the Statutes. Now, Sir, we have taken the power in the Act itself for the Executive Council to withdraw recognition and we were advised that it was wise, if not necessary, to make a reference to that here in what remains now of the original Statute 19. Sir, in view of the advice that we have received I must oppose an amendment designed to cut it out.

\*THE HONOURABLE MR. HOSSAIN IMAM : Was it not necessary to have a provision for the withdrawal of recognition of teachers as well ?

Question put and amendment negatived.

THE HONOURABLE MR. HOSSAIN IMAM : I cannot move amendment No. 64 as the clause referred to is no longer there.

THE HONOURABLE THE CHAIRMAN : Amendment No. 65.

THE HONOURABLE MR. HOSSAIN IMAM : Sir, I rise to move :—

“ That in clause 16 of the Bill, in Statute 23 in the proposed Schedule for the words ‘ two years ’ the words ‘ four years ’ be substituted ”.

This refers to the term of office of the Vice-Chancellor. Although we wanted three years for the paid Vice-Chancellor but finding that that failed we think, Sir, that there should be an equality in the position of both the paid and the honorary Vice-Chancellor. One should not be placed at a disadvantageous and nugatory position of having half the period only. As a matter of fact I find from the University Calendar that Vice-Chancellors have served for a period of four years. They have always had two terms. From 1922 to 1926 Sir Hari Singh Gour was the Vice-Chancellor, from 1926 to 1930 Sir Moti Sagar, from 1930 to 1934 Dr. Sir Abdur Rahman was Vice-Chancellor and I think Rai Bahadur Ram Kishore had his full term of four years. So if you have always had it on the basis of two terms of two years why not have one term of four years so that the Vice-Chancellor may be able to make some good ?

THE HONOURABLE MR. J. D. TYSON : I do not think that my Honourable friend can claim any particular virtue for a period of four years, for my recollection is that he moved an amendment proposing that the tenure of the Vice-Chancellor should be for three years but if he wants to have the two periods uniform, Sir, then the virtue of the figure of four years loses its effect. It is quite true that the term for an unpaid Vice-Chancellor, a part-time Vice-Chancellor, has been two years and that in practice the gentlemen who have held this office have all had a second term, except the present one who is enjoying a third term, but, Sir, I venture to submit that there is no case for demanding parity of term of office between a part-time Vice-Chancellor and a whole-time Vice-Chancellor. In the case of the whole-time Vice-Chancellor we have felt that it was necessary to ensure a sufficiency of tenure if we are to attract the kind of person that we would hope to see in that post. Now, Sir, it is for exactly the same reason that we feel that the period of an unpaid and a part-time Vice-Chancellor should not be made too long and that it is sufficient to offer a gentleman who is going to pursue his ordinary career a two-year term and that we might prejudice our chance of getting the best man available if he knew that he was accepting a term of four years. After all, this is going to be work additional to his ordinary profession. It would be possible, of course, to accept the post for four years and resign before the term is up but, Sir, I think that some people would feel that that was not quite playing the game ; that if they felt that they could not do the four-year term they should not take it on at all. We feel, Sir, that the two-year term is appropriate where we are asking a gentleman to carry the University in addition to his ordinary avocation but that a four-year term is necessary where we expect to attract a gentleman from a busy life elsewhere to do this as his sole-pursuit. Therefore, Sir, we deliberately kept the two-year term for the part-time Vice-Chancellor and for the reasons that I have given we should like to keep that term and I must oppose the amendment.

Question put and amendment negatived.

THE HONOURABLE THE CHAIRMAN : Amendment No. 66.

\*THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Sir, I rise to move :—

“ That in clause 16 of the Bill, the proviso in clause (3) of Statute 25 in the proposed Schedule be omitted ”.

This scholarship relates to University Colleges. In sub-clause (2) eight scholarships are provided for on the result of the intermediate examination, Faculty of Arts and three on the result of the intermediate examination, Faculty of Science

[Mr. Kumarsankar Ray Chaudhury.]

without any proviso or limitation as regards the pass marks obtained. But with regard to women there is a proviso added that she must secure at least 50 per cent. of the aggregate marks to be obtained. I submit, Sir, that we should encourage rather than discourage women and no proviso, no limitation, should be set upon her getting the scholarship. I therefore propose that the provision that she should at least obtain 50 per cent. of the marks, be omitted.

THE HONOURABLE MR. J. D. TYSON : Sir, I had a little difficulty in hearing the Honourable Member but I think it is the proviso that he does not like. It may perhaps meet the case if I say that the intermediate examination will go altogether very shortly and the whole of this sub-clause will at that stage become ineffective, but we should like to keep it as it is until the intermediate examination ceases to be held. So I must oppose the amendment.

\*THE HONOURABLE MR. HOSSAIN IMAM : On a point of information, Sir, is the University to hold an intermediate examination next year ?

THE HONOURABLE MR. JOHN SARGENT : I think Sir, this has been the last one.

THE HONOURABLE MR. HOSSAIN IMAM : Then what is the meaning of this provision ?

THE HONOURABLE MR. J. D. TYSON : This is not a new provision. Sir. It has been there for some years and we simply let it remain there but it will lose its effect when the intermediate examination ceases. We are not quite sure whether there will be one next year or not—probably not—but if there were one this serves a useful purpose. If there is not one then this will become entirely infructuous and the University can in due course cut it out.

THE HONOURABLE MR. HOSSAIN IMAM : Really I just wanted to know not only about this sub-clause but also about sub-clause (2) where you have provided for scholarships in the Faculty of Arts and the Faculty of Science why when at the time you were drafting this Bill you had no intention of retaining the intermediate examination was this Statute not amended ? It should be as a result of the Higher Secondary Board examination that you want this amendment. I think there has been some mistake on the part of the Draftsman. I want some information from the Honourable Member.

THE HONOURABLE THE CHAIRMAN : You cannot have it on this clause. Question put and amendment negatived.

THE HONOURABLE MR. HOSSAIN IMAM : Before we proceed further, Sir, I should like to make an observation. The Board of Secondary Education has ceased to exist, and therefore the reference to the high school examination of the Board of Secondary Education in clause (4) (b) of Statute 25 is ineffective and infructuous. There is no Board of Secondary Education and there is no high school examination in Delhi.

THE HONOURABLE MR. J. D. TYSON : We have not got this amendment.

THE HONOURABLE MR. HOSSAIN IMAM : I am not moving my amendment. I am just making a preliminary objection to Statute 25. I am opposing it.

THE HONOURABLE THE CHAIRMAN : We agreed yesterday that the clauses should be put together. I am not putting each clause separately.

THE HONOURABLE MR. HOSSAIN IMAM : The Government member can reply to my question. There is no Board of Secondary Education, and there is no high school examination. How can we provide for a thing which does not exist ? I want an explanation from Government.

THE HONOURABLE MR. JOHN SARGENT : I think I can answer this. The explanation is quite simple. When this Bill was drafted, we did not know what authority the Legislature would give us in regard to this matter. As soon as this Bill is passed, we shall know how we stand, and can revise the arrangement regarding the award of scholarships in the light of the new Act. Government could not very well abolish something until you had given them something to put in its place.

\*THE HONOURABLE MR. HOSSAIN IMAM: I think it was the duty of the Government to have made the amendment in the Select Committee. They grossly neglected it.

THE HONOURABLE THE CHAIRMAN: What about amendment No. 67?

THE HONOURABLE MR. HOSSAIN IMAM: I am coming to that. I am having a preliminary skirmish on Statute 25.

I have no amendments to Statute 26 to 32. I move amendment No. 67 to Statute 33:—

“That in clause 16 of the Bill, clause (1) of Statute 33 in the proposed Schedule be omitted.”

Statute 33 contains general provisions relating to colleges. Clause (1) lays down—

“Save as otherwise provided in the Act, all Degree colleges shall be in close proximity to one another and to the University and shall ordinarily be located on the University estate:

Provided that the Executive Council shall have the power to exempt from the provisions of the foregoing clause, temporarily, or, if necessary, permanently, a college which is unable to comply therewith for want of a suitable site or an adequate grant-in-aid for building or maintenance”.

I simply want, by moving this amendment, to get an assurance from the Government that the Anglo-Arabic College will get an adequate grant, or, if that is not forthcoming, it will be permanently exempted from the operation of this Clause. Government has both the powers—either to give money or to give exemption. I want an assurance from the Government on this point.

THE HONOURABLE MR. P. N. SAPRU: Mr. Chairman, I do not take the same line as the Honourable Mr. Hossain Imam in regard to Statute 33. I think that the functioning of a federal university with co-operative teaching as its main function will become very difficult if colleges are situated at a great distance.

THE HONOURABLE MR. HOSSAIN IMAM: What about the students?

THE HONOURABLE MR. P. N. SAPRU: As for the students, I think there should be some conveyance arranged for them, and there should be more residential halls. But I would support Mr. Hossain Imam in his demand that the Arabic College—as, indeed, the other colleges also—should be helped with funds to enable it to move to the University site. The provision about the permanent site of a college being somewhat distant from the University, I take it, is intended for medical colleges, engineering colleges or polytechnical colleges. But so far as arts and science teaching is concerned, the colleges teaching these subjects should be situated in the university area. That is the only way in which co-operative teaching can be carried on.

THE HONOURABLE MR. JOHN SARGENT: Sir, even at the cost of taking a few minutes of this Honourable House's time at this late hour, I should like to try and say something about this important point, and, in doing so, I might also answer some of the subsequent amendments which raise the issue of co-operative teaching, to which my Honourable friend Mr. Sapru has just referred.

It is essential to the conception of the co-operative university which we have in mind at the moment that if there is to be co-operation up to the highest stage the University and colleges, if possible, should be in close proximity to one another. As members will be aware, the University was very fortunate, about ten years ago, in being placed in possession of one of the finest sites which I think any university in this country possesses, and plots on that university site have been allotted to all the colleges. We are anxious that as soon as circumstances permit the colleges should move up to the University site. One of them has already done so, and one is in process of doing so. And even in these hard times a balance of money is still available for any other college which is prepared to move. At the same time we realise that there are practical difficulties in the way of obtaining building materials at the moment which may make it necessary to postpone movement until the position in regard to getting materials is easier. But when that time comes, and subject to the proviso which guarantees a college against an enforced move unless it receives reasonable assistance, there is a great deal to be said in favour of the colleges being on the university site,

[Mr. John Sargent.]

I wearied another place by continuous references to co-operative teaching. But co-operative teaching, in my opinion, is most a desirable safeguard educationally for a happy relationship between the University and its colleges. It is also essentially economical from the point of finance.

But, Sir, co-operative teaching is not the only reason which makes the collecting of all the colleges together on the site extremely desirable. The new site has the most admirable facilities for outside activities such as games. Under the fatherly care of the present Vice-Chancellor, many amenities are already being provided on the University site which will be of great value to students. I refer not merely to the great improvement in the University library, but to the provision of common rooms, recreation rooms and other matters, and, of course, a very fine games field. So that, at any rate from the general consideration there is a great deal to be said in favour of the colleges going up to the University site as soon as they can. While, of course, under existing financial conditions one can give no guarantee that money will be forthcoming at any particular moment, I think it is implicit, from the considerable sum that Government have already put down to enable the reorganisation scheme to be carried out, that they will hardly waste what they have already done and that they will go on and provide the logical completion to the scheme which they have inaugurated. Therefore, I think the colleges may reasonably hope that if they prepare themselves to make the move they will not receive a niggardly response from the Government.

I might perhaps refer to certain difficulties, which I think were satisfactorily dealt with in another place. It was pointed out that the University estate is some way outside Delhi City—not very far, it is true that it is some way from New Delhi where a considerable number of students will no doubt come from. I do not know, of course, what is regarded as reasonable or unreasonable in the distance which a student can be expected to travel. When I was a young man I used to travel daily a very much longer distance on a bicycle than will be involved by the present situation. But I think that we have got to face the fact that if you are going to avail yourself of good facilities and healthy surroundings, you have got to move the colleges from their present in some cases very unhealthy situations inside the crowded city out to the lovely spot which is waiting to receive them. I am quite certain that the University authorities will give every possible consideration to questions of conveyance if they should be satisfied that the distance involved in bicycling or the difficulty of the poor students getting a bicycle is such as to render assistance in that matter necessary. Similarly, Sir, I hope that they will give full consideration,—and I know the present Vice-Chancellor is giving it,—to the question of providing reasonable facilities on the site for refreshments and recreation either in between games and lectures or in between lectures for all these students. Certainly the sooner we are able to get the colleges up to this site, the sooner we shall give practical effect to the ideal of co-operative teaching, which is a very important question and still more to the idea of a university in which the colleges take a real and important part. For that reason, Sir, I regard this provision as a very desirable one and I should be very sorry to see it omitted.

Question put and amendment negatived.

THE HONOURABLE THE CHAIRMAN : Amendment No. 68.

\*THE HONOURABLE MR. HOSSAIN IMAM : Sir, I move :—

“ That in clause 16 of the Bill, in clause (3) of Statute 33 in the proposed Schedule the following be added at the end :—

“ No person shall be the Chairman of more Governing Bodies than one.”

Sir, I think that a man in the present monogamous world—(*An Honourable Member* : Is it monogamous ?)—at least the Government lives up to that ideal before it—there is no dearth of suitable persons. I do not therefore think it proper that one person should be asked to be the President of more than one governing body. It may be desirable that more persons should take an interest in the colleges and their affairs and that it should not remain the monopoly of any one person.

Sir, I move.

---

\* Not corrected by the Honourable Member.

**THE HONOURABLE MR. JOHN SARGENT :** Sir, while I am in general agreement with the proposition put forward by the Honourable mover of this amendment,—I would like this office of Chairman to be shared by as many gentlemen interested in education as possible—I hope that the amendment will not be pressed. Occasion may arise in the future when we have a man of such outstanding educational capacity that we may want to make use of him as Chairman of more than one governing body. The second point is quite a personal one. In fact, gentlemen have been Chairmen of more than one governing body in the past. Whether that was a good thing or not I will not say. But I should rather deprecate the introduction of a Statute which might be regarded as being aimed at a particular person. For that reason I hope this amendment will not be pressed.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 69.

**\*THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I move :—

“ That in clause 16 of the Bill, in clause (10) of Statute 33 in the proposed Schedule all the words beginning with the words ‘ on the working of the College ’ and ending with the word ‘ management ’ be omitted and before the words ‘ the number ’ the words ‘ as to ’ be inserted .”

Sir, the result of this amendment will be that the colleges will have to submit each year, by a date to be fixed by the Executive Council, a report to the Executive Council on the number of students and a statement of income and expenditure and such other information as may be required. The part to which I take objection is about the working of the college during the previous year, giving the particulars and circumstances of any change in the staff or the management. Of all changes in the staff an intimation has to be sent to the University under other Statutes and therefore it is nothing but tabulation in one statement. The University is already informed on this. As far as my amendment is concerned, I think the University is not very keenly interested in the internal affairs of the governing body, whether one man is President or he is a member alone. These things are not of much interest to the University. The desire of the bureaucracy is to have as many files as it can have, and as big a file as possible in order to justify the burdens on the University authorities.

Sir, I move my amendment.

**THE HONOURABLE MR. P. N. SAPRU :** Sir, I regret I am unable to agree with the Honourable Mr. Hossain Imam in regard to this clause. The constitution of the Allahabad University is quite different. It is a unitary University. Surely the University ought to know how an institution has worked during the year under report. Surely, Sir, it ought to know with whom it has to deal. It ought to know who the governors of its institutions are and what the managing body is. It is implicit in the relationship between the University and the colleges that the University should have the information which is provided for in clause (10). The Honourable Mr. Hossain Imam has raised an unnecessary objection to this clause.

**THE HONOURABLE MR. J. D. TYSON :** Sir, we think that this is not an onerous burden to put on the college. It has to submit the report once a year and we think that the more the colleges and the University know about each other, the better, because we expect them to co-operate. They can only do that if they really know how each is working. This amendment would reduce the annual report to a mere statement of the number of students and a statement of income and expenditure. There is another phrase “ such other information as may be required ” so that I do not think that the amendment really performs the function which the Honourable Mover seeks to do. We regard the words which he proposes to cut out as giving a good indication of the kind of information that would be required. We think this is a very useful provision to keep in. Therefore, Sir, I am afraid I must oppose the amendment.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 70.

**THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I move :

“ That in clause 16 of the Bill, clause (16) of Statute 33 in the proposed Schedule be omitted ”.

[Mr. Hossain Imam.]

Clause (16) says :—

“ Where a college desires to raise the standard or alter the subjects in respect of which it is recognised, the procedure hereinbefore prescribed shall, so far as applicable, be followed. ”

If a college wants to raise the standard it is a thing which should be welcomed and it should not in any way be subjected to hindrances. I would like the Honourable Member to elucidate the point so that I may decide whether I should press this amendment or not.

**THE HONOURABLE MR. JOHN SARGENT :** Sir, this is one of the sub-clauses of the Statutes which are definitely connected with the question of co-operative teaching. A college agrees to undertake the provision of teaching in a certain subject or subjects up to a certain standard. But, quite clearly, if it wishes to raise or lower that standard or alter the subjects, it is necessary to go and tell the University that it proposes to do so. Otherwise students might be left completely in the air. This is to ensure the necessary consultation not merely at the time of recognition but equally after recognition. If after having agreed to undertake teaching up to a certain standard on the co-operative basis a college wants to alter it, it clearly must go back to the University and ask either to be relieved from the obligation which it had undertaken or to be allowed to increase that obligation by undertaking teaching up to a higher standard or adding an additional subject. I think that is quite necessary. You cannot leave a college, on its own, to give up teaching or say it will do what it likes because that might very well cut across all the efforts for co-operative teaching which have been made.

**THE HONOURABLE MR. HOSSAIN IMAM :** I do not press the amendment, Sir.

The amendment was, by leave of the Council, withdrawn.

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

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

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 71.

**\*THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I rise to move :—

“ That in clause 16 of the Bill in clause (17) of Statute 33 in the proposed Schedule all the words occurring after the word ‘ teachers ’ where it occurs for the first time be omitted. ”

The proposal says :—

“ Every college shall have on its staff a minimum number of teachers maintained for co-operative teaching. The number of teachers and the scope of teaching shall be specified in each case by the University ”.

This amendment is really against co-operative teaching. We do not feel quite happy about it, because so far we have not heard any definite assurance from Government that they will take the responsibility of students reaching the college from far-off places in a convenient manner. Co-operative teaching is all right. The idea is to make some savings by avoiding duplication in teaching. But what about the cost to the students? India is a poor country. Hostels would be expensive and Indian society does not very much appreciate the idea of separation from children, especially if they happen to be in the same place. The only argument in favour of co-operative teaching is that it will be cheaper but I doubt whether the colleges will be prepared to dispense with the staff that they have got. If the same staff is to be maintained, then where is the saving? If you wish to make co-operative teaching as the fundamental of teaching, that would involve a great deal of inconvenience to the students as well as to the parents. Therefore, I am not in favour of co-operative teaching as at present without a promise from the Government of full help in every possible way.

**THE HONOURABLE MR. JOHN SARGENT :** Sir, I am rather alarmed to hear my Honourable friend say that the only thing in favour of co-operative teaching is cheapness. I may say that there is quite another point of view. It certainly does make for economy where only a very few students desire a particular subject so that

\* Not corrected by the Honourable Member.

one teacher should be engaged to teach them rather than a number of teachers. But it also has a very much wider aspect and will apply even to the higher teaching in the University, because college teachers will be employed for co-operative teaching. If that was not so, presumably all higher teaching would be provided by the University and the colleges would gradually relapse into hostels, as some Honourable Members in this House have prophesied that they will. We are trying to prevent that and give colleges an effective share in all stages of the teaching in the University so far as that can be done by co-operative teaching. I very much favour co-operative teaching. If my Honourable friend does not, he will support this amendment. As I do favour co-operative teaching and regard it as a valuable experiment, I must oppose it.

**THE HONOURABLE MR. HOSSAIN IMAM :** Is the Government prepared to help students ?

**THE HONOURABLE MR. JOHN SARGENT :** I have already said that Government, as far as I know their intention, are interested in this scheme and prepared to give every necessary assistance to make it a success.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 72.

**\*THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I move :—

“ That in clause 16 of the Bill, clause (20) of Statute 33 in the proposed Schedule be omitted.”

The Bill as proposed gives a power which might be used to the disadvantage of some of the colleges. If the Government fixes a proportion which makes it incumbent on colleges to employ a larger number of teachers than they have at the present moment in their staff, then this will be an additional burden. No doubt Government will give a portion of the salary of the staff as a help, but the other portion will have to be found by the colleges themselves. Facts are not before us. What is the basis on which the number of students will be fixed for each teacher ? I should like to have some information on the subject, so that we may be able to judge the intentions of Government, whether they are satisfactory or not.

**THE HONOURABLE MR. P. N. SAPRU :** If my Honourable friend, Mr. Hossain Imam wants a university of the affiliating and examining type, he should boldly say so. As I understand this clause, it is absolutely essential for the maintenance of certain educational standards. The University must be able to say whether the classes are too big or not to take. It must have control in that direction. I think the correct line for him to take would be to say that he is opposed to the idea of a federal or unitary university, that he wants the University to be an examining machine for the production of Muslim graduates in large numbers.

**THE HONOURABLE MR. JOHN SARGENT :** My Honourable friend Mr. Sapru has given a sufficient defence of this particular clause. As he said, the aim is to ensure adequate staffs in the colleges. There is one other aspect also. It aims at limiting the size of colleges within a reasonable maximum. The University and all the colleges have discussed this point and have agreed that to ensure tutorial work together with a reasonable amount of personal association between teachers and students the maximum size of a college should be 600. This has been agreed to and incorporated here.

Question put and amendment negatived.

(Amendment No. 73 was not moved).

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 74.

**THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I move :—

“ That in clause 16 of the Bill, clause (22) of Statute 33 in the proposed Schedule be omitted.”

This again involves interference with the freedom of the colleges. If my Honourable friend is a champion of central authority, naturally I am a champion of provincial autonomy. I want that the institutions should either exist as independent and co-operative bodies, or they should be finished in one stroke. I could quite understand the logic of my Honourable friend Mr. Sapru's point. If we have a unitary university in which the federating units are made powerless and the whole centre of

[ Mr. Hossain Imam. ]

gravity is shifted to the centre, it is something which is against the idea of federation altogether. Federation presupposes a surrender by the constituent units of some of their powers to the central authority to facilitate their administration. Here we start as the Honourable Mr. Sargent has stated in the other place right from the roof. We are building down, we are not building up and therefore, Sir, naturally being as is well known a provincialist and standing for the freedom of the units I move this amendment.

**THE HONOURABLE MR. P. N. SAPRU :** As reference has been made by my Honourable friend Mr. Hossain Imam to my attitude in regard to certain amendments I would like to say that I am a champion of efficient university education and I should be very glad if colleges were abolished but the Bill, as Mr. Sargent has pointed out, represents a compromise between the affiliating and the unitary ideal and there is nothing inconsistent with the principles of a federal university in this clause. I think, Sir, the recognition of individual teachers is necessary in the interests of efficiency. I should be glad if the colleges were converted into Halls as I said in my opening speech but since that is not being done I would not like to make the University an inefficient instrument of education.

**THE HONOURABLE MR. JOHN SARGENT :** As I told this Honourable House the other day, I have seen a little of provincial or collegiate autonomy as it existed in the University of Delhi some years ago and I was not very much impressed by it for reasons which I gave the House and for others which I might have given, if I had thought it desirable. As my Honourable friend Mr. Sapru has said, we are stopping short of a unitary university and deliberately trying something which we hope will be a half-way house between the affiliating and the unitary ideal. However, we hope it will be successful. If it is going to be a success we must have a clause of this kind on the Statute Book.

Question put and amendment negatived.

**THE HONOURABLE THE CHAIRMAN :** Amendment No. 75.

**\*THE HONOURABLE MR. HOSSAIN IMAM :** Sir, I rise to move :—

“ That in clause 16 of the Bill, in clause (33) of Statute 33 in the proposed Schedule after the word ‘majority’ the words ‘of at least two-thirds’ be inserted. ”

This is an amendment about the withdrawal of recognition of colleges. I hope at least in this the Honourable Mr. Sapru will bear out the promise which he made in the beginning that if an amendment is moved by which the Executive Council will have to pass its action by a two-thirds majority he might give his support. Well this is an amendment which wants to do exactly this thing and I think his animosity towards my amendments will not make him oppose even this amendment. It simply seeks, Sir, to impose a restriction upon an extraordinary power which is being given to the Executive Council. The Executive Council has the power to withdraw recognition of the colleges. We have seen, Sir, how stringent the rules have been made. In every conceivable manner the liberty of the colleges has been taken away. Now when the final death sentence is to be passed we want that there should be a distinct majority of the jurors to side with the judge. I therefore make this Motion.

**THE HONOURABLE MR. P. N. SAPRU :** Mr. Chairman, I will just explain myself. I am already committed to the view that the majority should be at least two-thirds. Since I spoke on the consideration stage the Honourable Mr. Tyson has explained that the majority required will be an absolute majority. I am not very good at mathematics but I think that two-thirds is a better safeguard than an absolute majority. I would like to be fair to the colleges and, therefore, I would support this amendment of Mr. Hossain Imam. I may say that I consider the amendments on their merits. I am not actuated by any desire to oppose the amendments moved by Mr. Hossain Imam for the sake of opposition.

**THE HONOURABLE MR. J. D. TYSON :** As matters stand, the Court can withdraw recognition from a college by a bare majority and, Sir, I submit that without any disrespect to the Court it is a body which with its large numbers and its non-resident element is—

\* Not corrected by the Honourable Member.

**THE HONOURABLE MR. P. N. SAPRU :** He is not talking about the Court; he is talking about a two-thirds majority.

**THE HONOURABLE MR. J. D. TYSON**—is one in which it should be easier to get an unrepresentative decision than in the Executive Council which is a smaller and more compact body. Therefore, Sir, if the Court, composed as it is, is empowered to take away recognition by a bare majority I do not myself see why there should be any objection to a bare majority deciding the matter in the more businesslike body, the body more closely in touch with the day-to-day working of the University which is the Executive Council. Now, Sir, the Executive Council will consist of 25 or 26 members according as there is not or there is the Rector. Two-thirds of 25 or 26, I understand, would be 17 or 18. Now, Sir, it has to be remembered that in this body of 25 or 26 there will certainly be the Principal of the college concerned and in all probability there will be one, two or even more members of the Executive Council who are connected with the college and it is not, therefore, Sir, a matter of dealing with a jury who are supposed, in a criminal case or a civil case if it comes to that, to be unbiassed and unconnected with the case. We have to recognise the fact that on this body which will take the decision about removing recognition some members will be the judges in their own cause.

Now, Sir, another point that we have to remember is this. The taking away of recognition of a college is a very serious thing and, I confess, is going to be an unpleasant business—one in which most people would rather not participate. One knows, Sir, the tendency in all countries—India is not exempt—for people who are faced with business of that kind to find that the day is not a very suitable one for them to attend. They have pressing business elsewhere or the doctor advises retiring to bed, and, Sir, if you consider that the sympathies of some will be already on the side of the colleges and then there is this tendency to try to keep out of unpleasant matters, you will, I think, realise, Sir, that to get a two-thirds majority as the amendment requires, a two-thirds majority of the whole body which consists of all those persons—

\***THE HONOURABLE MR. HOSSAIN IMAM :** There is no mention of the whole body.

**THE HONOURABLE MR. J. D. TYSON :** His amendment, if passed, will make the Statute read :—

“ The Executive Council may, after due enquiry and after consultation with the Academic Council, by a majority of *at least two-thirds* of all the then members of the Executive Council . . . ” Sir, this is how his amendment reads. If he has not drafted his amendment in the way he meant to I am afraid I cannot refrain from dealing with it in the way it has come before the House. In fact he is asking us to do something, to agree to something, which would probably prevent a decision ever being arrived at in an important matter of this kind. I have already

3-5 P.M. said that the Court decides by a bare majority, and we have not, in the Statute before us, contented ourselves with a bare majority of the members who venture to turn up; we have definitely required that for the withdrawal of recognition it should be a majority of all the then members of the Executive Council—a majority of the total number, whether they are present or not. It seems to me that in a matter of this kind you have got to provide for certain things. You have got to provide for a full inquiry. You have got to provide that the party concerned shall have notice. You have got to provide for due consideration of that party's case. Then, when you have provided for all these things, I think that we are right in deciding that a majority, at all events a majority of the whole body and not merely of those present, should decide. But over and above that, we have provided for something which does not at present exist in the Statutes. We have provided for an appeal to the Central Government.

I submit, Sir, that we gave very careful consideration to this provision. It is a provision that we hope we shall never have to use, but there must be a provision of this kind; and if we are going to have a machinery whereby recognition can be taken away, then, I submit, let us have a machinery which can conceivably work. I must oppose the amendment.

**THE HONOURABLE MR. HOSSAIN IMAM :** May I draw attention to the fact that the body to which he is giving this power has refused to take it on his terms ?

**THE HONOURABLE MR. J. D. TYSON :** I am thankful to my Honourable friend. He gets very little support from the Executive Council, for they recommended to us that—

“The Executive Council shall have the power by a resolution passed by a majority of not less than two-thirds of the members present . . . . .”

The quorum, as I pointed out before, is six in the Executive Council ; and supposing that they were so lacking in a sense of duty that they allowed the matter to be disposed of by a bare quorum, a two-thirds majority of those present, of a bare quorum that would be present, would be four : four would vote for the removal of the recognition and that would suffice. That was the recommendation to which my Honourable friend referred. I submit that ours is infinitely better from the point of view of the colleges than the recommendation of the Executive Council.

**THE HONOURABLE MR. P. N. SAPRU :** If all the members are present, a bare majority suffices.

**THE HONOURABLE THE CHAIRMAN :** Amendment moved :—

“That in clause 16 of the Bill, in clause (33) of Statute 33 in the proposed Schedule after the word ‘majority’ the words ‘of at least two-thirds’ be inserted.”

Question put : the Council divided :

**AYES—5.**

Hossain Imam, Hon. Mr.  
Kalikar, Hon. Mr. V. V.  
Kunzru, Hon. Pandit Hirday Nath,

Ram Saran Das, Hon. Rai Bahadur Lala.  
Sapru, Hon. Mr. P. N.

**NOES—19.**

Bosman, Hon. Mr. G. S.  
Charanjit Singh, Hon. Raja.  
Conran-Smith, Hon. Mr. E.  
Ghosal, Hon. Sir Josna.  
Hydari, Hon. Mr. M. S. A.  
Jogendra Singh, Hon. Sir.  
Jones, Hon. Mr. C. E.  
Khurshid Ali Khan, Hon. Nawabzada.  
Lal, Hon. Mr. Shavax A.  
Mahomed Usman, Hon. Sir.

Menon, Hon. Sir Ramunni.  
Mitra, Hon. Mr. D. N.  
Mukherjee, Hon. Sir Satya Charan.  
Pillai, Hon. Mr. N. R.  
Ray, Hon. Mr. S. N.  
Roy, Hon. Sir Satyendra Nath.  
Sargent, Hon. Mr. John.  
Sobha Singh, Hon. Sardar Bahadur.  
Tyson, Hon. Mr. J. D.

The motion was negatived.

**THE HONOURABLE MR. HOSSAIN IMAM :** I do not wish to move any of the other amendments.

(Amendments 76 to 84 were not moved.)

The Statutes and clause 16 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

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

“That the Bill, as passed by the Legislative Assembly, be passed.”

Sir, I find it difficult to assess the criticism that has ranged round this Bill. It has been no pleasure to me or my colleagues to resist the amendments. It is the peculiar position of the Bill that made it inevitable. It was our purpose only to amend certain sections of the Act and the Statutes to give sanction to certain reforms already carried into effect. The original Act was accepted and worked by all communities for nearly 20 years. We did not expect that the amendments which we were moving would be the subject of so much controversy. I can honestly say that I am not familiar with the armour of resistance. I believe in a spirit of give and take. I feel no sense of separation from my brothers of Islam. But, alas, it seems, as if we are standing between the two worlds, one dead and the other waiting to be born.

The Delhi University is still in the course of becoming. We can surely hope that in its becoming it will illuminate the whole field of education and draw Mussalmans, Hindus, Christians, Europeans and others together in its service.

As the days pass and the new world takes shape, it is my hope that communities in all spheres of life will take their proper share as sons of India. I firmly believe that the citadels of national thought are deeply rooted in the hearts and

minds of men and nothing can destroy the national ideal unless the human mind itself is destroyed.

May I conclude with a prayer which flowed from the lips of a people similarly situated centuries ago as we are today :—

"Give us grace seriously to lay to heart the great dangers we are in by our unhappy divisions. Take away all hatreds and prejudice and whatsoever else may hinder us from godly union and concord : So we may henceforth be all of one heart and of one soul united in one holy bond of truth and peace of faith and charity."

THE HONOURABLE MR. P. N. SAPRU : Mr. Chairman, I must first give an undertaking that I shall not be very long. I shall take up only five to seven minutes. Sir, I have, in the speeches which I have made at the Consideration stage given expression to the fears that I entertain as regards the type of University tha, Delhi will have when this Bill is passed. I said that I would not have gone in for a compromise. I would have frankly accepted the position that the best type orf University for Delhi would be the unitary and teaching type of university. However, I recognise that this Bill represents in a way a new experiment in university education. It is an experiment in a type of university. It is different from the University of Allahabad inasmuch as in Allahabad and Lucknow, we have centralised teaching. Here there will be co-operative teaching and that is why I say that this University represents a new experiment. I am not, Sir, against experimenting along new lines in educational matters, and therefore, while I have my doubts as regards the possibility of this experiment succeeding, I will not say "No" to this experiment. I wish this experiment every success and I hope that the labours of the distinguished Vice-Chancellor of the Delhi University, Sir Maurice Gwyer, the Education Member, the Honourable Mr. Tyson and the Hourable Mr. Sargent in building up the Delhi University into a fine institution will be crowned with success.

The Honourable Mr. Sargent has told us that the Government are in a position to assist colleges and schools to reorganise themselves. He has given us details of the figures of the amounts the Central Government are spending on the reconstruction of secondary education. The point that I wanted to make was this. I see no reason why the Board of Secondary Education should not be given a higher dignity, a higher status. Therefore, I would earnestly request you to consider the question of having the constitution of the Board of Secondary Education passed by the Central Legislature. The Board should be constituted by an Act of the Central Legislature.

Sir, the real crux of the problem is the teacher. When I was reading the Report of the Royal Commission on Oxford and Cambridge Universities—the Asquith Commission of 1922—I found this and I would like to quote it. Dealing with the question of the conditions under which the University teachers must work they said :—

"Each Univeristy must be placed in a position to offer to all those who do its work a salary and pension prospects enabling a man to marry and bring up a family, with amenities and advantages of education like those of other professional families. On that condition Oxford and Cambridge will be able in the coming era to keep enough of their best students to do their teaching and research — but not otherwise."

Then they say:—

"The second danger to Oxford and Cambridge is the insufficient number of teachers in proportion to the number of students and the variety of subjects ; with the resulting evil of an inadequate amount of time given to research."

Sir, I have quoted from this Report in order to impress upon the Government the necessity of seeing that the conditions of service of the teachers are improved. One of the distressing features o the educational world today is that the best men are attracted to the Indian Civil Service or the Indian Audit Service or the other Indian Services and often we find that the scholarly type of Indian is absorbed in these services which are more highly paid than the educational service. If you, therefore, want to improve the quality of education, we must also improve the status of the teacher, his emoluments and his general status and position in life.

I should also like to stress the importance of Indian languages. In some of the Indian universities Urdu and Hindi are taught up to the M.A. standard. It is possible for a student to offer Urdu, Hindi and other Indian languages up to the

[Mr. P. N. Sapru.]

M.A. standard. You can frame an honours course which will be sufficiently wide and comprehensive in its character in Urdu and Hindi for the M.A. examination. I would, therefore, earnestly suggest that this question should be taken up by the Delhi University.

The next thing that I should like to see is that there should be more attention paid to physical education. I will merely say that more attention should be paid to physical education. I will not go into that question further.

Finally, Sir, I should like to stress the importance of continuation schools, extra-mural instruction, and adult education. The Honourable Mr. Sargent knows the controversy that is going on in regard to adult education in England. I was reading the other day a book by Dr. Livingstone on the future of education and he knows what importance is being attached to adult education. A man passes the higher secondary education examination and then he forgets all about what he has read. He must be given opportunities by the University of keeping himself in contact with modern thought. Therefore if the Delhi University develops on these lines, we may be certain that the work that we have set ourselves to do will be work which is useful work. Sir, we have no desire to be unfair to our Moslem friends. We should like them to pull their full weight in the counsels of the University, but if they want to pull their full weight in the counsels of the University they must take more interest in the academic life of the University. Communalism will not solve the problem for them.

With these words, Sir, I give my blessing to this Bill.

**THE HONOURABLE MR. V. V. KALIKAR** (Central Provinces : General) : Sir, as a layman I must accept the views of my friends who are experts in educational matters and I therefore support the Bill. My friends the Honourable Pandit Kunzru and the Honourable Mr. Sapru are connected with two important Universities in India and they have blessed the Bill. I therefore follow in the path and I also bless the Bill. But I have my own doubts and I think I must express them now. My doubts are about migratory pupils. I heard with rapt attention the speech of my Honourable friend Mr. Sargent yet I am not satisfied on the point whether the other universities will accept in their colleges the students that may migrate from Delhi University. My Honourable friend Mr. Sargent told us the other day that the point was discussed or was known to the Inter-University Board. If that is so, I would request the Government of India to bring pressure on other universities and also on the Provincial Governments to accept those students who migrate from Delhi in their universities and to accept the degree of this University and give those students employment in their provinces. If they do not agree to the proposals of the Government of India the fate of the students who migrate from Delhi will be miserable.

Sir, I do not want to inflict a long speech at this stage, but I have to say a word about communalism. Sir, in this Bill the communal spirit has been introduced because a particular community was more vociferous in its demand.

**THE HONOURABLE MR. HOSSAIN IMAM** : Without justice ?

**THE HONOURABLE MR. V. V. KALIKAR** : I say without justice because I want the portals of the University, the temple of learning, not to be polluted with communalism. I put to my friend Mr. Hossain Imam a practical proposition. Supposing in my college there is a Muslim boy who is a first class M.Sc. and a Hindu boy who is a third class M.Sc., will my friend advise me to appoint the Hindu boy, because the Hindus are in a majority ? If I do that, I will be ignoring the efficiency of the education of my students. Sir, at least in these institutions the communal element ought to have been eschewed. Government gave way to the pressure of Muslim demand. The Government committed a blunder in accepting certain communal amendments.

Sir, the third point is about the paid Vice-Chancellor. On this point also I have my doubts, but I accept the advice, as I said in the beginning, of my friends, the two experts, my Honourable friends Pandit Kunzru and Mr. Sapru. I therefore support the Bill. The measure before us seeks to impose certain restrictions on the independent activities of the University. As has been said by so many speakers

on the First Reading of the Bill, the University has been officialised. After experimenting for a year I wish Government would bring in some new measure to see that the officialisation is removed and the activities of the University are free from official control.

Lastly, Sir, I want to register a protest against the procedure adopted by the Government so far as this House is concerned. This is an important Bill. The Government wanted to pass this legislation in undue haste. I use the words "undue haste" because though the measure was with the Government of India for three years they did not introduce the Bill earlier. The Government knew that they had a majority in this House and therefore when the other House was not sitting they introduced the Bill in this House. Supposing this House had carried amendments what would have been the effect? Government wanted the Bill to be passed as early as possible. If that was their intention, they ought to have introduced this Bill at the very beginning when the other House was sitting and allowed this House to discuss it, so as to make it possible for the Bill to be taken to the other House if this House passed any amendments. I, Sir, register a protest that this House has been dealt with scant courtesy.

Sir, in the end I hope that the cause of education will be furthered by this measure. I wish that my Muslim friends will take more interest in academical matters of the Delhi University and in other administrative matters and they will see that their interest is not sacrificed.

\*THE HONOURABLE SARDAR BAHADUR SOBHA SINGH (Nominated Non-official): While giving my support to this Bill I feel sorry to see that such an important Bill should have dragged some communal feeling in its tail. I have got no grouse against my Muslim friends if they are backward in education or in social matters but to bring these amendments and to give it a communal colour is really giving a bad taste to the Bill. I am sorry to say that our legislators have taken very great interest in the Delhi University Bill but they have never taken any interest in the social, political or economic life of Delhi. They come, they entertain, they enjoy parties and go back. They have never seen what Delhi is like and what in the educational centre of Delhi is being done.

Sir, I am glad to see that this dying baby, the Delhi University, is handed over to such an eminent person as Sir Maurice Gwyer and I feel sure that with the support of this Bill he will make it the model University of India. All these amendments which have been carried or accepted by Government I think should satisfy my Muhammadan friends and they should try to work up that suitable Muhammadans are available to be taken into the different committees and executive bodies. I am sorry to say that they have got a college and they have not even been able to find an able Muhammadan principal. They have always been getting a European principal and while my Honourable friend Mr. Hossain Imam was fighting that they are not given representation they have got one professor or one representative here. He has entirely forgotten that they have one college in Delhi and that is also principalized by a European and not by a Muhammadan.

THE HONOURABLE MR. HOSSAIN IMAM: The Hindus have only one person to be the Chairman of three college governing bodies.

THE HONOURABLE SARDAR BAHADUR SOBHA SINGH: I am glad that the Council and the Assembly have given their full consent to the Bill and I support the Bill.

\*THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras: Muhammadan): Sir, I endorse the view that was expressed by my Honourable friend Mr. Sapru that teachers ought to be properly paid. You cannot expect any teacher, who is ill-paid, who is struggling to make both ends meet, to take part in the civic life of the country as a self-respecting citizen.

I should like to state that I am behind nobody else in wishing the Delhi University success and I also wish that the great hopes that were expressed by my Honourable friend the Education Member here, may fructify, but I feel that after all the Bill as it is, as it has been passed just now, and which is to measure the basis on which the Delhi University is going to be modeled does not hold out any hope that all these big hopes will fructify. The new order of things to which my Honourable friend

[Saiyed Mohamed Padshah Sahib Bahadur.]

Sir Jogendra Singh referred will be a new order of things in its real sense, a better order of things for the world in its real sense, only if people do not commit the mistakes which they did in connection with the last war. At the time of the Versailles Treaty very noble sentiments, just like those which have been expressed in this House, were expressed, but since the framers of the Treaty, people who had framed the Versailles Treaty, contented themselves merely with these sentiments and were reluctant to part with the vested interests by which they had secured their position, the world is again plunged into another war, a much bitterer and a much worse war. I wish, Sir, that the people who have a hand in the formulation of the new order will have imagination, will have sympathy, will work in a spirit of give and take and will not sit tight over the things which they have already secured and unless this is done all the labour that has been spent upon this measure will be labour lost.

In the discussions, Sir, that have taken place in both the Houses so much light, so much searchlight has been thrown upon work of the Delhi University, so much evidence has been brought before this House and the other House to show that the Delhi University has been working under great handicaps, but what has been the result of all this. The Government on many occasions refused to admit the real facts and on others to accept any proposals that were brought by the people who brought those proposals not in a spirit of hostility but in a spirit of co-operation and with the desire to co-operate, with a view to help them in making a success of this measure. I hope, Sir, that as my Honourable friend the Education Member has said this is not the last word upon this measure. I hope that the Government will take steps and very soon to see that all these defects, these radical defects which are eating like a canker into the system of the Delhi University will be removed. Some of my friends have been characterising the amendments as if they were something very sinister and we have been called communalist and condemned for that. After all we demand the just rights of a certain section of the population, such just rights of which we have been deprived for so long.

It has been said by Mr. Kalikar that it is a temple of learning where no such things ought to find any place. I say if it is a temple and not a painted sepulchre, if it is a real temple let all who have the right to enter the temple be admitted and no obstacles thrown in their way. It is simply silly, it is ignoring the facts to say that there are no Mussalmans of the requisite qualification. There are plenty of them provided they were given a chance, provided you want to admit them in to the portals of the University, on the staff of their colleges.

With these words, Sir, I simply repeat my request to the Government that they will soon see their way to modify their policy.

\* THE HONOURABLE MR. HOSSAIN IMAM: Mr. Chairman, I will not take more than a few minutes, because the time is very short. I have had long experience of the Government of India, and many times have I seen that things which are refused in the beginning are accepted in the end. And this is the one solitary hope which has sustained me for two days in moving my amendments. I had no delusion of being able either to convince Government or to carry the House with me. I simply registered a protest with the hope that ultimately even this Car of Juggernaut would move.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (East Punjab : Non-Muhammadan): The Car of Juggernaut moves every year regularly.

THE HONOURABLE MR. HOSSAIN IMAM: Yes, but force is required to move it, and it moves once a year only.

Sir, the statement made by the Honourable Mr. Tyson on behalf of Government makes me more hopeful, and the statement of the Honourable Member for Education, Health and Lands, does not in any way make me hopeless that the Government's decision on this Bill was not a decision on the communal question. It was a decision taken on the spur of the moment due to the fact that notice had not been given and that action could not be taken, at such short notice, of a categorically changed nature. I do hope that Government will not sleep over the matter, but will make proper inquiries and find out where the shoe pinches.

I remarked, in the course of my amendments, that when the Government is going to take away so much of the power of the colleges and is going to pay so much of the cost of education, it is only right for the Government to choose either of the two methods—either have a unitary university, or have control over the management of the colleges. The appointments, if they are paid for out of the revenues of India, must be on the basis and on the principles applicable to Government employees. There must be a communal proportion fixed.

I for one would have preferred personally a post-graduate teaching course conducted by the University alone, and the teaching of those sciences which are not popular being undertaken by the University, the colleges being entrusted with the graduation courses and with those science courses which are popular. The result of this would have been that while colleges remained independent and able to control their own destinies in a restricted field, in the field which matters—I mean the post-graduate teaching course—the University would have had full right to do whatever it liked, and in a manner which it thought best.

My Honourable friend Mr. Kalikar, as usual, was very vehement in his attack on communalism. For, to my Hindu nationalist friends communalism means the advent of the Muslims. Everything is national as long as it is the monopoly of the Hindu nation. But as soon as the Muslim nation wants a share, it becomes a disease, a microbe ; it becomes something unclean, unhealthy, and unfit to enter the temple of learning. The temple of learning will remain a temple of learning if it is a real, unbiased and honest institution, where there are no preferences for reasons of caste or community. I know that this is far from being the case. I deny absolutely that appointments are made merely on merits. If they are made on merits, why not have them made through the Public Service Commission ? Why let the colleges make the appointments themselves ? Leave the appointments in the hands of the Public Service Commission, and then you can be sure that you have made a proper selection.

THE HONOURABLE MR. V. V. KALIKAR : On a point of information, Sir. I may inform my Honourable friend that so far as the appointments of professors in my province are concerned, the Public Service Commission makes them, and not the University.

THE HONOURABLE MR. HOSSAIN IMAM : I was referring to the Delhi University. Here, the appointments are made by the college concerned—not even by the University. The University only recognises them. It does not get all the facts about those who have been rejected. That is my complaint against Government. There is no examination of rejections. The examination is only confined to the question of fitness. If there are two candidates, one a Hindu and the other a Muslim, the Muslim is turned out, and there is no redress for him. This is the point to which I want to draw Government's attention.

I have only one more suggestion to make. We have heard that Government had a plan for constructing buildings in Ghaziabad. That plan has been given up, and Government are now going to construct buildings in Delhi. May I suggest that those buildings should be built on the University site, so that they may serve ultimately as hostels ? Let them be made to serve both purposes : during the war, let them be used as clerks' quarters, and after the war, let them be converted into students' hostels for the University. I thought this suggestion might be useful to the University authorities.

In the end, I can only say that this Bill goes in spite of our opposition. Had we been hopeless, we would not have given this Bill good wishes. But I do wish Mr. Sargent and all those who are embarking on this experiment success as far as they deserve.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan) : Mr. Chairman, I will not occupy the attention of the House for more than a minute. My Honourable friend Sir Jogendra Singh said in his concluding speech that we were " between two worlds—one actual, and the other to be born ". He hoped that the Delhi Bill would illuminate the whole

[Pandit Hirday Nath Kunzru.]

field of education. Sir, the hopes of my Honourable friend will be realised only if after the establishment of the Delhi University the Government of India recognise their responsibility towards education throughout the country. The Delhi University, which will be meant for a small area only, will surely not be able to shed light over the whole of this vast country. That will be possible only if, fortified by the results of the establishment of the Delhi University, the Government of India come forward to encourage the Provincial Governments to start similar universities, to reorganise their secondary education and also to spread education in rural areas, by promising them adequate grants-in-aid. Unless that duty is discharged by the Central Government, the real purpose of establishing a model university in Delhi will be completely lost.

There is only one other remark that I should like to make. I suggested yesterday that the Board of Secondary Education should be placed on a statutory basis. Its responsibilities will be great. My Honourable friend Mr. Sargent said yesterday that it would be its business to give instruction up to the intermediate standard. I go further and say that it will be its duty to give instruction of a higher kind than is given in intermediate colleges now, so that the gap now existing between the first stage of university education and the last stage of higher secondary education might disappear. In view of this, I suggest with all the emphasis at my command that our suggestion for bringing legislation before this House in order to place the Board of Higher Secondary Education on a new basis should be accepted.

My last suggestion is that Urdu and Hindi should be given a prominent place both in the secondary schools and in the University. They should be placed on absolutely the same footing as other branches of study, for, unless this is done, we shall not be able to give that education in the secondary schools which will enable the students to develop themselves fully and to apply their minds to the problems that come before them.

With these words, I should like to support the Bill. I should like, in doing so, to congratulate both Sir Maurice Gwyer and my Honourable friend Mr. Sargent who have worked together disinterestedly and zealously for the reorganisation of the Delhi University and for providing India with a University like the universities which are known in other parts of the world.

**THE HONOURABLE SIR JOGENDRA SINGH :** Sir, I rise to express my warm thanks to all Honourable Members of the House and particularly to the Honourable Mr. Sapru for his illuminating address on Education and no less to my Honourable friend Mr. Hossain Imam for his strongly pleading the cause of his community. In the course of the debate there was only one point which needs an answer, and that is the point which the Honourable Pandit Kunzru has just raised. He has called on me to indicate the policy of the Government of India in the matter of Education. It is indeed a very important question that he has put to me. Today a little while ago I was listening to the Honourable Mr. Hossain Imam pleading for provincial independence, seeking freedom from Federation and help from the Centre—

**THE HONOURABLE MR. HOSSAIN IMAM :** The help is welcome.

**THE HONOURABLE SIR JOGENDRA SINGH :** I can only say that I strongly believe and I am expressing my personal opinion that for many years to come the Centre must recover the power, and supervise the field not only of Education but every other field where the provinces need the help of the Centre. It shall be my endeavour during my tenure of office to help Education as far as I can and to secure funds for Education to carry out the programme which my Honourable friend Mr. Sargent is busy in preparing.

Finally, Sir, I wish to thank both my Honourable friend Mr. Sargent and my Honourable friend Mr. Tyson for the way in which they have piloted this Bill through both the Houses.

Lastly, Sir, I hope that the University which is the faithful mother of enlightenment, will produce men who not only absorb the thoughts of other men but attend to their own and thus follow the path of wisdom.

**THE HONOURABLE THE CHAIRMAN :** Motion moved :

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

Question put and Motion adopted.

THE HONOURABLE MR. P. N. SAPRU : Sir, can't we have a short adjournment now for tea ?

THE HONOURABLE THE CHAIRMAN : It is the pleasure of the House to have a short adjournment or shall we go on to the Adjournment Motion ? Under the rules we have to begin at 4 P.M., but if the House wishes, we can have a short adjournment.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : We can have an adjournment for 20 minutes, Sir.

(Other Honourable Members also agreed.)

THE HONOURABLE THE CHAIRMAN : Then we will meet again at 4-20 P.M. The Council then adjourned for Tea till Twenty Minutes Past Four of the Clock.

The Council re-assembled after Tea at Twenty Minutes Past Four of the Clock, the Honourable the Chairman (The Honourable Sir David Devadoss) in the Chair.

### MOTION FOR ADJOURNMENT *RE* PREVENTION OF THE PUBLICATION OF DR. SHYAMA PRASAD MUKHERJEE'S STATEMENT ON THE FOOD SITUATION IN BENGAL.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Province Northern : Non-Muhen madan) : Sir, I move :

"That this House do adjourn to discuss a matter of urgent public importance, namely the prevention by the Government of India of the publication of Dr. Shyama Prasad Mukherjee's statement regarding the food situation in some districts of Bengal."

Mr. Chairman, the condition that prevails in various parts of the country on account of the shortage of food is well known to all members of this House. Bengal, Malabar, Cochin, Travancore and to a certain extent Orissa also are suffering greatly owing to high prices and the inability of the poor people to obtain the foodgrains that they are accustomed to. Harrowing accounts of the sufferings of the people have been published in the papers. Very recently, Sir, a paper which is published both in Calcutta and in Delhi published in two issues of it photographs of some of the starving people in Bengal and also of some of those that had died. Those photographs must have made a very painful and deep impression on the minds of all those who saw them. I cannot forget them ; they are always before me. I feel so deeply for the people of Bengal that if I had a large sum of money, to give away I would place it unhasitatingly at the disposal of my suffering countrymen there. If Government do not want that news relating to the distress that prevails in Bengal should create a panic in India, how could they allow those photographs to be published ? But having allowed those photographs to be published and accounts relating to deaths from starvation to appear in various newspapers, I cannot understand why they should have imposed a ban on the publication of Dr. Shyama Prasad Mukherjee's statement. Perhaps Honourable Members will be curious to know what the statement contained. But before I draw attention to its contents in order to show that it was in no way different from the statements that have appeared in the newspapers, I should like to say a word with reference to the remark made by the Honourable Mr. Conran-Smith this morning that the matter which I wanted to discuss was about a month old, if I heard him aright.

THE HONOURABLE MR. E. CONRAN-SMITH : Sir, on a point of explanation. I did not say any such thing. I said that there had been several meetings of this House between the date on which the statement was published and the present date.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I do not know what the Honourable Member means by the date on which the statement was published ?

THE HONOURABLE MR. E. CONRAN-SMITH : I suggest that the Honourable Member leave that point till I make my reply.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The statement was published in the Calcutta papers which came into my hands only the evening before last.

THE HONOURABLE MR. E. CONRAN-SMITH : The Council met yesterday.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The Council did meet yesterday but I wanted to verify whether the Government had really imposed

[ Pandit Hirday Nath Kunzru. ]

a ban on the publication of this statement and I have verified that the complaints which reached my ears were perfectly genuine.

Now, Sir, I shall turn to the statement issued by Dr. Shyama Prasad Mukherjee. The statement was issued after a short tour by him in some parts of the flooded and famine-stricken areas of Burdwan and Nadia. In the course of the statement he mentions the conditions prevailing in Midnapore also. He has stated as a result of what he saw with his own eyes that the non-official agencies which were singly or collectively trying to help the people were unable to secure the necessary food-grains. Another statement made by him was that innumerable families and individuals were starving and that there had been cases of death, of "sale and desertion of children and other dependants" and that "a general state of helplessness and hopelessness" seemed to prevail in the area which he visited. He then drew the attention of the authorities to the condition of the poorer classes and poor middle class families which could not beg and which, unless helped by the authorities, would have no option but to die slowly and painfully of starvation. Sir, after describing the work done by the non-official agencies he went on to make some suggestions to Government. The first suggestion made by him is that in those areas where rice is not procurable Government should cease to purchase rice and paddy. He has stated, Sir, that it was brought to his knowledge that in spite of the distress prevailing in the districts that I have already mentioned, Government was continuing the purchase of rice and paddy there and their removal to other parts of India. We do not know, Sir, how much rice was available there. It may be that there was a surplus there. If so, we should like to know what was the total quantity of grain available and how much Government purchased there? In the second place, as Dr. Shyama Prasad Mukherjee has pointed out in his statement, if the Government of Bengal want to go on purchasing rice in the districts already referred to and to use it to build up a reserve or to send it to other districts they must take upon themselves the responsibility of feeding the people of the areas in which rice and paddy are purchased by them. Government cannot simply denude these districts of their foodgrains and leave the helpless people to their fate. They must, if they buy food grains in the areas which are already suffering from a serious shortage of it, accept the responsibility of feeding the people there.

Another suggestion, Sir, which Dr. Shyama Prasad Mukherjee has made deserves the serious attention of Government and I am sure that it was not because of this suggestion that the publication of the statement was banned. He has pointed out that owing to the poverty of the people and the shortage of cloth the women had hardly enough clothing on their bodies to hide their shame and that women belonging to the poorer middle class families would hardly come out of their houses. He suggests, therefore, that the Government, in addition to undertaking the distribution of foodgrains, should also undertake the provision of cloth to deserving families. He made, Sir, many other suggestions of the same kind. It is not necessary for me to refer to all those suggestions but I do want to draw the attention of Government and the House to the declaration made by the Government of Bengal that it would purchase the *aus* crop and take the surplus out of the affected districts. The House will not be surprised to know that according to Dr. Shyama Prasad Mukherjee this declaration of policy has created alarm and panic in the affected districts.

Sir, Dr. Shyama Prasad Mukherjee after making the suggestions mentioned above has criticised the Bengal Government for their failure to fulfil their primary duty towards the people by enabling them to keep themselves alive. The principal part of his indictment of the Government of Bengal seems to be that the Ministry has no real responsibility and that those who enjoy real power are sheltering themselves behind the Ministry. His advice, therefore, is that a National Ministry should be formed in Bengal so that adequate pressure might be put on the authorities to compel them to deal energetically with the terrible situation that prevails in the Province.

Now, Sir, I would like to ask any fair-minded person in this House what was there in this statement which could be regarded as alarming or tending to create a panic in India?

THE HONOURABLE MR. E. CONRAN-SMITH: May I rise to enquire from which copy of the statement my Honourable friend is reading?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I think it is the *Amrita Bazar Patrika* of the 26th or 27th. I have not noted down the date.

This statement has been published in the Calcutta papers. It was received in Delhi and it could have been received here only because the Bengal Censor passed the statement, otherwise no news agency would have been allowed to wire a summary of the statement outside Bengal. Well, if this statement, Sir, is allowed to be published in Bengal which is the most affected part and where it is most necessary not to allow the publication of information which would alarm the people, and the Bengal Press Adviser found nothing objectionable in it why was it not allowed to be published here ? I should like to know, Sir, in this connection what is the policy of the Government of India with regard to censorship ? Why should they have prohibited the publication of a statement which had been allowed to be published in Calcutta and which had been allowed to be wired to other parts of India by the Provincial Press Adviser. There must be a limit, Sir, to the vagaries of censorship. The Government of India have undoubtedly the power to go wrong but—

THE HONOURABLE THE CHAIRMAN : Will the Honourable Member please remember the time limit ?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : I have my eye, Sir, on the clock.

I hope, Sir, that they will not use the unlimited power that they enjoy in an arbitrary annoying and offensive manner. They should not abuse their privilege and allow it to be converted into a licence.

Sir, I do not want to take up the time of the House any further but I do want some explanation from Government regarding the policy which they follow in connection with the censoring of statements. Sir, if my memory does not fail me, when discussions took place here regarding the censorship exercised by the authorities it was realised by that Central Government that when a statement which mainly concerned one province was approved for publication by the Press Adviser of that province the Government of India should be very careful in exercising their right to prevent its publication.

It seems to me, therefore, that the ban placed on the publication of Dr. Shyama Prasad Mukherjee's statement is wholly inexplicable. It is not justified by anything contained in the statement, which is not in any way different from the news that has already appeared in the papers regarding the distress that prevails in Bengal.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) : Sir, I rise to support the Motion so eloquently moved by my Honourable friend Pandit Kunzru. We know the harrowing tales of starvation and death in the city of Calcutta. We know that in Malabar people are starving for want of food. These statements are published in the Press ; and, as stated by the Honourable Pandit Kunzru, in one newspaper photographs of people dying of starvation in Calcutta have appeared. It rather puzzles my mind, Sir, to understand the attitude of the Government of India. When these photographs are published, they are not censored. Why should the statement of Dr. Shyama Prasad Mukherjee be censored ? Dr. Shyama Prasad Mukherjee toured round three districts in Bengal, secured first-hand information about the food situation there, and suggested certain remedies. Do the Government of India think that the publication of the statement of Dr. Mukherjee will cause a breach of the peace in India, or harm the administration of the Food Department ?

We know that the Government has bungled, and bungled very seriously, in administering the Food Department. We have before us a statement made by a responsible Minister in the Punjab, that so many tons of wheat were lying there in the Punjab but were not removed by the War Transport Department. That statement was not censored. What does Dr. Shyama Prasad Mukherjee say ? He says : " Please take certain steps to relieve the condition of the starving and dying people of Bengal ". Why has the Government of India come in the way of its publication ? Instead of helping to relieve the distress of the starving and dying people, the Government of India censored the statement and created more panic by suppressing statements of people like Dr. Shyama Prasad Mukherjee. We

[ Mr. V. V. Kalikar. ]

thereby begin to think that the Government of India are not fair in their dealings with the public of India.

Dr. Mukherjee has stated in his statement that starving people are selling their children, and that the middle class people do not get food, and, not being in a position to beg, die in their own houses. He has, therefore, suggested that some remedy should be found to give them food. But here is the Bengal Government, and here is the Government of India; they are not only not taking any measures in this direction to relieve the distress of the starving people there, but they go to the extent of censoring the statement made by a public man of the fame of Dr. Shyama Prasad Mukherjee. The proper way for the Government of India was to have allowed the statement to be published, and if the facts stated by Dr. Mukherjee were incorrect, they ought to have contradicted them. I cannot see what weighed with the Government of India in adopting this absurd course of censoring the statement.

Sir, Dr. Mukherjee says that in those districts where people are dying for want of rice, rice is purchased by the Government agency. Why should not Government interfere and stop the purchase of that particular commodity in those areas, when they know that people are dying for want of rice? The Government of India as well as the Bengal Government have failed in their duty to relieve the sufferings of the starving people, and they deserve censure.

The statement published by Dr. Mukherjee clearly brings out one fact before us, and that is that the Government of India as well as the Bengal Government are callous to the sufferings of our people in Bengal.

THE HONOURABLE MR. P. N. SAPRU: Of course they are.

THE HONOURABLE MR. V. V. KALIKAR: They do not at all care for the starving people. We have read stories of people in the streets of Calcutta fighting for particles of rice near dust bins. These statements have been published in the *Statesman*. You did not censor those statements. Why do you censor the statement of Dr. Shyama Prasad Mukherjee? Has he told you anything more?

It is really surprising that the Government of India, sitting here in the Imperial city of Delhi, should take this abnormal course of censoring honest statements—statement which Dr. Shyama Prasad Mukherjee has prepared after careful examination of the situation. They have adopted this abnormal course to stifle public agitation on this question. I am not in a position to say what is going on in the mind of the Government. But I must state definitely that if the Government of India adopt a course like this, they will alienate the sympathies of all those who are helping them in this emergency. I wish the Government of India would take courage in both hands and adopt a course which will relieve the suffering of starving people there, instead of adopting this absurd course of suppressing statements made by public men like Dr. Shyama Prasad Mukherjee.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Mulena adan): Mr. Chairman, I am surprised at nothing that the present Government of India does. I think, Sir, that what their Censor has done in regard to Dr. Shyama Prasad Mukherjee is quite in keeping with the policy of Mr. Amery and the head of the Government who is, fortunately for this country, retiring and leaving its shores for ever. Sir, people are actually dying of starvation in Bengal and we hear harrowing tales of the distress that people are suffering from in Bengal, Travancore, Cochin and Malabar, and yet this Government of India of 14 men, 10 of whom are Indians—some of them very estimable men in private life—has not been able to do anything to tackle the problem of food, and when a man of the status and stature in public life of Dr. Shyama Prasad Mukherjee says that you must do something to solve this problem, when he makes concrete suggestions, when he draws attention to what is happening in Bengal—and he is not the first to draw attention to what is happening in Bengal; a British paper has been writing in strong language about what is happening in Bengal—when he draws attention to what is occurring in Bengal, this Censor of the Government of India says, "Your statement shall not be published". Even though that statement was allowed to be published in Bengal by the Bengal Administration, this Censor says that notwithstanding that statement has been allowed to be published by the Bengal Government, the Delhi papers shall not publish it. If the object of the Government

is to see that that statement does not reach the people of this country, they have failed in that object, because, some of us read the *Amrita Bazar Patrika* and the *Amrita Bazar Patrika* has published it. What you have done is merely to prevent the Delhi and Northern India papers from publishing the statement. Is that the uniformity of policy in regard to press censorship which this most despicable of Governments is adopting? Are we to thank this Government which has not been able to tackle this food problem all this time, which does not know its mind in regard to how this food problem has to be tackled—are we to thank this Government, the most incompetent of Governments—I say it again and I say it with emphasis—for the situation that it has created in Bengal and for the action it has taken in regard to Dr. Shyama Prasad Mukherjee? I say, Sir, with a certain amount of certainty that if there had been a Government like the Government of India in any responsibly governed country, that Government would have been turned out in 24 hours. No decent Legislature, no decent electorate, would have supported a Government of nincompoops, and they are a set of nincompoops. I read heart rending accounts of what is taking place in Bengal. There is cholera, typhoid and malaria there. Government says rice sells at Rs. 40 to Rs. 50 per maund. But the newspapers say that even if one pays Rs. 40 or Rs. 50, one cannot get rice there. The rumour today in the lobby was that the brother of a member of the Government has died of starvation in Calcutta. I was distressed to hear it. This is the record of the Government of India presided over by the Marquis of Linnithgow, and this is the record of the Government of Bengal presided over by Sir John Herbert! I do not blame the Bengal Ministry. The Ministry is not a free agent. It has got to work with a Governor who was not prepared to co-operate with Mr. Fazlul Huq. It has got to work with a Governor who dismissed Dr. Shyama Prasad Mukherjee. It has got to work with a Governor who made Mr. Fazlul Huq to sign a letter of resignation. That shows the despicable character of the Bengal Administration and when I say Bengal Administration, I mean the Governor of Bengal.

Sir, only this morning I was reading the *Amrita Bazar Patrika* and here is a picture which you can see: "The Most Uncommon Commodity today—Food salvaged from stinking dustbins, and devoured with avidity by the famished destitute". You can see this picture here (showing the picture in the copy of the *Amrita Bazar Patrika*, dated the 28th August, 1943). Sir, it is difficult for those of us who are children of the soil, who have sympathy with people of the soil, who do not eat minced meat and bacon and eggs but who live on rice, *chappatis*, *puris* and things of that type,—it is difficult for us not to feel shocked at the distressing tales that we receive from Bengal. We have relations, we have friends in Bengal. We get letters from them even though we know that these letters are censored. We get people from Bengal and they tell us tales about Bengal. News travels. It is not in Bengal only that the situation is serious. I prophesy that in my own province, the situation is likely to grow worse. In Benares I hear the situation is getting pretty serious.

I have read the statement of Dr. Shyama Prasad Mukherjee. I do not find any incitement in that statement against the war effort. I do not find in that statement any intemperate criticism, and I think intemperate criticism against this Government is justified. I do not find in that statement any intemperate criticism against this Government. I find that he has been visiting certain districts of Nadia, Burdwan and Midnapore and has given an objective account of what he saw in those districts, and he has made certain suggestions for the improvement of the food situation in those districts. How can a statement of that character, meant to secure greater co-operation between the Government and the people in this crisis, how can a statement designed to make suggestions for the improvement of the food situation which is admittedly bad, how can a statement which says that the food situation will improve if *inter alia* a national Government is also formed in Bengal? How can a statement of that character, I ask in all seriousness, affect the law and order of Bengal or of any part of India? Of course, every question is one of law and order in this country. I suppose the speeches that we deliver are very obnoxious to our official friends. We want them to be obnoxious to our official friends. We want to tell them the truth, that they have failed, and failed miserably, despicably, to deal in an efficient manner with the food situation. You go and ask

[Mr P. N. Sapru.]

any villager today, you go and ask any Indian today, whether he be a Muslim or a Hindu. The one thing he says is "Prices are shooting up. I cannot live. I have not got enough to purchase food". You tell him that the trouble is due to profiteering, hoarding, currency manipulation, difficulty in regard to co-ordination between surplus and deficit provinces, you may give him a hundred explanations; he does not care for those explanations; he does not understand those explanations. He knows a certain fact and that fact is that food is not available and that food has not been available for a long time and he wants to be saved from starvation. He wants to be saved from hunger. He is not bothered about independence. He is not bothered about Pakistan or Akhand Hindustan. Those are questions which do not trouble him just now. The urge of hunger is very strong in him. It was very strong with us today. We suggested at 4 P.M. that you might allow us a few minutes for tea. Well, Sir, if we cannot do without our tea, then do you think that millions of men, or hundreds of thousands of men, can do without their meals. They can do without food for one day, two days, three days, but surely not for days together. If I do not have a meal one day I feel exhausted. I do not like to do any work even the next day. These fellows know hunger, because they are used to it and it is a marvel that they have been putting up with all this sort of thing so long.

THE HONOURABLE THE CHAIRMAN: Let me remind the Honourable Member that his time is up.

THE HONOURABLE MR. P. N. SAPRU: I shall finish soon.

My Honourable friend Dr. Kunzru has pointed out the difficulties of the middle class people also. I say that if ever a censure motion was deserving of support from all sections of the House, irrespective of any communal differences, it is this and I would ask my Honourable friend to forget personalities and give his whole hearted support to this Motion. Look upon it as a direct censure upon this most incompetent of Governments.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa: Mahammadan): Sir, I have often complained that the Government have different standards for different kinds of people. The pictures that were published in the *Statesman* were greater proof of the terrible conditions prevailing in Bengal than all the facts contained in Dr. Shyama Prasad Mukherjee's statement; yet they were not censored. The business that is being helped directly by the Government—I mean motion pictures—showed to us the other day in Delhi the ravages of floods in Burdwan. It is being shown in many cinemas in Delhi and yet it has not been censored. What is the standard which the Government has fixed for censoring a thing? Is there any intelligence in the action of the Government of India, any uniformity in the actions of the Government of India? I say, Sir, that every civilised Government has to submit to certain standards. This is the difference between an autocratic Government of the type of the Nazis and the so-called democracy which is supposed to prevail in the British Empire. I have qualified my statement because I do not believe that in India we have even the semblance of democracy. We have autocratic rule camouflaged as the rule of 15, 14 Executive Councillors and the Master Manu. The Government of India has banned the statement, I am told, for Delhi. One is surprised that a statement which concerns Bengal primarily should be allowed to be published in Bengal and should be stopped from publication in the central area of Delhi. If the statement was bad—I am not saying that there is nothing bad in the statement, I shall deal with it later on—I do not see that it would have been very harmful if publication had been allowed in Delhi. The fact to which attention has already been drawn is that the *Amrita Bazar Patrika* which published copies of this statement was not proscribed. If they wanted to go the whole hog, they ought to have done this too; then there would have been some sort of consistency even in this rough method which they adopted. But they have allowed the *Amrita Bazar Patrika* to be published and then prevented this statement from publication here and I say it is senseless. There is no sense in doing a thing like that; you dam up one end and open the sluice gate on the other. What is the idea of it?

Sir, reference was made to the scarcity of cloths. As I am somewhat intimately connected with this subject, I should like to mention that the scarcity of clothes is not due to the unavailability of the cloths but to want of funds. The condition of Bengal is peculiar in this respect. It is not only scarcity that is troubling Bengal but want of funds in the hands of the poor is the greatest trouble of the peoples of Bengal. Foodstuff is available at such high prices that it is outside the resources of the ordinary man to buy. In this connection I would like to have some statement from the Honourable Secretary, War Transport Department, because pointed reference has been made to the statement of Sir Chhotu Ram in which he has stated that although there is nearly 2½ lakh tons of wheat available, the War Transport Department has transferred not more than 60,000 tons. I do not know how far the allegation is correct. It is for the War Transport Secretary to enlighten the House on this subject and tell us whether the statement of the Punjab Minister is correct or not. But that is a very grave charge if the War Transport Department has failed to move the grains available. Sir, it is the responsibility of the whole of the Government of India, not only of the War Transport Department, that something should be done to make food available. The plight of Bengal is one for which every man has sympathy. It is not a political question. It is at this point that I differ from Dr. Shyama Prasad Mukherjee. His statement tries to make political capital out of this calamity. I regret, Sir, that Bengal politics has degenerated so much that even in this hour of trial, when there is famine, deaths and floods, people cannot combine and genuinely try to alleviate the condition of the country. I have seen his statement and some of his remarks are, to say the least, most improper at this juncture. The complaint is that the Government is not making rice available to the country. Now, a Government can only make a thing available if it buys it. The present Government has made a plan for purchasing rice. The whole plan has been condemned by Dr. Mukherjee. Well, if the Government does not buy now when the harvest is being gathered I doubt if they will be ever able to supply the needs of the country. I agree with his criticism that in a district where there is scarcity no export should be allowed, I have personal experience of my own province where my Provincial Government prohibited the movement of crops from one district to another in certain commodities. The Provincial Government is perfectly justified in imposing inter-district restrictions and *if there is any truth in that allegation then I think his criticism would be perfectly correct.* The Bengal Government must take the responsibility for feeding the people of the area affected. It must not forget those guilty persons who in spite of the local scarcity are selling rice to the outside authorities. Not a word is said about the *bania*. Why don't you condemn him and his unpatriotic action, that he is taking by selling to outsiders and thereby starving the people of the country? He is guilty of a sin of commission if the Government is guilty of a sin of omission.

Well, one of the methods that he has suggested was that free kitchens should be opened in every village in the district of Midnapore and Burdwan. Any one who has any knowledge, of the countryside can understand how difficult, almost impossible it is to have a free kitchen in every village of a district and especially districts with such large populations as they have in Bengal. I do not know the population of the districts of Midnapore and Burdwan but I know of one district and it has a population of 44 lakhs, the Mymensingh district. So I think the impracticable suggestions which he has made have been made probably with a view to make political capital out of the failure of the present Government.

Well, Sir, as I have said, in this statement Dr. Shyama Prasad Mukherjee has tried to make political capital. I refer to these words of his :—

"It is not for me to discuss how far the present Ministry or the permanent officials or the Government of India is responsible."

He conveniently forgets Mr. Fazlul Huq who was the Chief Minister at the time when the rice was harvested, and at the time when the Government of India wanted him to come into the pool and he refused. He has not a word of condemnation for Fazlul Huq, and how could he? We see the peculiar political integrity of Bengal, that the Leader of a Party can resign from a Ministry and yet the Party under the leadership of resigned ex-minister must support the Government. This is a parody of political integrity which we have seen in Bengal. I am not happy

[Mr. Hossain Imam.]

over Bengal. I condemn some of my own co-religionist too. There is something rotten in Bengal politics and I regret to say that politics have become a plaything there and even at this juncture when Bengal is in such terrible difficulties, Bengal politicians are not rising up to the standard to which they should rise if they have to deal with this situation in a manner in which it ought to be tackled. It is time when all differences should be forgotten, it is time when all political forces must sink their differences and come together and work for the removal of the famine conditions in Bengal. He says that the present crisis can only be solved by a Government commanding the confidence of the people. If a Government commanding the confidence of the people comes forward with courage and determination, who is standing in the way? Dr. Shyama Prasad Mukherjee and his Party. The League Party was perfectly willing and desirous of having the co-operation of as many Hindu friends as it could get but it is regrettable that they stood out. They made it a condition that unless Fazlul Huq came in they would not join. I for one cannot in any way be a party to condemnation of the present Ministry in Bengal but I do say, Sir, that that should not be an excuse for the Government of India to ban this statement. We may have our quarrel—we are brothers: we will fight one day and may be together the next day—but why should the Government of India intervene ineffectively in this matter? Have they a clean record in this matter? As has been said in the last debate the Food Ministry has been the shuttlecock of the Government of India. It goes from one man to another. Without any security of tenure and without any regard for the competence of the man who will handle the matter. We in this House, Sir, unitedly demanded last year the creation of a Food Ministry. It was then regarded as the usual political stunt of ours. The Government would not heed us but now when famine conditions have appeared they find that they are unable to do anything. The *Amrita Bazar Patrika*, which published this statement, had a very good caption for its leading article—"Give food or get out". I think it says in five words what India demands. It is the duty of the Government of India either to give food or to get out.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY (West Bengal: Non-Muhammadan): Sir, I rise to support the Motion moved by my Honourable friend Dr. Kunzru. Sir, as one coming from Bengal I am in the habit of reading the Calcutta papers. I find that many important news about the food situation and the condition of the people of Bengal which appear in the Calcutta papers are not published in the papers in Delhi. I read in the Calcutta papers that Dr. Shyama Prasad Mukherjee, who had been the Vice-Chancellor of the Calcutta University for two terms and had held the post of the Finance Minister of the Province of Bengal and who certainly cannot be called an irresponsible person, had made a statement that he went out touring several districts of Bengal to see for himself the condition of the people there and found that though the people of those districts were dying of starvation for want of food still rice was being exported from those districts. Sir, I also read the other day in one of the Calcutta papers that a brother of a member of the Government of India, committed suicide on account of poverty. I thought first that perhaps the papers here do not consider these news important enough to take up the columns of their papers. I now learn that here there is somebody sitting somewhere who prunes the news perhaps thinking that, if the people of the Imperial City come to know what is happening in Bengal, it will expose the Government of India and their understudy the Government of Bengal and will show them in their true colours. What has appeared in the Calcutta papers is insignificant compared to what is happening there and which is not published anywhere and which can be seen only with one's own eyes. All credit to the *Statesman* which came out with a very strong article the other day castigating the Government of India and the Government of Bengal in the severest of terms. The favoured contractors are still profiteering with the help and connivance of the Government of India and the Government of Bengal. The people of Bengal—why the people of Bengal, the people of India—are crying with one voice: "Either give us food or get out". The Censor here perhaps thought that unless he suppressed the news the misdeeds of the Government of India and the Government of Bengal—which are countless—would be known if the news were published. I am sure that if those misdeeds or even a frac-

tion of those misdeeds are known, these Governments will be greeted with an unanimous hiss the sound of which will vibrate not only throughout the length and breadth of this country but outside it as well.

Sir, I strongly support the Motion moved by my Honourable friend Pandit Kunzru.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadian) : Sir, most of the ground that I wanted to cover has already been covered by my Honourable colleagues. But I want to ask the Government of India and the Government of Bengal why they were sleeping over this question for such a long time ? Burma has been in the possession of Japan for more than a year. My information is that a million and a half tons of rice used to come from Burma, and the Bengal Government knew that this supply had been cut off by the occupation of Burma. Notwithstanding the fact that the province was short of a million and a half tons of rice, the Bengal Government allowed the export of rice to other countries. Why was that done ? Why were the Government of India sleeping at that time, notwithstanding the fact that Assam and Bengal were probably to be the future field of warfare ?

The man who is hungry does all sorts of things to save his life. Knowing the fact that Assam and Eastern Bengal were to be the centre of warfare, what would be the condition and attitude of the people when actual warfare is going on in their midst ? My own view is that both the Government of India and the Government of Bengal have failed in their prime duty of protecting the people from starvation. Law and order depend upon the contentment of the people, and if people are dying of starvation you cannot expect to maintain law and order. What happened in Burma ? We must take some lessons from the happenings of Burma. Information has been reaching us—I cannot say whether all that information is correct—that the attention and sympathy of the Burma Government towards the people was not what it ought to have been, and the result was that Burma was lost. I need not mention what effect it had.

Reference has been made to the statement of the Punjab Minister. I have already given a reply to that responsible Minister, and it has appeared in the Press, though not in all the newspapers. He said that the War Transport Department had not been able to remove so much wheat from the Punjab. That argument does not appeal to me. Bengal requires rice. Bengal is not a wheat-eating province, and I cannot understand what is meant by all this propaganda of the Minister of the Punjab Government saying that they had so much spare wheat and that the Government of India failed to transport it.

THE HONOURABLE MR. HOSSAIN IMAM : May I remind the Honourable Member that when people are starving they will eat anything that they get ? How can they expect to get what they want ? They must eat what they get. Beggars cannot be choosers.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : My Honourable friend says they will eat anything they get. But I can tell you that a man who is accustomed to rice will not take to wheat. Wheat will not suit him. I know of cases in which people who had been accustomed to rice were forced to take to wheat and developed dysentery and other diseases and had to give it up. Wheat is given to rice-eating people only when they are sick.

However, my question is this. The Government of Bengal knew that the province was short of a million and a half tons of rice. Why did they allow export of rice from the province ? Why do they give this excuse that the rice exported was for Indian soldiers and sailors ? That is no excuse at all. My contention was that the Bengal Government knew that they were short of rice, and still they went on exporting rice from the province. They should not have done that. They should have taken the political situation into consideration. There was warfare going on near Assam, and the Bengal Government could not provide its people with food. What will be the condition when that part of the country becomes a field of warfare ?

My Honourable friend Mr. Hossain Imam said that the traders are to blame because they are hoarding stocks of rice. I blame everybody who has no sympathy with people who are dying for want of food. There must be some reserve with the people. There may come a time—which God forbid—when Japan may invade

[Rai Bahadur Lala Ram Saran Das.]

India. Everybody thinks that Japan is going to invade India. If Government fails to find food in normal times, what will they do when the area becomes the field of warfare? There must be some reserve stocks with the people to meet emergencies and they ought not to be deprived of even the small stock they have. I am not talking of the trader. I am talking of the farmer, the agriculturist, who ploughs the fields and who lives on agriculture. One should not deprive them of everything they have. My friend blames the Food Department. How can we blame the Food Department? The Food Department is looked up to by other provinces. It has come to the rescue of certain parts of the country when they have become short of foodstuffs. When there is shortage of rice in Bengal, rice must be found in order to save their lives and to save their Government from the critical situation. No one would show any sympathy to a Government which does not even look after the lives of its subjects. The question of transportation arises only in normal times. When there is a war going on, transport becomes very difficult. Therefore it is proper that there must be some reserves with the landholder and the tiller of the soil at the present time so that he may fall back upon it during the hard times that are likely to come in the near future. My friends wanted to bring in political considerations—the Premier differing from the Governor or the Ministry not co-operating with the Governor and so on. The Ministry and the Governor are both to blame for neglecting their duty at a very serious time, and the sooner the Government realises its blunder and restores food to its people, the better. Otherwise it will have to face serious consequences in the near future when people will actually be living under war conditions, when there will be bombing and so forth. The Bengal Government, knowing that they were short by  $\frac{1}{2}$  million tons of imported rice, did not take any measures to recoup their stocks thereby letting the people to die of starvation. I greatly appreciate the services of the *Statesman* in publishing the photograph of the starving dying people, and thus bringing to the notice of the rest of India the conditions which are prevailing in Bengal. I wish that the Government of India should wake up to their duty and force the Bengal Government to come to their senses and move in a manner in which there will not be further trouble owing to people dying of starvation.

**THE HONOURABLE MR. E. CONRAN-SMITH :** Sir, so formidable has been the massed attack of the Opposition that I feel I ought to be crushed. That I am not is mainly due to the fact that so much of their heavy artillery has been firing off the mark. I cannot congratulate them on their gunnery. Many of the shots went over my head and a lot more went wide. They were obviously aimed at entirely different marks. I must confess, however, that I have been left confused. We have travelled *via* politics and the Food Department to the time at which my Honourable friend Mr. Sapru takes his tea. My Honourable friend Mr. Hossain Imam has left me more confused than any other speaker. He has apparently condemned Dr. Shyama Prasad Mukherjee and his statement. But he has at the same time condemned Government apparently only on the principle that whatever Government does must be wrong. He has also urged the Government to get out. Which Government is far from clear. Is it the Government of Bengal or the Government of India? That left vague.

**THE HONOURABLE MR. HOSSAIN IMAM :** The Government of India every time.

**THE HONOURABLE MR. E. CONRAN-SMITH :** Very well, the Government of India.

**THE HONOURABLE MR. P. N. SAPRU :** The Government of Bengal.

**THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY :** The Bengal Government should get out first.

**THE HONOURABLE MR. E. CONRAN-SMITH :** I propose, Sir, to confine myself to the subject-matter of this Motion, the intention of which is to criticise Government for a certain action they took in regard to this particular statement. In doing so I propose to give the House the facts. A summary of the statement made by Dr. Shyama Prasad Mukherjee on the Bengal food situation was put out by a leading news agency on August the 25th and came to the notice of the Chief Press Adviser on the afternoon of that day. From the text of the summary, which was all the t-

was available at the time, the Chief Press Adviser formed the opinion that although it had apparently been passed for publication in some form by the Press Adviser in Calcutta, the statement as given in the agency summary was objectionable from the security point of view and was designed primarily, as my Honourable friend Mr. Hossain Imam has also told us, with the object of exploiting the food situation for purely party ends. After consultation, therefore, with the several departments concerned, who fully concurred in this view, the Chief Press Adviser advised the news agencies and all Provincial Press Advisers that the statement was not passed for publication outside Bengal. As Honourable Members will no doubt have seen, a brief reference to the statement has appeared in the *Hindustan Times* and other newspapers but from an examination of the Calcutta papers that have since come to hand, it appears that the statement received rather fuller publicity in Bengal than it did elsewhere. I should like to make a reference here to the Honourable Dr. Kunzru's objection to what I said this morning on the subject of the urgency of his Motion. What I said was that there had been some publicity given to the statement some days ago and that I thought there was plenty of time between then and now for the Honourable Dr. Kunzru to have moved his Motion if the matter was so urgent as to justify a Motion to adjourn the House. I particularly asked the Honourable Dr. Kunzru from what statement he was reading so that I might get some idea how and when he derived his information. He did not tell me how he learnt that Government had imposed a ban, or rather that the Chief Press Adviser had not passed this statement for publication. Presumably he only obtained that information very recently, and if so, I can understand why he did not previously move this Motion.

Well, Sir, it is clear from a comparison between the News Agency summary which I referred to and which was first seen by the Chief Press Adviser and the version of the statement published in certain leading Calcutta nationalist dailies, that the statement contained passages to which no exception need have been taken and which though perhaps critical of the measures taken by Government might have been regarded as fair comment. But, as I have said, there were other passages which in the opinion of the Government of India were definitely prejudicial. As publicity has been denied to an Agency report of the statement on these grounds, I do not propose to go into details of the objectionable passages—

THE HONOURABLE MR. P. N. SAPRU : May I ask a question, Sir ? Are there any passages other than the *Amrita Bazar Patrika* version in the statement of Dr. Shyama Prasad Mukherjee ? The *Amrita Bazar Patrika* has published a statement of Dr. Shyama Prasad Mukherjee. Are there any other passages besides those published in the *Amrita Bazar Patrika* ?

THE HONOURABLE MR. E. CONRAN-SMITH : I have not been privileged myself to read the *Amrita Bazar Patrika*. I cannot therefore answer the Honourable Member's question.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : The Honourable Member has not answered the real point. If the statement was objectionable because it attacked the Government of Bengal for partisan reasons, it was for the Government of Bengal to object to it, but it did not. How do the Government of India and their Chief Press Adviser become greater guardians of the interests of the Government of Bengal than the Government of Bengal themselves ?

THE HONOURABLE MR. E. CONRAN-SMITH : I did not interrupt the Honourable Member when he was speaking. I think he might do me an equal courtesy and allow me to finish my speech.

As regards the question he has just asked me, I imagine that the Government of Bengal has adequate worthy motives for allowing this statement publicity in Bengal.

I was saying, Sir, that I did not propose to give details of the objectionable passages, because that would defeat the very object with which Government have denied publicity to the full statement. But it is significant, I think, that in the version of the statement published in two of the leading Calcutta nationalist dailies—the *Hindustan Standard* and *Advance*—the passages which in the Government of India's opinion were the most objectionable were omitted. Honourable Members will no doubt agree that the action taken by these newspapers in omitting the

[ Mr. E. Conran-Smith. ]

passages in question—as far as I am aware independently and on their own responsibility—supports the view that the action taken by the Chief Press Adviser was fully justified. If a further unofficial opinion is required on this point, I would refer Honourable Members to the comment by the *Statesman's* Muslim correspondent in his weekly article which appeared in the issue of that paper of August the 30th. With your permission, Sir, I will read a brief extract from that newspaper.

“ Dr. Shyama Prasad Mukherjee has issued a statement which contains no new information on the prevailing situation nor offers any constructive suggestion which might help those engaged in working out measures of relief. It is heavily loaded instead with deliberate insinuation against the League Ministry and against British elements in the country's administration. The Ministry is asked to ‘quit honourably’ and the British are accused of ‘hiding behind’ it as having presumably reduced the people of Bengal to starvation. For concentrated venom the concluding paragraph of the statement is hard to beat. And all this at a time when ordinary decency demands a truce in communal warfare. But the Bengal Legislature is shortly to meet again, and the statement-maker's motive is apparent.”

I do not propose to comment on what I have read except on one aspect of which is material to my argument but I propose now to fire some of my guns at the Opposition. The extract which I have read points out that there is no new information in this statement and that there is nothing constructive in it. Now I listened vainly to the speeches of Honourable Members opposite to hear some reason why they were so worked up, why they felt so strongly about the action of Government in denying publicity to this statement. If they had been able to show that Dr. Shyama Prasad Mukherjee had made some really constructive suggestion, had contributed something to the practical relief of the unfortunate starving people of Bengal, they might have made a good case. But not one single member of the Opposition gave me one single reason why that statement which did not contribute anything to the solution of the situation should not have been banned.

In conclusion, Sir, I should like to emphasise that while it is imperative in time of war for the press to exercise certain restraints that in ordinary times might not be necessary, the Government of India have no desire to prevent the publication in the press of reasonable reports and comment on present conditions in Bengal provided that such reports do not endanger security. I would like to ask my Honourable friends opposite, especially Dr. Kunzru, to remember that our enemies are always listening and the kind of stuff that is sometimes put out in the press—I only say sometimes because the press have, I acknowledge, exercised great restraint—is sometimes an invitation to the enemy. I may say, however, that the Government of India view with misgivings the tendency in some quarters to over-dramatise the situation, possibly with the best of intentions, and they have no hesitation in condemning the tendency in other quarters to exploit the situation for purely political or sectional ends. Let me say that all of us feel most acutely over the tragic suffering of Bengal and nothing I have said is intended in any way to diminish or detract from the feelings of sympathy which we all have for the unfortunate sufferers. But I repeat once more that not one of the Honourable Members who have painted a lurid picture of conditions in Bengal has shown that Dr. Shyama Prasad Mukherjee's statement had contributed anything to the relief of the situation.

Finally, Sir, I would just like to say again that there are military reasons which will be obvious to Honourable Members why the co-operation of the press is needed in presenting the picture in its proper perspective. I am sure that this House will agree that the efforts of all of us should at the present moment be bent upon the constructive task of devising means for speedily alleviating distress and exposing anti-social elements who for motives of self-interest are impeding the distribution of foodstuffs. Well, Sir, I have said enough to show that Government did not act with any lack of consideration of the issues involved and that they had no intention of being discriminatory. I confidently expect that the views I have expressed will commend themselves to this House and that far from providing grounds for censure the action which the Government took will receive their whole-hearted support.

\* THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras : Muhammadan) : Sir, I have not had the opportunity of reading the statement of Dr. Shyama Prasad Mukherjee. It was published in the *Amrita Bazar Patrika*,

But, Sir, I think that I could get material enough for me to form my view of it after hearing the account of it by the Honourable Dr. Kunzru, and from what Dr. Kunzru read out of the statement I felt that I should support the Motion to the extent that the Government of India was not justified in banning a statement of that kind. But, Sir, the discussion in this House and some of the utterances made by some of my Honourable friends on this side of the House unfortunately seem to have shaken me in my resolve. After the demand which my Honourable friend Mr. Susil Kumar Roy Chowdhury made that the Ministry in Bengal ought to go out. I feel as though I would not be justified in supporting this Motion. I will explain my position. It is not because the Ministry there is League Ministry but because an attempt seems to be made to make political capital out of the distress of the people. This is a most reprehensible kind of thing if this is the object of Dr. Shyama Prasad Mukherjee's statement. I feel that such sort of things should not be allowed. As has been remarked by Mr. Hossain Imam and by Mr. Sapru all differences, political and otherwise, have got to be sunk to the bottom and the only feeling that should prompt us in this respect should be the amelioration of the suffering which is caused to the distressed humanity in that great Province of Bengal. It is for this reason, Sir, that in spite of all the provocations that have been given. I have stood up on the floor of this House to express my sympathy with the distress that is prevailing in the Province of Bengal.

As regards the ban that was placed on this statement my feeling is that despite the explanation which was given by the Honourable the Home Secretary the Government was not justified in prohibiting its publication in its entirety. My view is that they should have allowed those parts of the statement to be published which were published in the *Amrita Bazar Patrika* and other papers in Calcutta and that thereby they could have stopped all this criticism, all this suspicion, which their banning has produced. The statement had been published in some papers already and there was no point in preventing it being published in other places, not inclusive of all those objectionable features of it but only such parts of it as have already been published in the local papers of Calcutta. All this trouble and outcry could thus have been avoided.

As regards the food situation in Bengal there cannot be two opinions about it. Whatever the complexion of our political views, I feel, Sir, as my Honourable friend the Leader of the Progressive Party, Lala Ram Saran Das has observed, that Government should have taken steps much earlier to cope with the situation. He was perfectly right in observing that at the time when Burma was lost to India the Bengal Government should have taken steps to see that there was enough of foodstuffs in the country stored for future emergency. If the Government then had had imagination to see ahead and to provide for the emergency that was quite certain to arise they could have, to a great extent, avoided the trouble which is now distressing the people in Bengal, and, as you know, Sir, the Government then in office there was Mr. Fazlul Huq's Government. It was not merely Huq's Government's duty to do it; it was the duty of the Governor of Bengal also to do it because after all he is the head of the administration and responsible for it. In a thing like this even if the Ministry does do nothing which on the very face of it appears to militate against the real interests of the people, and interests of this serious character, it should have been perfectly right for the Governor to have intervened and asked the Ministry to stay their hands. When we were discussing the food question we made proposals—Dr. Kunzru and lots of us as well—that in a matter like this considerations of political autonomy, considerations of provincial autonomy, considerations of precedence, conventions, all those things should go by the board and the one consideration that should guide Government should be to procure food for the starving millions of the country. It is very distressing to hear of the woeful tales that are given of the sufferings of the people all over the country, not merely in Bengal but also in my province. I know, Sir, that in my own province there are a number of districts which are famine-stricken. The other day, Sir, when the food question was under discussion you pointed out the starvation that was raging in Malabar. You drew pointed attention to the deaths that were occurring by hundreds in Malabar and Travancore and Cochin, deaths which were due to cholera and malaria and epidemics of similar kinds, all on account of the starvation and

[Saiyed Mohamed Padshah Sahib Bahadur.]

malnutrition of the people in those areas. Therefore, Sir, the Government should have taken steps and that much earlier than they did to cope with the situation. They should have had the imagination to see that the question of food would assume such grave dimensions in our country. They should not have taken things in the way they did in the last war. They have been proclaiming from the house tops that this war is a total war and would put completely into the shade the last war which was supposed to be a world-war. When they were handling such a thing, when they were tackling such a big problem, they should have had the imagination that the problems which would arise in the prosecution of the war would be quite different, would be much graver than those problems which they had handled during the last war. Now, Sir, as against this, what do we find? There is the statement of the Punjab Minister to say that there is a lot of wheat available in the province and not even one-fifth of it has been removed to Bengal or any other deficit areas. Is this the way to tackle the food situation? Is this the way to solve the food problem?

I do not want to belittle the endeavours that are being made by the Food Department to cope with the situation. But I say those endeavours are far short of what is actually required. You have got to cast aside, you have got to sweep to the winds all your previous conceptions. You have got to forget for the moment that you have got to move in the official groove only. You must give up the idea that some months have to elapse before all the official routine is gone through and all the papers pass through all the departments of the Government. You have got to drop all that. You have got to get over all the old notions and try to do things in a realistic manner. When you know that the disease which you have got to tackle is so chronic and so fell, your remedy should also be correspondingly drastic, and something out of the ordinary.

As I said in my previous remarks, I am not going to allot blame to this party or that party. Until the whole matter is investigated and until it is known which party is really to blame—whether the present Ministry or the previous Ministry or the Governor of Bengal who, on the very face of it, seems to be solely responsible for the situation, or whether it is the Government of India whose responsibility is not only for Delhi but for the whole of India—until all this is ascertained, we cannot apportion blame to any of these parties that are concerned in this matter.

Whatever it is, we are not at present concerned with allotting blame. All that we are concerned with today is somehow to find food, and I humbly request the Government of India not to bother with preserving law and order. The best way to preserve law and order is to see that the people are given their daily necessities of life. Merely suppressing such statements or trying to pacify the feelings of the people by giving them assurances that elaborate arrangements will be made to procure food will not do. What matters is action, and action has got to be taken immediately and effectively. I request, therefore, that the Government of India will not lose even a moment in trying to retrieve the present situation.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Mr. Chairman, I must confess that I was utterly disappointed with the reply of my Honourable friend Mr. Conran-Smith. My point was that when a statement which chiefly affected Bengal had been allowed to be published by the Bengal Government, why should the Government of India go out of their way to ban its publication? My Honourable friend did not deal with that point at all. He simply said that it was an attack on the Government, that it was not a contribution to the solution of the food problem, and so on. Government have taken up a real position today. Is the censorship of the Government of India to be exercised in order to decide whether public statements contain constructive suggestions or not?

THE HONOURABLE MR. E. CONRAN-SMITH: On a point of explanation, Sir, I cannot let that pass. I did not say that. I gave the reasons why Government denied publicity, but I asked my Honourable friend to explain why he thought it necessary to move this Adjournment Motion and why he felt so strongly about a statement which made no material contribution to the solution of the Bengal food problem. That is quite different from saying that Government had banned it because it contained no constructive suggestion.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : My Honourable friend has again missed the point. Whether it makes a material contribution or any contribution at all to the solution of the food problem is not of the slightest importance. The statement may contain nothing beyond what has been already published, but why should its publication be objected to ?

THE HONOURABLE MR. E. CONRAN-SMITH : For the reasons I gave.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : My Honourable friend gave only one reason, and that was that some passages in the statement as issued by Dr. Shyama Prasad Mukherjee had been omitted by some of the Calcutta Papers.

THE HONOURABLE MR. E. CONRAN-SMITH : On the contrary, I said some passages were objectionable.

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU : If the Honourable Member had not interrupted me, I would have said that he told us that some passages had been omitted by some papers of Calcutta because they thought that those passages were not suitable for publication. (*Interruption*). They were probably afraid they would be taken to task by the Government of Bengal, if they published what Dr. Shyama Prasad Mukherjee considered to be the whole truth. I drew the attention of the Honourable Member to what was contained in the *Amrita Bazar Patrika*. There did not seem to me to be anything there that could be objected to. I have not seen the summaries that were wired out from Bengal by the Associated Press or by the United Press, but did they all consist of objectionable matter ? Was there nothing in them that could be passed for publication ?

My Honourable friend, like a clever man, dwelt a great deal on one point only. He tried to make out that Dr. Shyama Prasad Mukherjee had criticised the Bengal authorities and administration, for party purposes. I shall assume for the moment that my Honourable friend's reading of the motives of Dr. Shyama Prasad Mukherjee was correct and that Dr. Mukherjee, while describing the food situation in Bengal which the Honourable Member himself admitted was not exaggerated took advantage of the prevailing distress to criticise the Bengal authorities. But is that a sin ? Is that a reason why the Government of India should step in and prevent the publication of his statement ? Statements are daily published in papers in all provinces which contain criticisms of Government action. If the censorship, provincial or all-India, is going to be exercised for the prevention of statements which the Government of India do not regard as high-minded, I venture to say that the censorship will stand utterly condemned and deserve to be hated by the public. It will become clear if Government follow such a policy that they, while condemning partisanship in others, do not themselves hesitate to use their censorship for partisan purposes. Sir, If my Honourable friend could question the statements of fact made by Dr. Shyama Prasad Mukherjee, I could understand his objecting to the publication of the statement. But he has not objected to, he has not criticised the statement on that ground. He knows that Dr. Mukherjee is much more aware of the situation in Bengal than my Honourable friend. He was, therefore, careful enough not to criticise Dr. Mukherjee's statement on the ground that it went beyond the facts. He only tried to stir up prejudice against it by saying that Dr. Mukherjee had published a full account of the distress prevailing in some districts of Bengal only in order to discredit the Bengal authorities and perhaps the Government of India. That part of the statement which was read out by my Honourable friend Mr. Hossain Imam clearly shows that he did not want to apportion blame between the Government of Bengal and the Government of India. All that he was concerned to point out was that, no matter whose the responsibility, the situation had not been dealt with in a proper way. The Honourable Member may try to make out as much as he can that Dr. Shyama Prasad Mukherjee intended to attack the Nazimuddin Ministry. Dr. Mukherjee has certainly suggested that the present Ministry should resign, but the House should know the reasons for which he has asked the Ministry to tender its resignation. What he feels is that it enjoys no real power and that all real power is concentrated in the hands of others who are using the Ministry for their own purposes. He has really criticised,

[Pandit Hirday Nath Kunzru.]

to be quite plain, not the Ministry but the Governor of Bengal, and I think he was perfectly justified in doing so. My Honourable friend, Mr. Conran-Smith, even when he disapproves views expressed by others, is always fair enough to allow that they are actuated by the public good. I was therefore surprised that, forgetting his usual courtesy he should go so far as to impugn Dr. Shyama Prasad Mukherjee's motives. He had not the slightest reason for doing so. That in the opinion of the Government of India Dr. Mukherjee made no constructive suggestion in his statement did not, in my opinion, matter in the slightest degree. As a matter of fact, however, he has made constructive suggestions. The Government of Bengal and the Government of India may not agree with those suggestions, but to charge Dr. Shyama Prasad Mukherjee with having made no constructive suggestions is to say something which is contrary to fact. But even granting—

THE HONOURABLE MR. E. CONRAN-SMITH: Could my Honourable friend mention one constructive suggestion?

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU: Certainly. He has made suggestions for the starting of more free kitchens, for the distribution of cloth and for not denuding those areas which are suffering from scarcity of the little grain that they have. Are these not suggestions worthy of the attention both of the Government of Bengal and of the Government of India? Can the Government of India pretend that there was nothing in those suggestions? But, even granting that Dr. Shyama Prasad Mukherjee made no constructive suggestions was it at all proper of my Honourable friend Mr. Conran-Smith to attack his motives? The real objection of the Government of India, I venture to say, is that Dr. Shyama Prasad Mukherjee in his statement drew public attention to the responsibility of the Governor of Bengal for the present situation and I feel that he discharged a great public duty by stating this fact plainly. The Government of India ought to know—I am sure they know already—that there are many responsible people besides Dr. Shyama Prasad Mukherjee in Bengal itself who hold the Head of the Government responsible for the present disgraceful situation. The *Statesman* the other day wrote an article regarding the situation in Bengal the heading of which was "An All-India Disgrace". Did that leading article contain any constructive suggestions? Did the photographs published by the *Statesman* suggest any solution of the present problem? Have the newspapers in Bengal, which have severely criticised the present administration for its failure to discharge its elementary duty towards its people made any constructive suggestions? I read, Sir, some of the Bengal papers and I think I am on safe ground in saying that no statement on the present situation in Bengal so far published in the papers gives such a graphic account of the terrible distress prevailing there as Dr. Shyama Prasad Mukherjee's statement. Even if he has made no constructive suggestions, he has rendered a service to Bengal in particular and India in general by fully exposing the shocking remissness of the Government of India and the Government of Bengal in a matter vitally affecting not merely the welfare of the people of Bengal but their lives and —

THE HONOURABLE THE CHAIRMAN: I think the time is up. There is no other business and this Session is over. The Council is now adjourned *sine die*.

The Council then adjourned *sine die*.